



ADUR DISTRICT
C O U N C I L

Planning Committee
3rd October 2018

Agenda Item 5
Ward: ALL

Key Decision: Yes / No

Report by the Director for Economy

Planning Applications

1

Application Number: AWDM/0961/17

Recommendation – On balance, to approve subject to a s106 agreement and the SofS not calling in the application.

Site: Land West Of New Monks Farm, Mash Barn Lane, Lancing

Proposal: Hybrid planning application seeking (1) Full planning permission for the demolition of existing buildings and erection of 249 dwellings with temporary access via Grinstead Lane, a Country Park, relocation and extension of the Withy Patch Gypsy and Traveller site, permanent access via a new roundabout on the A27, landscaping, two additional football pitches and other associated infrastructure (including pumping facility at the River Adur); (2) Outline planning permission (with only landscaping reserved) for a non-food retail store (Use Class A1); and (3) Outline planning permission (with all matters reserved other than access) for the erection of a further 351 dwellings, community hub, primary school, and landscaping. The application is accompanied by an Environmental Impact Assessment.
(Amended Description)

2

Application Number: AWDM/1093/17

Recommendation – Approve subject to s106 Agreement.

Site: Shoreham Airport, Cecil Pashley Way, Shoreham (Brighton City) Airport, Lancing, West Sussex, BN43 5FF

Proposal: Outline planning permission for the erection of new commercial buildings with an overall height of 14ms to provide up to 25000m²

of floorspace for Light Industrial (Use Class B1c), General Industrial (Use Class B2) and Storage and Distribution (Use Class B8) with access, landscaping and associated infrastructure (including a new pumping facility on the River Adur).

Application Number: AWDM/0961/17

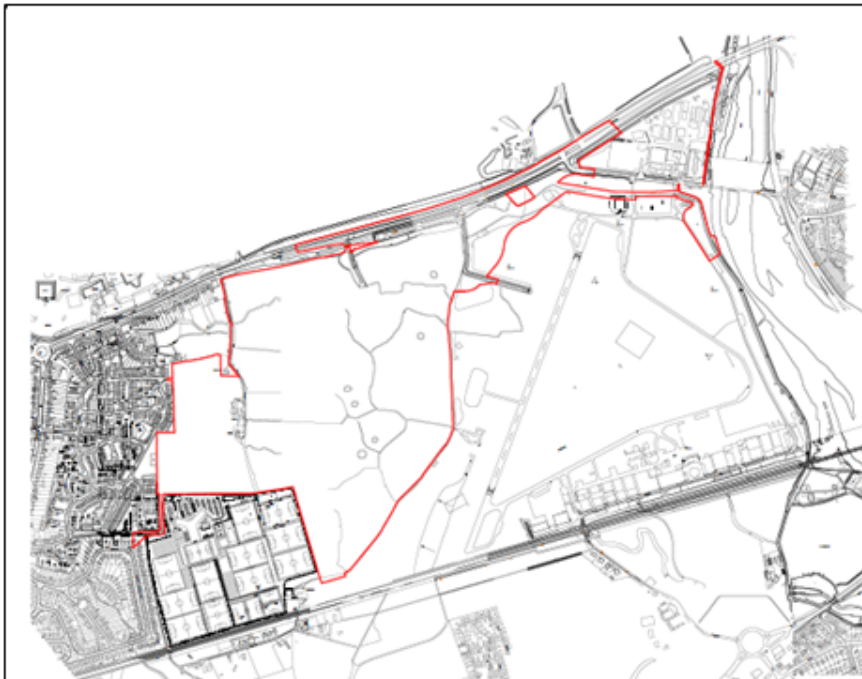
Recommendation – On balance, to approve subject to a s106 agreement and the SofS not calling in the application.

Site: Land West Of New Monks Farm, Mash Barn Lane, Lancing

Proposal: Hybrid planning application seeking (1) Full planning permission for the demolition of existing buildings and erection of 249 dwellings with temporary access via Grinstead Lane, a Country Park, relocation and extension of the Withy Patch Gypsy and Traveller site, permanent access via a new roundabout on the A27, landscaping, two additional football pitches and other associated infrastructure (including pumping facility at the River Adur); (2) Outline planning permission (with only landscaping reserved) for a non-food retail store (Use Class A1); and (3) Outline planning permission (with all matters reserved other than access) for the erection of a further 351 dwellings, community hub, primary school, and landscaping. The application is accompanied by an Environmental Impact Assessment. *(Amended Description)*

Applicants: Mr Martin Perry & Mr Ian Humble - **Ward:** Mash Barn
New Monks Farm Development Ltd/
CALA Homes

Case Officer: James Appleton



Not to Scale

1. Background

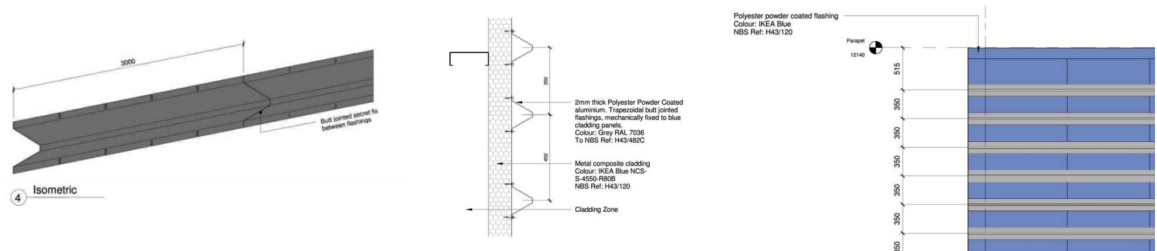
- 1.1 At its meeting on 18th July 2018, Planning Committee deferred this application on the grounds that,
- i) IKEA were to be requested to undertake further work in relation to the environmental impact of the proposed development taking into account the objections received; and
 - ii) further discussions to be undertaken with Lancing College in relation to the provision of a 4th arm to the proposed A27 roundabout.
- 1.2 This report should be read in conjunction with the original report (and addendum) and deals with the two grounds for deferral, amended plans received since the meeting and new matters raised by consultees and letters of representation. This report also considers the application in light of revised guidance contained in the National Planning Policy Framework (NPPF). The last Committee report has been amended with some typographical errors and corrections referred to in the addendum report (shown as tracked changes).

2. Revised Plans and Further Information

- 2.1 The applicants have re-considered the north elevation of the proposed IKEA store following the Committee meeting in July. A revised plan has been submitted which now adds louvres to an additional section of the north elevation (recessed loading bay). The applicant has not removed the proposed Ikea lettering (advert) elsewhere on the north elevation but indicates that this will be dealt with by a separate application under the advertisement regulations.
- 2.2 The amended section of the north elevation is shown below:



- 2.3 The applicants have also prepared a detail of the proposed 'louvres' which demonstrate that they would, in fact, be triangular shaped in section as indicated in the drawing below. These would be grey in colour and would gradually get closer together (350 mm apart) higher up the building to filter the blue elevation.



- 2.4 The applicants have also prepared an addendum to the Planning Statement considering the scheme in light of the revised National Planning Policy Framework (NPPF). The addendum report considers the various amendments to Central Government advice but conclude that they do not materially alter the previous assessment of the scheme.

- 2.5 In response to the representation from the All Parliamentary Group on General Aviation (see representation section), the applicants commissioned York Aviation to consider the concerns raised. York Aviation had assessed the Airport development previously and found that the proposal would not obstruct the Obstacle Limitation Surface (OLS) and therefore had no detrimental effect on the Airport's ability to operate the Airport or its airspace. In relation to NMF, the Consultants conclude that,

“Having reviewed the operation, runway classifications and layout specifics of the existing aerodrome in the context of the proposed development, it can be seen that there should be no impact on the airports Obstacle Limitation Surface.

Subject to confirmation that no part of the proposed development will emit any radio signals that will interfere with the navigational aids at Shoreham, there should be no safeguarding issues relating lighting or navigational aids.

Careful consideration should be given to the proximity of the Helicopter Training Area circuits to the densely-populated parts of the proposed development. Consultation with the airport operator and their stakeholders should be undertaken with the aim of mitigating as far as possible any flyover of residential areas in particular. This may involve altering the circuits to move or curtail the southern sections and or change their operational protocols.

Early engagement with the contractors to establish safe working practices for their construction activities should be undertaken to mitigate any impact on airport operations. We can see no obvious reasons why the construction should pose a safety impact that could not be designed out in some way.”

- 2.6 The applicants also requested the scheme ecologist to comment on any potential risk to the operation of the airport by increased bird strikes. The submitted letter states that,

“Potential for Birdstrike. As Shoreham Airport does not have the facilities for commercial jets, it does not have the risks posed by ingestion into jet engines – where the target bird species to avoid are gulls, Starling and Lapwing (due to their flocking behaviour) and large birds such as geese, Grey Heron and Mute Swan (due to their high potential to cause collision damage).

An Advisory Technical Summary has been prepared by York Aviation LLP and this confirms that Shoreham Airport is used predominantly by privately owned light aircraft and flight training of fixed wing aircraft and helicopters. These planes are similarly threatened by the same target bird species during their most vulnerable flight times, i.e. at take-off and landing.

Shoreham Airport currently has a bird management strategy in place and this is based on:

- *Regular grass mowing throughout the growing season to reduce the sward height (to increase exposure) and reduce its bird foraging potential (low herb richness and little potential for seed production).*
- *Regular circuits of the Airport by vehicles emitting bird scare calls from loudspeakers (to disperse any roosting flocks).*

During the winter months, large flocks of Lapwing are noticeable in/around Shoreham Airport and are likely to be birds moving along the Adur Valley in response to arable disturbance and/or high tide displacement.

Predicted Development Impacts

Based on the current status of the bird assemblages within New Monks Farm, and especially those species that would be regarded as potential target species involved with birdstrike incidents, the main species of interest known to occur on the Site would be (i) flocking arable species that fly at low- to mid-altitude such as Wood Pigeon, Stock Dove, Carrion Crow and Jackdaw and (ii) large birds such as Grey Heron.

The development proposals are likely to significantly reduce the numbers of flocking arable birds in the medium- to long-term, as a result of the total loss of arable habitat coupled with the increased amount of visual disturbance and human presence within the Country Park.

In the short-term these flocking arable birds will persist as long as the skeletal grassland cover is maintained. Once this is cleared the potential foraging interest will be lost. Some attraction may occur during the seeding and establishment of grassland within the new Country Park but this will be balanced against the sequential clearance of arable land as development progresses. No significant increase in the number of flocking arable species would be predicted.

Large birds such as Grey Heron are unlikely to significantly increase in number as a result of the proposed development, despite structural enhancements and widening of the channels, again due to the increase in human presence within the Country Park and the generally solitary nature of this species.

New Development Features

The extensive area of new flat roof on the proposed IKEA building could provide potential to attract roosting/nesting/loafing gulls and pigeons. This roof will provide a mix of open flat roof, banks of photovoltaics and two peripheral areas of Green Roof - See General Arrangement Roof Level Dwg. CMT00760-PL-006 dated 5th September 2018 by Corstorphine Wright.

It will therefore be necessary to adopt a Bird Hazard Management Plan (BHMP) to deter gulls from roosting/nesting/loafing here in accordance with Civil Aviation Authority (CAA) 'Wildlife hazard management at aerodromes' (CAP772) guidance which concerns the management of wildlife in proximity to aerodromes focused primarily on risks posed to aircraft by birds.

The BHMP could be made subject to a Planning Condition and would be readily achievable based on the current design of the IKEA building.

Conclusion

The proposed development within New Monks Farm will result in changes to the bird assemblages using the Site, but these are unlikely to result in any significant change to the risk of birdstrike within Shoreham Airport.

The large expanse of new roof space presented by the proposed IKEA building has potential to increase numbers of roosting/nesting/loafing gulls and pigeons, however, their numbers can be effectively minimised by means of design and regular building maintenance (especially during the initial establishment phase). This building will be compliant with CAP772.'

Provision of a 4th Arm for Coombes Road and Lancing College

- 2.7 The applicants have had further discussions with Lancing College since the last Committee. Heads of Terms have been prepared by the applicants to form the basis of an agreement with the College to work together to deliver the 4th

arm to serve Coombes Road. It is hoped this agreement will be in place before the meeting and Members will be updated.

- 2.8 In response to representations from Sustrans, The British Horse Society and Friends of the Earth about the appropriate standards to use for the new bridlepath route under the A27 (see Representations section of the report) the applicants have prepared a further statement,

'I am aware that Sustrans and the British Horse Society have provided further representations to the New Monks Farm Planning Application (Ref: AWDM/0961/17), which have narrowly focused on the width of our proposals to upgrade Public Right of Way (PRoW) 2049 to a bridleway. I am also aware that there is a further letter of objection from Chris Todd from Friends of the Earth (FotE) dealing with a range of non-motorised user (NMU) matters, most of which we have addressed in our earlier submissions.

As indicated on our Drawing No. VD14260-SK0101 Rev. C, the proposed upgraded route provides a surfaced width of 2.5m along its length, which is agreed as being acceptable by Highways England (HE) and West Sussex County Council (WSCC). I would re-iterate that we have undertaken extensive design work, including preliminary sections based on topographical survey information, to demonstrate delivery of the proposed improvements. It is also worth noting that from 150m north of Old Shoreham Toll Bridge, the total available width increases to between 3.2m to 3.9m for the rest of the River Adur route.

As concluded in the Planning Committee Report, the NMU proposals accord with Policy 5 of the Local Plan by providing enhanced accessibility for NMUs from Lancing and Shoreham-by-Sea to the South Downs National Park (SDNP). The overall NMU proposals were developed within the Transport Steering Group framework, including the upgrading of PRoW 2049, and after detailed consideration were deemed to be acceptable to both HE and WSCC as Highway Authorities. All the infrastructure proposals were taken through the safety audit process prior to the Highway Authorities issuing their consultation responses to the application.

Issue is taken by Sustrans regarding our interpretation of their guidance. The upgraded new NMU link would provide access to the SDNP mainly for leisure use, with low levels of commuting or utility cycling use, given the limited destinations to the north. This is evidenced by the cycle catchment plans included within our Transport Assessment. For clarity part of the route is within the National Park and the A27 is defined as a Rural Route in this location, including the unlit Sussex Pad junction.

Given the location of the route, its main function, and the nature of the A27 in this location, it is not considered unreasonable to use the guidance for rural traffic-free routes. Urban fringe / semi-rural routes are more likely to carry utility

cycle trips in addition to other cycle trip types, with routes much more likely to be lit, and to carry a greater level of overall cycle trips. However, notwithstanding the interpretation of definitions, the guidance indicates that traffic-free routes can operate adequately with widths of 2 metres.

This is also confirmed by the Design Manual for Roads and Bridges (DMRB) TA90/05 which indicates: "Unsegregated shared facilities have operated satisfactorily down to 2.0m wide with combined pedestrian and cycle use of up to 200 per hour.

The above should be considered in the context of overall NMU movements. Data collected either for HE or Vectos by independent survey companies is included in the Transport Assessment, including NMU crossing movements at the Sussex Pad junction. The data is summarised below:

- Weekday AM peak hour – 2 northbound and 9 southbound cycle movements, plus 1 southbound pedestrian movement with zero northbound movements.*
- Weekday PM peak hour – 7 northbound and 6 southbound cycle movements, plus 1 northbound and 1 southbound pedestrian movement.*
- Across all the weekday there were similarly low levels of flow per hour to the above.*
- Saturday peak hour (1200 to 1300) - 12 northbound and 14 southbound cycle movements, plus zero northbound and 6 southbound pedestrian movements.*
- No equestrians were observed during these survey periods.*

The survey data demonstrates that NMU movements between Coombes Road and Old Shoreham Road are low. This provides evidence that we are not dealing with a main commuter or utility route and would point to use of the lesser route category in the Sustrans guidance. NMU flows are significantly less than the 200 per hour as quoted in DMRB pointing to the conclusion that a 2.0m wide route would operate in a satisfactory manner, which would also apply to the comments on widths raised by the British Horse Society.

It is understood that FotE have undertaken their own survey and quote a peak cycle flow of 107 per hour. No peak pedestrian movements are given but we know these are very low, as are equestrian movements. Even this peak level of flow is significantly less than the 200 movements per hour quoted in DMRB as being capable of being accommodated in a satisfactory manner on a 2.0m unsegregated route, leaving significant spare capacity for growth.

Directional flows are not provided but from our independent survey, the split is broadly 50/50 north/south. This would mean a peak average NMU flow of less than one per minute in each direction. Such a peak flow would not result in any significant conflicts between users.

It would be useful to consider the profiles of the quoted movements across the survey days, but we know that at other times of the survey days flows will be significantly less. Based on the FotE data put forward, average two-way flows would equate to 31 cycles per hour and 5 pedestrians per hour on Saturday, and average two-way flows of 44 cycles per hour and 6 pedestrians per hour on Sunday. Whilst, there will be a profile across each day these figures nevertheless provide a good indication of the relatively low level of flows and conflicts. Significant increases in flow as a result of the improved provision would not change the conclusion that the width of the bridleway can accommodate the level of movements.

It is accepted that some users will travel in groups. However, it is not unreasonable to expect cyclists to travel in single file to pass other NMUs, with the straight nature of the route providing good forward visibility, such that NMUs can be courteous to each other as required for unsegregated routes, which would also apply to passing the low numbers of equestrians.

In conclusion, the data presented by FotE backs up the conclusion agreed with HE and WSCC that the proposed width of the improved NMU route would be adequate to accommodate anticipated demand. It is also worth noting that Sustrans have successfully developed a considerable number of shared cycle routes adjacent to rivers and canals, which have not slavishly adhered to their own guidance.

One such example is the Bridgewater Canal, see attached Case Study, where Sustrans have upgraded a key stretch of canal towpath between Sale and Stretford, as part of the wider Bridgewater Way. The Case Study leaflet states: "Sustrans refurbished a key stretch of canal towpath between Sale and Stretford, transforming it into a safe and properly surfaced traffic-free route for both walking and cycling. It is now much easier to access the towpath and there are greatly improved onward links to workplaces, schools and other amenities."

Peter Green, Sustrans' area manager in Manchester said: "These statistics (included in the leaflet) really speak for themselves and once more prove that people want to make their local journeys on foot or by bike and feel much more comfortable in safe and attractive spaces. The Bridgewater Way is a key link in the local traffic-free network that allows people of all ages to make the journeys they want without the need to rely upon the car."

The Bridgewater Way route is in an urban area, used by commuters, other utility cycle trips and for recreational purposes, thus exhibiting greater anticipated demand compared to the River Adur route. The surfaced walkway/cycleway generally ranges between 2.0 – 2.5m in width, with numerous sections of the surfaced width where the towpath is walled or is bounded by buildings. These include:

- *Two sections in Stretford (50 - 100m);*

- *The majority of the section from Sale to Dane Road (around 1km);*
- *A number of short sections through Timperley/Altrincham, including a section of around 300m (immediately northeast of the A56 bridge).*

This example is a demonstration of a successful Sustrans scheme adjacent to a waterway, with similar or narrower widths than those proposed for the River Adur route, so their latest representation suggesting a 3 – 4m path in a 5m corridor is unfounded.

Turning to the British Horse Society representation, this fails to mention that there are no equestrian facilities at the Sussex Pad junction and does not refer to their advice on crossing major roads, which I dealt with in my letter to you dated 22nd June 2018. The British Horse Society guidance document ‘Road Crossings for Horses’ under the heading Trunk Roads and Dual Carriageways states:

“At-grade crossings of dual carriageways are difficult and sometimes impossible for many horses. Road designers or others involved may consider crossing easier because those crossings are only negotiating traffic from one direction at a time. However, unlike cyclists or pedestrians, equestrians may find it too dangerous to wait on a central reservation; particularly if there has already been a wait to cross the first carriageway and if waiting for longer than a minute, which is commonplace on many dual carriageways. The noise and strong air currents from passing vehicles can be distressing for horse and rider.”

The A27 at the Sussex Pad is derestricted with prevalent high traffic flows and speeds, with two stage delayed crossing facilities, presenting a scenario that the guidance seeks to avoid.

On the north side of the A27, once equestrians have crossed, to access The Drive there is a narrow footway of less than 1m in width, and to Coombes Road there is only a verge. These routes are directly adjacent to the A27 with associated high speed and high-volume traffic movements.

In comparison, the new NMU route is completely vehicular traffic-free, removing the conflicts at Sussex Pad. The new route running to the north and parallel to the A27, is purposefully set back from the main carriageway, providing a vastly improved environment for equestrians, in addition to pedestrians and cyclists.

In conclusion, the proposals to upgrade the River Adur footpath to a bridleway are considered to be appropriate to safely accommodate anticipated NMU movements, are deliverable, and importantly will provide benefits compared to NMUs having to cross at the Sussex Pad junction, effected by totally removing conflicts with high speeds and high flow traffic conditions. This will benefit NMU comfort, safety and the perception of safety, so making the route into the SDNP more attractive.

I trust this information is of further assistance to the considerable submissions made on NMU provision, both in the Transport Assessment and in further correspondence, to demonstrate the conclusions made in the planning report are valid.'

3. Additional Consultation Responses

The South Downs National Park comments that,

*Thank you for informing us of the further information submitted in respect of the above application, which includes further plans detailing the louvres and the extent of the green roof. The SDNPA consider that these additional plans do not address the concerns previously raised in our comments dated 12 March and 05 July 2018, which detail the significant harm it is considered would be caused by the proposed development. The SDNPA therefore maintains its **objection** to the proposal.*

Natural England (NE) comments that it has now agreed appropriate conditions to deal with projecting the SSI and compensatory habitat if the spillway fails to avoid loss of intertidal mud. NE also suggests a condition to avoid any damage to the SSI during construction of the improved footpath under the A27.

4. Representations

A further 10 letters of objection have been received on similar grounds to those reported previously. However, one objection from a representative of the Rotary Wing at the Airport objects on the grounds that,

- i) **Noise:** the planned development lies directly under the helicopter circuit published on the Brighton Airport website. Helicopters have to operate below 600ft and would typically fly 300-400 ft over the planned houses. With helicopters using this circuit regularly this would constitute serious noise nuisance.
- ii) **Safety:** In the event of a mechanical issue there may be little time and/or space to avoid landing within the confines of the development.
- iii) **Viability:** If the scheme were to go ahead there would be pressure from the residents to close the circuit. There is nowhere for the circuit to go and it would cause financial issues to the airfields helicopter training businesses which would impact on their supply chain such as engineering companies etc. There would also be a major drop in landing fees and fuel sales directly to the airfield.
- iv) The Council is in breach of the Section 52 Agreement and it has failed to discharge its legal responsibilities to the airfield to maintain optimum circuit

patterns and approach and departure routes for fixed and rotary wing aircraft to minimise overflying noise sensitive development.

One letter of **support** for the scheme has been received since the last meeting on the grounds that it is a suitable addition to the area as there is a great need for more housing and job opportunities subject to a full transport assessment of the effect on the A27 and any potential flooding is minimised.

Sustrans has provided the following clarification regarding its standards for footpaths and bridleways,

“We strongly object to the quality and suitability of the provision for pedestrians and cyclists with the above planning application. We are concerned that the provision does not meet the requirements of Policy 5 of the Local Plan or the recently adopted National Planning Policy Framework.

The Local Plan states that: “Provision of sustainable transport infrastructure including improved public transport and cycle, pedestrian and equestrian links to Lancing, Shoreham-by-Sea and the South Downs National Park” and “Improved access across the A27 to the South Downs National Park for pedestrians, cyclists and equestrians must be provided” While the NPPF (paragraph 110) states that: “Development should: a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas... and c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles...”

We are pleased to see that our Technical Information Note 28 was referenced in the planning committee report (18 July 2018) to show that the design of the alternative path, to replace the crossing over the A27 at Coombes Road, “would not meet the minimum requirements”. However, what concerns us is that the “Sustrans Design Manual: Handbook for cycle-friendly design” (2014), which was produced to help designers improve the design and safety of cycling infrastructure and to try and provide a level of consistency to cycle provision, was not mentioned in this context. Instead, the committee report states: “However, the Sustrans Design Guide (2014) also suggests that a 2 metre effective minimum width is possible on lesser, rural, traffic free routes”

This is wholly misleading in this context and it is incorrect to draw parallels with the proposed path which is not situated in a rural setting and is not a lesser route. I would like to stress that Sustrans has not been consulted about this design and believes that our guidance has been misinterpreted to try and support a less than adequate proposal and our objection to this, should there be any doubt, still stands. We are also concerned that Sustrans will suffer reputational damage because a design that is of poor quality, and which compromises safety, is being cited as consistent with Sustrans’ design guidance.

The correct categorisation of this path from Table H.8 in the Design Manual would be as an urban fringe / semi-rural traffic free route. Given the likely levels of usage and the demand for crossing the A27 in this location, this should be categorised as a main cycle route or major access path. This recommends a minimum of a 3m clear path. However, I would also draw your attention to the footnotes attached to the table. These outline the additional widths required if there are edge constraints, minimum acceptable verge widths and the need for greater width where the route is used by horses. This would result in a requirement for a 3-4m surfaced path in a 5m corridor. This would then allow the various users to interact safely and in an attractive environment as per the requirements in NPPF. The width is especially important in this context where the path will be used by groups of users travelling together. A narrow width as proposed would increase the scope for conflict between pedestrians and cyclists and is contrary to the NPPF.

We would be grateful if the content of this letter was conveyed to the planning committee and that the committee report was corrected so that councillors are not misled into thinking that this proposed path meets our design guidelines or is acceptable as an alternative to the crossing of the A27.”

The British Horse Society comments that,

I have been asked to clarify BHS policy on standard widths for bridleways (shared use paths), after being made aware recently that the Officer’s report that went to the planning committee on 18 July, 2018 used the British Horse Society’s guidance on path widths out of context with regards to the alternative path proposed to replace the loss of the Sussex Pad crossing, in particular reference to the upgrading of FP 2049. The report stated that:

“With regard to equestrians, ridden horses can occupy a width of approximately 1.5 metres and, therefore, the proposed route would also accommodate equestrians with room to pass for pedestrians and cyclists. It is also noted that the British Horse Society does indicate that horse riders, pedestrians and cyclists do co-exist without problems on many bridleways as narrow as 2 metres which provides further comfort that the route proposed is useable by a variety of non-motorised users (NMUs).” (first paragraph, page 185)

Our guidance covers all situations and acknowledges that on little used paths in rural areas, and for a pinch point or very short distance (less than 100m) with good sight lines, a 2m wide path can work successfully. However, my view is that this is not the situation here, as the path is on the edge of an urban area, providing access to the South Downs National Park (SDNP), with large numbers of cyclists coming through in groups, walkers with prams, children and dogs, and for a distance of over 300m. A path of this width, for this distance, and in this situation, would allow little room for users to pass each other safely, and is likely to cause unnecessary conflict.

The County Council's and the British Horse Society's standard for a bridleway is a minimum 3m useable width. Useable width does not include minimum clearance required from the fence that runs alongside the path, or a safety verge between the path and the river, which would in effect mean a minimum 3.5 to 4m width is required to accommodate a 3m usable path. These are minimum requirements, and in this situation with the type and level of usage (which will undoubtedly increase in future years), a wider path would be more appropriate.

The developer's contention that along FP 2049 beside the River Adur a width of 2.5m would be acceptable in this instance is unsustainable and could not be supported by the British Horse Society. It is also a misleading description as the path would have a maximum usable width of only 2m.

A recent count at the Sussex Pad crossing showed it to be used by 340 cyclists (8am - 7pm) on the Saturday and 522 cyclists (7:45am - 8pm) north and south on the Sunday, plus quite a number of pedestrians, and some equestrians. All these users (and more in the future) would need to use the alternative proposed path if the crossing was closed, they need to be accommodated comfortably and safely.

It is imperative that access is provided for horse riders as well as cyclists and walkers to keep riders off the A27 and provide them with safe access to the SDNP. All non-motorised users (NMU) would prefer a direct grade-separated (bridge) crossing of the A27 from Old Shoreham Road to Coombes Road, this is the desire line for walkers, cyclists, and equestrians. The developers are required by the Adur Local Plan, Policy 5, to provide "Improved access across the A27 to the South Downs National Park for pedestrians, cyclists and equestrians."

The alternative at present being suggested, by the developers, along FP 2049 beside the River Adur, and passing under the A27, clearly fails this test.

Brighton and Hove Friends of the Earth have submitted the following objection on behalf of Bricycles, Brighton & Hove Friends of the Earth, Brighton Excelsior Cycling Club, Brighton Mitre Cycling Club, CTC local representatives, Horsham District Cycle Forum, Hovelo, Shoreham by Cycle, Sustrans Worthing Co-ordinator, VC Jubilee, West Sussex Cycle Forum, Worthing Cycle Forum which states that,

*'We are extremely concerned with the information presented to the planning committee on the 18 July 2018 about the New Monks Farm application. Brighton & Hove Friends of the Earth submitted a substantial objection and detailed critique of the provision for walkers, cyclists and equestrians that was signed by many other organisations. **This was not reported to the planning committee in the addendum report and neither were many of the points contained within it.***

Yet the additional report stated:

*“Since the report was written a further 20 letters of objection have been received **raising a number of points already summarised in the main report**. The majority raise concerns about the width of the proposed bridleway under the A27 and refer to the significant numbers of cyclists that use the route and conflict with pedestrians and horse riders (with reference to an effective width of 2 metres).” [our emphasis]*

*While the statement highlighted in bold might be true; that some of the points raised had been covered in the main report, **many points raised in our objection were not**. As such, **the additional report was highly misleading**, giving the impression that nothing new had been said. Many of these major deficiencies with the development, raised in our original objection, are outlined again in Appendix 1.*

The additional report also failed to mention that the South Downs Local Access Forum had objected and that its preference was for a grade separated crossing at the Sussex Pad. A body with its status should clearly have been acknowledged and its comments reported in detail.

The main committee report contained a great many unsubstantiated assertions and opinions, particularly with regards to the use and safety of the Sussex Pad crossing and the proposed alternatives. In addition, the misleading and inaccurate information presented to the committee by the developers in their aural presentation was left uncorrected despite the presence of West Sussex County Council, as the local highways authority, and Highways England.

The evidence provided in the following appendices demonstrates why the plans do not meet minimum design standards, particularly with regards to any alternative to the Sussex Pad crossing. It also shows that what is proposed would actually reduce the quality of the connection to the National Park through the extra distance people would have to travel, the delay this and the crossings at the roundabout would introduce, and the unsafe nature of the new bridleway alongside the River Adur:

1. *The major sustainable transport deficiencies (in the development)*
2. *Why the development is contrary to local & national planning policy*
3. *Sussex Pad Crossing – the facts*
4. *The new bridleway – why it will make things worse*
5. *Myths, assertions and overlooked facts*
6. *Diversions and time delays*
 7. *Sussex Pad alternative path widths (along River Adur) compared to minimum standards*
8. *Sustrans’ Design Guide (2014)*
9. *Design Manual for Road and Bridges (DMRB) specifications*

It is worth noting that the Sussex Pad crossing is the best, flat, direct, high capacity road crossing of the A27 for cyclists for miles around, a fact not reported to the committee. That is why there is so much distress and anger at these plans. In order to address our concerns, we would like to see:

- 1. A direct, grade separated crossing provided at the Sussex Pad junction*
- 2. The main pedestrian / cycle route from the housing development east switched from the north to the south of the access road and widened to a 4m usable path width.*
- 3. Cycle parking within the development improved*
- 4. The country park paths and bridges widened to allow cycling*
- 5. Relocation of the school to minimise travel and exposure to air and noise pollution*
- 6. The bus stop for the Ikea located directly outside its main entrance with attractive covered waiting areas supplied with real time information (see Appendix 1 for more details)*

While some of these would add to costs, savings could be made by omitting infrastructure which serves little or no useful purpose, such as the four-stage crossing of the A27 roundabout.

*Without these issues being addressed, it is difficult to see how the development will promote active travel and sustainable transport in any meaningful way. Therefore, it is contrary to Local Plan Policy 5 and the revised National Planning Policy Framework (NPPF) and **these are clear grounds for refusal**. The revised NPPF should have resulted in a full review of the proposals. However, given the rushed nature of the process we do not see how there has been time for this and the absence of any new plans suggests that this has not occurred in any meaningful way. The development would result in increased congestion, pollution and carbon emissions and the current layout would undermine any travel plans. It would result in an unhealthy and degraded environment and a lower quality of life.*

We trust that this objection and all of the points contained within it will be reported to the planning committee this time. Councillors need to understand just how bad this proposal would be for walking, cycling and horse-riding.'

A copy of the Appendix referred to in this letter is attached to the agenda as **Appendix 1**.

Adur Floodwatch (AFG) has expressed concern following the July meeting that some of its representations had not been included in the report. It has also asked the following questions:

- 1. There is still no proper evidence to demonstrate the effect of rising groundwater on the aspects of flood risk in extreme wet weather events*

for this site which has a greater than 75% risk of flooding across its whole area.

2. *There is no response to the effects of tidal rise on the ability of the sluices by the Dogs Trust to provide sustainable drainage to the site for its lifetime to comply with NPPF requirements. No statutory drainage body (Environment Agency/WSCC Lead drainage authority) has addressed this aspect. Despite their responsibility for the sluice drainage infrastructure, when contacted, the EA immediately referred AFG to the drainage officer at the WSCC Lead Drainage Authority who in turn said it would go on his action list for further discussion with management. Those contacts/discussions occurred within the last three weeks.*

The EA has tidal rise projections till the year 2115 as covered in the first AFG submission above and these rises will impact adversely on the operation of the tidal flaps, the ditch levels for the site (and elsewhere) with ever increasing containment times between the tidal cycles. AFG believes that this will become a real issue within two decades.

3. *There is no response to the concerns for a connection to an existing sewer, which in extreme weather events has failed through ground water inundation for 4 out of the last 6 years to create loss of residents' facilities, surging manholes, sewage in the road and gardens, road and lane closures and over pumping into ditches. Particularly there are concerns for the impact on the NMF site itself.*

These concerns are for an obvious under specification by the service provider for the foul waste management of the site. Why not a dedicated sewer to the waste treatment plant to prevent exacerbation of these problems for existing residents in Lancing and all the build out elements on the NMF site – including the Training Academy? See full explanation in the attached.

4. *No confirmation of an instant access performance Bond to be accessible by the Local Authority/community in the event of a failure of the proposed maintenance company for the NMF development to ensure ditches can be maintained.*

Reading the officer's report, the independent consultant's comments regarding the approval for the drainage scheme give no real confidence that the drainage scheme will be effective in not increasing flood risk elsewhere. Also, it only addresses areas upstream relating to the proposed Northern channel but no mention of downstream. We quote the wording provided by the report: -

'The revised hydrological estimate tends to permit weight to be given to the designs and outcomes of the applicant's existing hydraulic assessment.'

“Potential for the proposal to affect upstream lands can therefore be deemed to have been suitably assessed and the application can be deemed to satisfy the planning test in relation to potential effect elsewhere.

The underlined is ‘soft’ wording which does not show positively that the proposals are approved by the consultant. The wording fails to provide a categorical approval of the scheme.

The independent assessment also appears to only address the aspects of the proposed Northern Channel not the scheme as a whole. The Lead Drainage Authority’s comments indicate that also with the multiplicity of stage by stage approval conditions for ditch designs to be imposed. The EA has also asked for similar conditions to be imposed. Those designs should surely have been done to validate the whole drainage scheme before consideration by the planning committee.

In the interest of transparency, we would request that a copy of the independent drainage assessment report be available for public viewing on the planning portal. Does it address more than just the elements of the proposed Northern Channel? The original understanding given by Planning was that it would address the whole drainage scheme.’

Ricardo Ltd further comments,

“Further to our letter of 10 November 2017, we provide some additional feedback now that further information has come forwards from the developers and various statutory bodies, particularly Highways England and WSCC. We also note the approval of the Local Plan, which we consider to be a significant development for Adur and the Greater Brighton City Region.

We continue to support both applications and have updated our observations. Some of which are of a wider nature than just these two applications. The points in our original letter stand unless amended by this letter.

Our points on all aspects of excellence remain unchanged. Infrastructure excellence in all its forms needs to be in place before or during development and not lag. The drainage approach is a good example of this.

The following points are both wide ranging and specific to one or both developments. We have retained the headings from our additional letter.

Traffic and junctions design

Overall traffic schemes

- *We support the additional potential for traffic system enhancements that could come from the Transforming Cities bid which we have supported*

- *We are aware that both highways authorities have not objected to the schemes*

Sussex Pad Junction

- *No additional comments*

Construction impact

- *We are aware that the Adur Tidal Walls works should be complete before significant construction starts which reduces short term risk and complexity*

Infrastructure – other than roads

- *In addition, we see the combined schemes as major opportunities for the use of smart grid technology and will work with the developers to see how this can be delivered – it will need to be considered on day 1 (as part of dig once) and has the potential to reduce cost to all the property owners and improve viability for all*
- *We note that EA and WSCC (as flood authority) have not objected to the schemes*
- *We welcome and support the NMF applicant's additional planning application submitted to the South Downs National Park for improved non-motorised users east access under the A27 flyover and along the north side of the carriage way into Coombes Road.*
- *We have no objection to the foot path on the Eastern of our site being upgraded to a bridle way*

Regeneration and other Planning Considerations

- *We should not forget that both developments will significantly enhance the economy in Adur and the Greater Brighton City Region and that both applicants have detailed these benefits*
- *We note the Airport Consultative Committee, of which we are members, has supported both schemes*
- *We note and support the NMF scheme delivering wider community regeneration benefits such as a new single form entry primary school serviced site with expansion space; the relocation and expansion of the Gypsy and Travellers site with four additional pitches; and a new 28-hectare country park with new ecology habitats, cycle and foot pathways to access the South Downs National Park for residents and visitors.*
- *We welcome additional screening and improvements to IKEA's northern elevation to minimise visual impact from SDNP.*
- *The airport development has potential to accommodate jobs growth in Shoreham for Ricardo and we are already in dialog with the developers regarding potential opportunities.”*

5. Revised National Guidance

- 5.1 Members will be aware that since the last meeting the revised NPPF has been published with some significant changes to wording and a different structure to the layout of the document. Chapters on plan making, decision making and housing being brought forward and a new chapter about making efficient use of land. Changes that most affect consideration of the application are set out below.
- 5.2 The way in which the NPPF supports the delivery of sustainable development has been altered (paras 7-14). The policy paragraphs no longer constitute the Government's view of what sustainable development means for the planning system, the three 'dimensions' to sustainable development are now 'objectives', and it is confirmed that they are not criteria against which decisions can or should be judged. Economic, social, and environmental gains are no longer to be sought 'jointly and simultaneously'; instead, the objectives are to be pursued in 'mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives)'.
- 5.3 The presumption in favour of sustainable development is retained, but some changes have been made to its detailed articulation. These include an expectation that strategic plans should, 'as a minimum', provide for objectively assessed needs, and clarification 12 that 'the policies which are most important for determining the application' need to be up-to-date.
- 5.4 Paragraphs 38-58 relate to decision making and refer to decisions being taken as quickly as possible and stress that, planning conditions should be kept to a minimum, and pre-commencement conditions should be avoided 'unless there is a clear justification'. Where up-to-date policies have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable. It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. All viability assessments should reflect the recommended approach in national planning guidance, including standardised inputs, and be made publicly available.
- 5.5 Under Chapter 6 - Building a Strong, Competitive Economy (paras. 80-84)
- There is increased reference to productivity, and to having regard to local policies for economic development and regeneration (including Local Industrial Strategies).
 - Specific reference is made to recognising and addressing the specific locational requirements of different sectors.
- 5.6 There is more flexibility for planning for Town Centres with more emphasis on housing and the need to respond to rapid changes in retail and leisure. The

sequential test is retained and the emphasis on town centre and edge of centre sites increased.

5.7 As indicated by Friends of the Earth Chapter 9: Promoting Sustainable Transport (paras. 102-111) has been significantly reordered and rewritten. There is specific reference to major developments offering a genuine choice of transport modes and there is a requirement on decision makers to 'ensure' that safe and suitable access to the site can be achieved for all users and greater emphasis on the priority to be pedestrian and cycle improvements. Of particular significance is the addition of highway safety as a ground of refusal. Reference to *residual cumulative impacts on the road networks would be severe is retained*.

5.8 Chapter 12: Achieving Well-Designed Places (paras. 124-132)

- Good design is no longer described as being indivisible from planning, but there is emphasis throughout the revised chapter on high quality buildings and places. The quality of approved development should not be diminished between permission and completion.

5.9 Chapter 14: Meeting the Challenge of Climate Change, Flooding and Coastal Change (paras. 148-169)

- The reference to the conversion of existing buildings (from the old core principles) is inserted in this chapter.
- Policies should support appropriate measures to ensure the future resilience of communities and infrastructure to climate change impacts. In taking a proactive approach to climate change mitigation and adaptation, plans should take into account the long-term implications of climate change for biodiversity and landscapes, and the risks of overheating from rising temperatures. Reference is added to the cumulative impact of impacts in areas susceptible to flooding, and clarification provided on flood risk assessment. The text on sustainable drainage systems has been updated to reflect the Written Ministerial Statement included below:

Major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The systems used should:

- a) take account of advice from the lead local flood authority;
- b) have appropriate proposed minimum operational standards;
- c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and
- d) where possible, provide multifunctional benefits

5.10 Chapter 15: Conserving and Enhancing the Natural Environment (paras. 170-183) This chapter now reflects the 25 Year Environment Plan, with updated policy on the hierarchy of sites, networks of habitats, air and water

quality, Heritage Coast, and planning for the enhancement of natural capital. The role of green infrastructure in improving air quality is recognised. New policy is added on the 'agent of change' principle.

5.11 Chapter 16: Conserving and Enhancing the Historic Environment (paras. 184-202)

- Historic environment policy is broadly unchanged, with some reordering (notably in relation to the old paragraphs 132 and 141), and the addition of subheadings. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation, 'irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance'.
- Reference to Grade I and II* buildings, etc., being of 'the highest significance' has been retained.

6. Planning Assessment

Proposed Mitigation Measures

6.1 There has been considerable discussion with the applicants in connection with the necessary mitigation measures to reduce the visual impact of the large Ikea store from views from the National Park and across the Local Green Gap (LGG) from the River Adur. The applicants were requested to amend the submitted north elevation to ensure that louvres (designed to screen the building from elevated views) extended across the entire north elevation and returned on part of the east elevation. The addendum report circulated prior to the last meeting stated that,

"IKEA is concerned about extending the louvres onto the east elevation in view of the distant views of this elevation from Mill Hill. Your Officers disagree on this point and feel that that this would help provide some further mitigation and there is some design logic in extending the louvres to wrap around the north-eastern corner of the building. This view is supported by the SDNP."

6.2 The addendum report also suggested that preventing lighting at a higher level on the eastern elevation would help to address some of the concerns expressed by Historic England about views from the listed Airport Terminal building.

6.3 The application, as now amended, provides further detail on what was previously described as 'louvres'. Whilst the intended effect of filtering views from an elevated position remains as before, the addition of grey triangular 'fins' are now proposed rather than louvres on the north elevation and extended across to a recessed section forming part of the rear delivery yard. These features are likely to be more robust and long lasting than applied

louvres. However, Ikea is not prepared to replace the lettering on the north elevation as it considers an advert, albeit non-illuminated, is important on the north elevation.

- 6.4 Whilst, this omission is disappointing, it is relevant to note that all the advertisements on the building are not to be considered as part of the current application as they would require consent under the Advertisement Regulations and would, therefore, be considered at a later stage. In terms of the request to return the feature on part of the east elevation, IKEA has indicated that this would not be acceptable as this north-eastern corner of the building would be important to provide additional signage and it does not accept that, given the distance to Mill Hill, any impact on the National Park from this point would be significant.
- 6.5 The extent of blue and yellow proposed on the east elevation was identified as a concern by the Council's Landscape Consultant in respect of both distant views and the cumulative impact on the Local Green Gap. Balanced against this, is that during several months negotiation the planting to the east of the proposed store has been reinforced together with additional planting in the proposed IKEA car park which would, in time, provide landscape mitigation to these more distant views.
- 6.6 The applicants have also clarified the extent of green roof on the proposed Ikea store. This was necessary as there was a discrepancy between two of the previously submitted plans. The green roof proposed will help to further mitigate elevated views of the IKEA store to the north of the site.
- 6.7 On balance, it is considered that the latest amended plans increasing the level of mitigation on the north elevation of the building is acceptable. IKEA clearly does not feel that any further compromise is necessary and it is considered that there has to be some acceptance of the corporate identity of the company notwithstanding the sensitive location of the proposed site.

Drainage

- 6.8 Adur Floodwatch Group's (AFG) concerns set out in the representations section were raised with the applicant by the Council's drainage consultant. Nevertheless, these were not passed on to AFG at the time. As indicated in the original report, after several months of negotiation and analysis of the applicant's Drainage Strategy, all the relevant drainage authorities (West Sussex Local Lead Flood Authority (LLFA), Adur District Council Engineers, Environment Agency and Southern Water) have all accepted that the overall Strategy is sound and would not increase flood risk elsewhere. To assist Members, the specific queries raised by the AFG and the responses provided by the applicant's Drainage Consultant are set out below (AFG's concerns are set out in bold type).

- i) **There is still no proper evidence to demonstrate the effect of rising ground water on the aspects of flood risk and extreme wet weather events for this site which has a greater than 75% risk of flooding across its whole area.**

Adur Floodwatch comments on rising groundwater on the site are not compatible with the actual site conditions. The effect of groundwater on the site has been discussed extensively with the LLFA and their independent consultant. There has been an acceptance that the 30% added to the groundwater was applied as a belt and braces additional flow. The applicant's Drainage Consultant has demonstrated that, whilst groundwater levels may alter in future years, the physical flow of groundwater through the substrata will not, but it was decided to add a contingency none the less.

- ii) **There is no response to the effects of tidal rise on the ability of the sluices by the Dogs Trust to provide sustainable drainage to the site for its lifetime to comply with the NPPF requirements. No statutory drainage body has addressed this aspect. The AFG considers that tidal rise projections to the year 2115 and this rise will impact adversely on the operation of the tidal flaps and the ditch levels for the site with ever increasing containment times between the tidal circles.**

The applicant's Drainage Consultant provided supporting calculations that the proposed design would cater for rise in sea level and any resulting shorter discharge cycle for the design life of the development. In this respect, the applicant provided the necessary calculations taking into account existing Environment Agency tidal records and projections of high tide levels and factored in a 40% storm event and were still able to demonstrate satisfactory discharge at the Dogs Trust southern outfall.

- iii) **There is no response to the concerns for a connection to an existing sewer which in extreme weather events has failed through groundwater inundation for four out of the last six years to create loss of resident's facilities, surging manholes, sewage in the road and gardens, road and lane closures and over pumping into ditches. In particular, there are concerns for the impact on the NMF site itself. These concerns are for an obvious under specification by the service provider for the foul waste management of the site. AFG suggests why not a dedicated sewer to the waste treatment plant to prevent exacerbation of these problems for existing residents.**

The applicant's Drainage Consultant on this point comments that Southern Water has confirmed foul water capacity in their network at the connection point in Barfield Park/North Farm Road of 21 litres per

second. Southern Water also confirms in its consultation response that the foul water drainage proposals submitted will effectively drain the proposed development site without detriment to existing customers within the area (consultation response dated 7th December 2017).

iv) No confirmation of an Incident Access Performance Bond to be accessible by the local authority/community in the event of a failure of the proposed maintenance company for the NMF development to ensure ditches can be maintained.

The s106 agreement currently being negotiated with the applicant requires the setting up of a maintenance and management company and this will include specific measures to ensure that, at all times, the pumping station and drainage ditches are maintained and appropriate safeguards are built into the management company to ensure that any failure in the pumping station can be addressed immediately. As Members will note from the last report and the applicant's supporting statements, the existence of the training ground on the site provides the unique opportunity of a 24-hour monitoring system and staff to be on hand to address any issues with the overall drainage solution for the development.

As stated previously the revised NPPF also requires that sustainable drainage solutions should have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development. Their management should not lead to increased flood-risk elsewhere. The non-technical national guidance of 2015 for SUDS states that pumps should only be used to facilitate drainage for those parts of the site where it is not reasonably practicable to drain water by gravity. Drainage components must be designed to ensure integrity of the system and anticipated loading, taking into account the requirement for reasonable levels of maintenance. CIRIA (2015) advises that the impact of blockage or failure of any key component should be assessed.

In relation to bonds, CIRIA lists these among the possibilities for the financing of SUDS. However, the CIRIA guidance was written at a time when it was expected that SUDS would become the responsibility of new lead drainage authorities (such as Country Councils) who might then incur consequent costs. However, subsequently Government has indicated that these responsibilities will not pass to local authorities and it has not introduced the legal mechanism to do so. It is therefore very unlikely that the Borough or County Councils would step in if other arrangements failed. Consequently, it is particularly important that management responsibilities are made explicit and clear by means of a legal agreement. The maintenance and management plan can for instance ensure that a 'sinking fund' is created to cover the costs of the replacement pumps in the future.

Provision of a 4th Arm serving Coombes Road

- 6.9 Since the last meeting, the applicants have continued to negotiate with Lancing College to reach agreement on a partnership approach to deliver the 4th arm to enable all Coombes Road traffic to have direct access onto the A27. Heads of Terms setting out a partnership approach are being considered by the College and Members will be updated at the meeting. The key elements of any agreed position can be incorporated into a s106 agreement.
- 6.10 As indicated in the last Committee report, it is likely that the 4th arm would require land owned by Lancing College to help provide the most appropriate alignment and landscape mitigation. Ultimately, the provision of the 4th arm would be dependent on securing planning permission from the National Park and the support of the College and its land would be required to secure any permission. In the meantime, the Highway Authorities continue to maintain that the 4th arm is not necessary to make the development acceptable in either highway safety or capacity terms.
- 6.11 To highlight this point, the applicant has, again tried to convince Highways England that the existing Sussex Pad should remain open to enable traffic to still turn right out of Coombes Road (and to retain the pedestrian/cycle crossing). However, Highways England has maintained its position that this would not be acceptable on highway safety grounds and the only alternative, therefore, is to try and encourage the key partners to secure the provision of the 4th arm following the grant of planning permission for the proposed development.

Closure of Sussex Pad

- 6.12 This continues to be a very controversial aspect of the application and has angered local cycle groups and equestrians. As the representation section highlights, Sustrans, British Horse Society and Brighton Friends of the Earth have all suggested that the previous report was misleading and in places inaccurate in relation to the proposed new bridle path under the A27 and its compliance with adopted standards. A number of the assertions of the applicants are also criticised in relation to the assessment of the existing Sussex Pad crossing and compliance or otherwise with standards and the appropriateness of other alternatives.
- 6.13 Brighton and Hove Friends of the Earth have specifically referred to the revised guidance in the NPPF and that this and the wording of Local Plan Policy 5 would provide for clear grounds of refusal for the application. It is accepted that the revised NPPF does have greater emphasis on developments being more sustainable, offering a genuine choice of transport modes with priority given first to pedestrian and cycle movements, both within the scheme and within neighbouring areas. NPPF also emphasises the importance of creating

places which minimise the scope for conflicts between pedestrians, cyclists and vehicles.

- 6.14 West Sussex County Council as the relevant authority for public rights of way has confirmed that its position remains the same following the revised national planning guidance and is satisfied that the widths achievable under the A27 are acceptable. Members will note the applicants Highway Consultant's further supporting letter which states that even if the higher Sunday figures supplied by Friends of the Earth are used,

'peak level of flow is significantly less than the 200 movements per hour quoted in DMRB as being capable of being accommodated in a satisfactory manner on a 2.0m unsegregated route, leaving significant spare capacity for growth.'

- 6.15 It is also noteworthy that the applicants have provided examples of cyclepaths designed and implemented by Sustrans that are of a similar width. As stated previously there are significant limitations at the existing Sussex Pad junction and both Highway Authorities are satisfied that the improved route under the A27 would be a safer and more attractive route than crossing the A27. As indicated previously a grade separated bridge solution for this stretch of the A27 is being looked as part of the Adur Sustainable Transport Strategy but no conclusions have been reached about its location or the practicalities of its provision. Such a provision would not be a direct route given the need for long access ramps and steps.

Safeguarding of the Airport

- 6.16 In preparing the Local Plan, the Council had regard to noise contours from the Airport and consulted both the Airport and Civil Aviation Authority. No concerns were raised about the strategic allocation at any stage. Nevertheless, the concerns of the All Parliamentary Group and representatives of the Rotary Wing the issue required further investigation. The applicants commissioned Aviation Consultants and this has confirmed that the development does not have any impact on the Airport, other than the need to adjust the helicopter circuit which would cross over the south-eastern corner of the proposed housing.
- 6.17 This matter had been raised by the Councils Environmental Health Officer in relation to noise and the applicants had discussions with the airport operator to amend the helicopter circuits (see previous report). Since that time, the Airport Manager has written to the Council and stated that,
- 'We have examined the proposed new housing and commercial layouts and having consulted with the rotary wing operators at the airport we confirm that we can adjust the helicopter training circuits in such a way that will be fully compliant with the CAA regulations. The proposed development therefore will not have any impact on operation of the Shoreham Airport. We will implement the adjustment to the circuits as the development progresses.'*
- 6.18 To ensure that the circuits are amended, it is recommended that a Grampian style condition should be imposed preventing any dwellings being occupied after the 250th dwelling unless and until the helicopter circuits are permanently amended to prevent flights over the new residential area.
- 6.19 A representation has been received on behalf of the helicopter community at the Airport indicating that if the New Monks Farm development were to go ahead it would lead to pressure to close the helicopter circuits and have a financial impact on the helicopter training businesses and the airport. It is also indicated that the Council would be in breach of the original s52 agreement (entered into when the tarmac runway was approved). This states that,
- 'Optimum circuit patterns and approach and departure routes for fixed and rotary wing aircraft shall be adopted by the Councils to minimise overflying noise sensitive development. The Council shall pay full regard to the need to direct rotary wing aircraft testing and training manoeuvres within the airport air traffic zone to locations where noise disturbance is minimised.'*
- 6.20 The Council was aware of the need to amend the helicopter circuits and the applicants have been discussing this matter with the Airport operators for some time as the recent letter from the Airport Manager suggests an alternative circuit would need to be agreed and this would be necessary to comply with

the original legal agreement and minimise noise disturbance to the new residential housing areas.

Viability

- 6.21 The revised NPPF suggests a number of important changes to the assessment of viability appraisals. In addition to a more in depth assessment of viability at the plan-making stage, the NPPF requires viability appraisals to be published, unless there are exceptional circumstances, and marks a significant shift from previous guidance. The previous NPPF (para 173) specifically referred to the costs of development and the need to allow for competitive returns. This paragraph is removed and now detailed viability advice is contained within Planning Policy Guidance (PPG).
- 6.22 Whereas the draft PPG indicated that 20% should be the accepted level of return, the revised PPG assumes a return of 15-20% of Gross Development Value should be the appropriate guideline depending on the particular circumstances. The PPG also acknowledges that different figures may be appropriate for different development types. The PPG also provides guidance on land value following a recent High Court Case and indicates that a benchmark land value based on the existing use value plus a premium for the landowner (the price any rational land owner would sell).
- 6.23 Whilst the changes are significant, the advice does not have a significant bearing on the consideration of the current application. The viability appraisals were included in the last Committee report and the appraisal demonstrated less than 15% developers profit. The applicants had also reviewed the Whole Plan Viability Report and identified where increased infrastructure costs have occurred (principally transport and drainage). It is important to stress that viability concerns had already been identified at the plan-making stage and the Local Plan Inspector recognised that this may influence the final settlement boundary and extent of commercial/residential development.
- 6.24 Nevertheless, the Councils Viability Consultants have been requested to review the appraisal in light of latest PPG advice and any alterations to the final figures will be presented at the meeting.

S106

- 6.25 Members will recall at the last meeting negotiations between the County Council and the applicants in connection with the required Education Contributions had not been resolved. The applicants position has remained the same since submitting the application - it has offered 2 hectares of land on a serviced site and as this is one hectare more than is required for a one form entry (1FE) primary school this should offset any contributions towards the cost of constructing the school. The County Council does not accept this position and refers to the Local Plan Infrastructure Delivery Plan that requires for this

site 2 hectares of land and contributions towards primary, secondary and sixth form education. Given the marginal viability of the project the County Council is still reviewing the Viability Appraisal to be satisfied that the development could not meet the additional contributions. At the last meeting, Members will recall that they indicated that they would not be willing to reduce the level of affordable housing below 30% to enable the education contributions to be met. Members will be updated at the meeting.

7. Conclusion and Recommendation

- 7.1 This report has concentrated on the matters of deferral and the new matters that have arisen since that time. However, Members need to have regard to the original report and the difficult balancing act in this case judging whether the public benefits of the development outweigh the harm identified to the setting of the National Park and the Local Green Gap, notwithstanding the mitigation measures negotiated after several months. The level of commercial development is significantly above what was envisaged by the adopted Local Plan and the extension to the built-up area has impinged on the extent of the Country Park.
- 7.2 Nevertheless, there are material planning considerations here which could justify a departure to the adopted Plan. The viability assessment has demonstrated that the proposed IKEA store is necessary to unlock both the housing land and the commercial development at the airport in view of the significant infrastructure costs involved with a comprehensive drainage and transport strategy. On balance, it is considered the public benefits of the scheme would outweigh the harm caused notably delivering a key strategic housing site (including 180 affordable dwellings), unlocking significant employment land at the airport and providing up to 430 jobs
- 7.3 On balance, it is recommended that the Committee delegates the decision to the Head of Planning and Development to approve subject to the completion of a S106 agreement and the Secretary of State confirming that he does not wish to 'call in' the application for his determination and the imposition of the following planning conditions:**

General

1. The development for which full planning permission is granted shall be begun before the expiration of three years from the date of this permission.
2. The development for which full planning permission is granted shall be carried out in accordance with the approved plans listed in the schedule below.

| Description | Drawing Number | Date Received |
|-------------|----------------|---------------|
| | | |

3. If, during development, contamination not previously identified is found to be present at the site then no further development within that Phase shall be carried out (unless otherwise agreed in writing with the local planning authority) until the developer has submitted a remediation strategy to the Local Planning Authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.
4. The development hereby permitted shall be carried out in accordance with the approved Flood Risk Assessment (FRA) (CEP v1.4, dated June 2017) and FRA Addendum (CEP v1.3, dated December 2017) and the following mitigation measures detailed within:
 - Crest height of the onsite flood defence embankment to be set no lower than 5.4mAOD
 - Finished first floor levels to habitable accommodation to be set no lower than 5.7mAOD
 - Finished floor levels to retail store and primary school to be set no lower than 4.5mAOD
 - Floor levels to the proposed traveller site are set no lower than (4.35mAOD) and highest (5.0mAOD) as shown on drawing number (2-401A)
5. Within one calendar year from commencement of the development a written Conservation Management Plan for the Shoreham Airfield Dome Trainer shall be submitted to and approved by the Local Planning Authority.
6. All hard and soft landscape works including any management and maintenance plan details, shall be carried out in accordance with the approved details. All planting seeding or turfing and soil preparation comprised in the above details of landscaping shall be carried out no later than first planting and seeding seasons following the first occupation of the buildings, the completion of the development, or in agreed phases whichever is the sooner, and any plants which within a period of five 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. All landscape works shall be carried out in accordance with the guidance contained in British Standards BS5837:2012.

Prior to Commencement

7. No Phase of the development shall commence until the measures which will be undertaken to protect the public water apparatus located within that Phase, have been submitted to and approved in writing with the Local Planning Authority.

8. No Phase of the development shall commence, including any works of demolition, until a Construction Management Plan for that Phase 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 unless otherwise agreed in writing with the Local Planning Authority. The Plan shall provide details of:
 - 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 hours of construction,
 - 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.
9. The overarching drainage scheme for the site shall be implemented in accordance with the details set out in the approved Flood Risk Assessment (FRA) (CEP v1.4, dated June 2017) and FRA Addendum (CEP v1.3, dated December 2017).
10. No Phase of the development shall commence unless and until a detailed scheme for the provision of surface water drainage for that Phase has been submitted to and approved in writing by the Local Planning Authority.
11. No Phase of the development shall commence until full details of the existing and proposed land levels of that Phase in relation to Ordnance Datum and to surrounding properties have been submitted to and approved in writing by the Local Planning Authority.
12. No Phase of the development shall commence until an Ecological Mitigation and Management Plan (EMMP) for that Phase has been submitted to and approved in writing by the Local Planning Authority. The EMMP shall incorporate the recommendations of Chapter 11 of the Environmental Statement dated June 2016 and its appendices, and Chapter 11 of the Further Information to the Environmental Statement dated December 2017 and its appendices
13. No development of the pumping station or associated works below mean high water mark approved by this permission shall take place until a scheme for the provision and management of at least 840m² compensatory intertidal habitat creation, in accordance with Flood Risk Assessment (FRA) Addendum ((CEP

v1.3, dated December 2017) and drawing ref. 6-301, has been submitted to and agreed in writing by the local planning authority. The scheme shall include:

- Scaled plans showing the exact areas of intertidal habitat lost and gained
- Methods for implementing and maintaining the compensatory habitat, including how any environmental risks will be mitigated
- Timings

Thereafter the development shall be implemented in accordance with the approved scheme.

14. No Phase of the development shall commence until a Construction Environmental Management Plan for that Phase (including works to improve the footpath under the A27) in accordance with the approach outlined in the Environmental Statement, has been submitted to and approved in writing by the local planning authority. This shall deal with the treatment of any environmentally sensitive areas, their aftercare and maintenance as well as a plan detailing the works to be carried out showing how the environment will be protected during the works. Such a scheme shall include details of the following:

- The timing of the works
- The measures to be used during the development in order to minimise environmental impact of the works (considering both potential disturbance and pollution)
- A map or plan showing areas designated for oil storage, washing down concrete/ cement, etc.
- A map or plan showing habitat areas to be specifically protected during the works.
- Any necessary pollution protection methods
- Information on the persons/bodies responsible for particular activities associated with the method statement that demonstrate they are qualified for the activity they are undertaking.

The works shall be carried out in accordance with the approved method statement approved for the relevant Phase.

15. No Phase of the development shall commence until a scheme for the provision and management of a buffer zone alongside all ditches within the Phase has been submitted to and agreed in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the Local Planning Authority. The buffer zone scheme shall be free from built development including domestic gardens and formal landscaping; and should form a vital part of green infrastructure provision. The schemes shall include:

- plans showing the extent and layout of the buffer zone.
 - details of any proposed planting scheme (for example, native species).
 - details demonstrating how the buffer zone will be protected during development and managed/ maintained over the longer term including adequate financial provision and named body responsible for management plus production of detailed management plan.
 - details of any proposed footpaths, fencing, lighting etc.
16. No Phase of the development, except remediation, demolition, archaeological and drainage works, shall commence until a detailed watercourse management plan, in accordance with the approved Draft Watercourse and Flood Defence Bund Management Plan, including long-term ecological objectives, management responsibilities and maintenance schedules for all of the ditches within that Phase, has been submitted to and approved in writing by the Local Planning Authority. The water management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the Local Planning Authority. The scheme shall include the following elements:
- details on how water levels in the ditches shall be maintained to achieve the long term ecological objectives of the plan
 - details of maintenance regimes and management responsibilities
 - details of eel passage through hydrological barriers as required by Eel Regulations
 - details of monitoring and adaptive management
17. No works to the ditch network within any Phase of the development shall take place until a detailed scheme of the proposed alterations to the ditches within that Phase has been submitted to and approved in writing by the local planning authority. The scheme shall be carried out as approved and any subsequent variations shall be agreed in writing by the Local Planning Authority. The scheme shall include the following:
- scaled plan and section drawings of channel profiles
 - details of how profiles and features have been incorporated to maximise ecological benefit
 - details of the design of the reed bed pond
 - details of the design of the sedge bed wetland
18. No construction of the proposed bridges shall take place until such time as the Technical Approval process as specified within BD 2/12 of the Design Manual for Roads and Bridges has been completed in regards of the proposed 5 Highway Bridges (HW01-05) and written confirmation has been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.

19. No Phase of the development except remediation, demolition, archaeological and drainage works for which planning permission is hereby granted, shall take place until a schedule of materials for that Phase, including for hard and soft landscaping, has been submitted to and approved in writing by the Local Planning Authority.
20. No development relating to the A27 access roundabout as shown on drawing VN40408_PL-015-J shall be carried out, except remediation, demolition, archaeological and drainage works, until the new Withy Patch Gypsy and Traveller Site have been completed in accordance with the approved plans.
21. The traffic signal control at the Sussex Pad junction associated with General Arrangement Drawing Number VN40408/PL-015 Rev J shall not be removed until the proposed improvements to upgrade the existing footpath ProW 2049 to a bridleway as shown in General Arrangement Drawing Number VD14260_SK-0101 Rev C and the new bridleway link between PRow 2049 to Coombes Road as shown in General Arrangement Drawing Number HED-1172-LA-601 Rev 01 Masterplan and Elevation have been completed to the satisfaction of Highways England and West Sussex County Council as Local Highway Authority
22. No Phase of the development shall commence until the implementation of a programme of archaeological mitigation works within that Phase has been secured in accordance with a written Archaeological Mitigation Strategy and timetable which have been submitted to and approved in writing by the Local Planning Authority. The following heritage assets listed in the Environmental Statement Appendix 12.3 (Archaeology and Cultural Heritage Impact Assessment report) will be recorded:
 - (a) HA001 (Shoreham Airfield dome trainer).
 - (b) HA025 (Over blister hangar)
 - (c) HA 027 (Daniel's Barn).
 - (d) HA 050 (WWII pillbox)
 - (e) HA 058 (WWII Type 24 pillbox).
 - (f) HA 061 (WWII field gun emplacement).
23. No development relating to the A27 access roundabout shall commence until details of a landscaping and ground improvement scheme for the vicinity of the Shoreham Airfield dome trainer Scheduled Monument has been submitted to and approved in writing by the Local Planning Authority.
24. Prior to commencement of the IKEA roof a Bird Hazard Management Plan which shall include measures to discourage roosting/nesting/loafing of birds on the roof of the IKEA shall be provided to and agreed in writing by the Local Planning Authority.

Prior to Occupation

25. No dwelling shall be first occupied until a Residential Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Residential Travel Plan once approved shall thereafter be implemented as specified within the approved document. The Residential 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.
26. No dwelling shall be first occupied until covered and secure cycle parking spaces serving that unit have been provided in accordance with plans and details that shall be submitted to and approved by the Local Planning Authority.
27. No dwelling shall be first occupied until the car parking serving that unit has been constructed in accordance with the approved plans. These spaces shall thereafter be retained at all times for their designated purpose.
28. The football pitches hereby approved shall not be brought into use until the boundary fencing shown on the approved plans has been erected. Such fencing shall thereafter be permanently retained.
29. The two new football pitches hereby approved shall not be brought into use until pedestrian access to the smallholding to the south of the site has been re-provided around the north and east edges of the pitches and shall thereafter be permanently retained, unless otherwise agreed in writing by the local planning authority.”
30. No more than 60 dwellings shall be occupied until improvements to the Grinstead Lane approach to the A27 as shown in Drawing Number VN40408/PL-032 have been completed to the satisfaction of West Sussex County Council as Local Highway Authority.
31. No more than 250 dwellings shall be occupied until the existing helicopter circuits have been altered and implemented in accordance with the recommendations of York Aviation in its Technical Summary Note dated 7th September 2018 and details of the altered circuits shall be submitted to and approved in writing with the Local Planning Authority in consultation with the airport operator.

Regulatory

32. The use of the football pitches hereby approved shall be limited to between the hours of 9am until 10pm every day.
33. The football pitches hereby approved shall not be floodlit.

Outline Planning Permission for 351 Dwellings, Non-Food Retail Store, Primary School and Community Hub

General

34. Each Phase of the development for which outline planning permission is hereby granted shall be commenced before the expiration of three years from the date of this permission or two years from approval of the last Reserved Matters relevant to that Phase as defined in Condition 32, 33 and 34 below, whichever is later.
35. The detailed design of the development proposed through Reserved Matters applications pursuant to the outline planning permission shall have regard to, and broadly accord with, the principles set out on the following parameter plans and supporting documents:

| Description | Drawing Number | Date Received |
|-------------|----------------|---------------|
| | | |

36. Details of the Reserved Matters associated with the residential dwellings granted outline approval (the Residential Reserved Matters) shall be submitted to the Local Planning Authority within three years from the date of this permission to include:
- (i) scale
 - (ii) appearance
 - (iii) layout
 - (iv) landscaping

No development of the dwellings granted outline permission, other than remediation, drainage and archaeological works, shall commence until the Residential Reserved Matters has been submitted to and approved by the Local Planning Authority.

37. Details of the Reserved Matters associated with the Non-Food Retail Store granted outline approval (the Retail Reserved Matter) shall be submitted to the Local Planning Authority within three years from the date of this permission:

- (i) Landscaping

The submitted details shall include precise specifications of the proposed Green Roof including plant species and density of planting and cross sections identifying planting height to demonstrate screening of the remainder of the roof and a maintenance schedule.

No development of the Non-Food Retail Store, other than remediation, drainage and archaeological works, shall commence until the Retail Reserved Matter has been submitted to and approved by the Local Planning Authority.

38. Details of the Reserved Matters associated with the Primary School granted outline approval (the School Reserved Matters) shall be submitted to the Local Planning Authority within three years from the date of this permission:

- (v) scale
- (vi) appearance
- (vii) layout
- (viii) landscaping

No development of the Primary School, other than remediation, drainage and archaeological works, shall commence until the School Reserved Matters has been submitted to and approved by the Local Planning Authority.

39. The height of the proposed Non-Food Retail Store should not exceed 12.14 metres (16.64 - Above Ordnance Datum AOD) (other than plant and associated infrastructure which should not exceed 15.00 metres).

Prior to Commencement

40. The Non-Food Retail store hereby permitted shall achieve a BREEAM "Very Good" standard as a minimum. Within three months from commencement of the Non-Food Retail Store a BREEAM design stage assessment report shall be submitted to the Local Planning Authority confirming that this standard will be achieved. A post completion BREEAM report shall be submitted to the Local Planning Authority within 6 months of the substantial completion of the development hereby approved. The required BREEAM assessments shall be prepared, and any proposed design changes approved prior to commencement of the development, by a licensed BREEAM assessor.
41. No development of the Primary School shall take place until an acoustic report has been submitted to and approved in writing by the Local Planning Authority which contains details of how the School at all storeys and all facades will be glazed and ventilated in order to protect internal occupants from road traffic noise and to comply with the "good" levels in British Standard 8233 and the levels stated in BB93 or suitable equivalent. The scheme shall be implemented fully in accordance with the approved details and retained as such thereafter.
42. No development, other than archaeology and drainage works, of the residential dwellings hereby granted outline planning permission shall take place until a scheme for nature conservation enhancement has been submitted to and approved by the Local Planning Authority. The scheme shall be fully implemented in accordance with the approved details and retained as such thereafter.

Prior to Occupation

43. The Non-Food Retail store shall not be occupied until such time as until a Servicing Management Plan 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, in terms of location and frequency, and set out arrangements for the collection of refuse. Once occupied the use shall be carried out only in accordance with the approved Servicing Management Plan.
44. The Non-Food Retail store shall not be occupied until the bicycle and motorcycle parking have been provided in accordance with the approved drawings. Thereafter these spaces shall be kept available for use at all times.
45. No more than 249 dwellings shall be occupied until the Country Park has been completed in accordance with the approved plans.
46. The Non-Food Retail store or any more than 249 dwellings shall not be occupied until the proposed improvements to the A27 / Grinstead Lane / Manor Road Roundabout as shown in the General Arrangement Drawing Number VN40408/PL-010 Rev D have been completed to the satisfaction of Highways England and West Sussex County Council as local highway authority, or a contribution has been made for the cost of the works shown in Drawing Number VN40408/PL-010 Rev D, to be secured under Section 106 of the Town and Country Planning Act 1990.
47. No more than 249 dwellings shall be occupied until the Pumping Station on the bank of the River Adur has been completed in accordance with the approved plans.
48. The Non-Food Retail store or any more than 249 dwellings shall not be occupied until the proposed Development Access and Sussex Pad Junction Works as shown in the General Arrangement Drawing Number VN40408/PL-015 Rev J and the Coombes Road Merge / A283 Diverge Link Works as shown in General Arrangement Drawing Number VN40408/PL-030 Rev A have been completed to the satisfaction of Highways England and West Sussex County Council as local highway authority.
49. The Non-Food Retail store shall not be occupied until a Staff Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Staff Travel Plan once approved shall thereafter be implemented as specified within the approved document. The Retail 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.

50. The Non-Food Retail store or any more than 249 dwellings shall not be occupied until a bus gate between Hayley Road and the development has been provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Regulatory

51. The non-food retail store hereby approved shall not be open to the public before 10:00 am Monday to Friday (excluding browsing time and use of the ancillary restaurant from 09:30 hours).
52. No more than 250 dwellings shall be occupied until access from Hayley Road has ceased from which point it shall be limited to use by cyclists, pedestrian's buses or emergency vehicles only.
53. The approved landscaping scheme for each Phase shall be fully implemented in accordance with the approved details within the first planting season following the substantial completion of that Phase. Any trees, hedges or shrubs, which within a period of 5 years, die, are removed, or become seriously damaged or diseased shall be replaced with trees, hedging plants or shrubs of a type, size as previously approved unless agreed in writing with the Local Planning Authority.
54. Notwithstanding the provisions of Class A1 of the Town and Country Planning Act 1990, Use Classes (amendment) Order 2005, the use of the non-food retail store shall be limited to the sale of bulky goods, DIY products, furniture and homewares and those goods and departments referred to in the Retail Statement prepared by DWD and for any ancillary uses which are offered in support of the main retail function.
55. The non-food retail store hereby approved shall not be divided into more than one unit and shall be used for the purposes of a single retail operator unless otherwise agreed in writing with the LPA.

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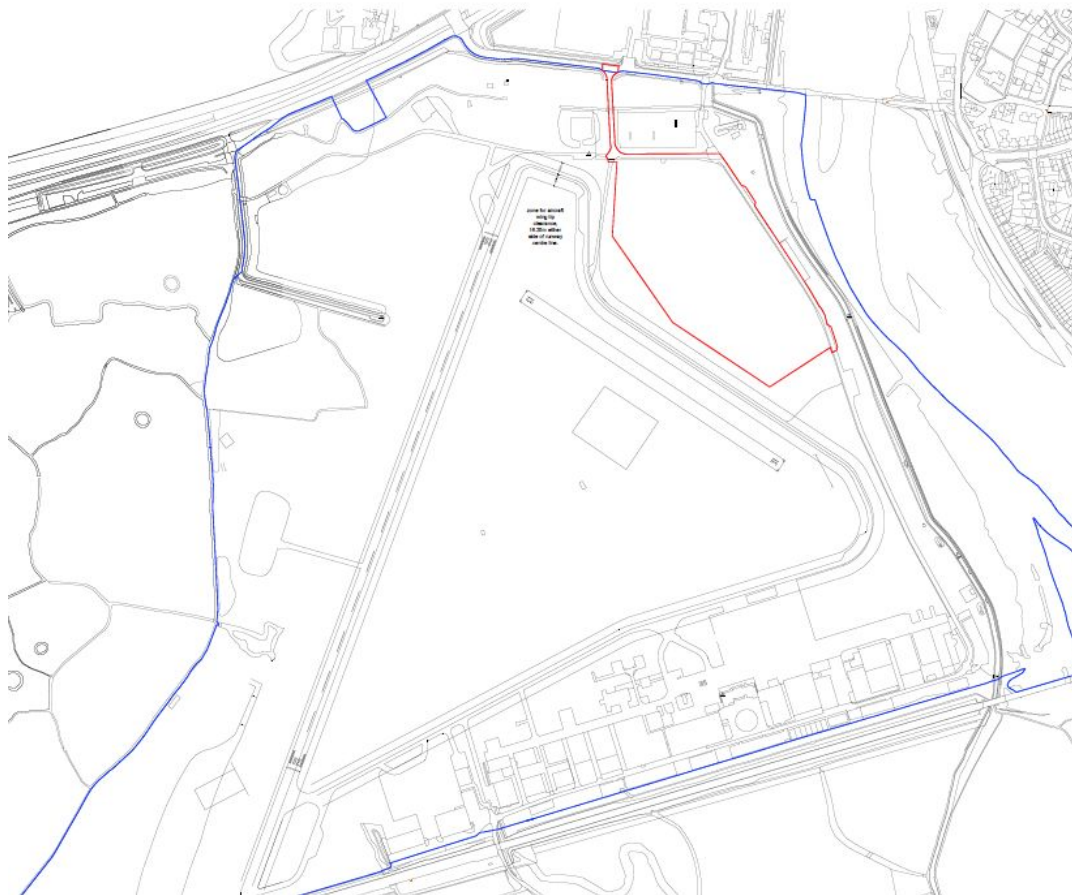
**Recommendation – Approve
subject to s106 Agreement.**

Site: Shoreham Airport, Cecil Pashley Way, Shoreham (Brighton City) Airport, Lancing, West Sussex, BN43 5FF

Proposal: Outline planning permission for the erection of new commercial buildings with an overall height of 14ms to provide up to 25000m² of floorspace for Light Industrial (Use Class B1c), General Industrial (Use Class B2) and Storage and Distribution (Use Class B8) with access, landscaping and associated infrastructure (including a new pumping facility on the River Adur).

Applicant: Mr Martin Smith
Case Officer: James Appleton

Ward: Mash Barn



Not to Scale

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Site and Surroundings

The application site is located in the north-east corner of Shoreham Airport. To the north lies Ricardo Technical Centre and to the east Cecil Pashley Way with the River Adur further east. To the west of the site and to the south are the runways and taxi areas for the airport. The airport terminal building and hangars as well as various industrial buildings lie further to the south.

To the north of the site is the A27 with the South Downs National Park (SDNP) further north. Access to the site is via an existing signalised junction (Sussex Pad) onto the A27 although there is also access to the south under the railway line leading onto the A259/Shoreham Beach roundabout.

The site comprises approximately 5.5 hectares of land within the boundaries of Shoreham City Airport (now known as Brighton City Airport). The site is contained by Cecil Pashley Way to the east and an aircraft taxi road to the west.

The site is a flat, open area of poor, semi-improved grassland. To the north there is a wooded area that screens an overflow car park for Ricardo's, however, there is very little other vegetation in the surrounding area reflecting the site being part of the larger airfield.

Proposal

The planning application seeks outline permission for a commercial development of up to 25,000sqm.

The application is in outline form with all matters reserved other than access. The access is to be provided by way of a new signalised roundabout on the A27 necessitating the closure of the Sussex Pad signalised junction. A new airport access road would be provided as part of the new access arrangements to serve the airport and the development proposed at New Monks Farm (IKEA and 600 new dwellings). The new access road would incorporate a footpath and cycleway.

The application proposes the following use classes B1 light industrial (c), B2 (heavy industrial) and B8 (storage and distribution) along with access, landscaping and associated infrastructure (including a new pumping facility on the River Adur). B1 use also incorporates Research and Development (a) and Offices (b) but these uses are not included in the application.

The following statements have been submitted in support of the planning application:

- Planning Statement; Design and Access Statement
- Environmental Statement (ES)
- Energy and Sustainability Statement
- Flood Risk Assessment
- Viability Statement
- Utilities Statement

- Statement of Community Involvement.

The application is also supported by an Environmental Statement (ES) which assesses the overall effects of the development (positive and negative) and covers the following matters:

1. Introduction
2. Background to EIA
3. Site Description
4. Proposed Development and Alternatives
5. Planning Policy Context
6. Socio-Economics
7. Transport and Access
8. Noise and Vibration
9. Air Quality
10. Water Resources
11. Ecology and Nature Conservation
12. Archaeology and Heritage
13. Landscape and Visual
14. External Lighting
15. Summary of Mitigation Measures
16. Summary of Residual Effects

A non-technical summary has also been submitted which gives a brief outline of the environmental aspects of this proposed development, and their assessment. The summary concludes on the residual and cumulative impacts as follows:

Residual/Cumulative Effects

Cumulative impacts may occur as a result of individual impacts of the development proposal working in combination, as well as with the development already consented. They can also occur in combination with existing, consented or other proposed developments.

The relevant committed developments have been discussed with AWDC and are considered to comprise:

- *AWDM/0961/17 New Monks Farm Mixed use development comprising 600 homes, 32,900 m² of A1 floorspace and land for a primary school along with associated infrastructure. Submitted 13 June 2017*
- *AWDM/1614/15 Foreshore of River Adur Improvements to 1.8km of tidal defences. Approved on 22 Feb 2016*

The Proposed Development is inherently linked with the application that is currently under consideration for New Monks Farm (AWDM/0961/17) and will make use of the access proposed within that scheme.

Flood risk improvements at the foreshore of the River Adur were approved in February 2016, WSCC have begun to implement these improvements works which will continue throughout 2017. These improvements works lie directly adjacent to the Application Site.

The main cumulative effects likely to be caused by a combination of the above projects are as follows:

- *A cumulative increase in traffic which may lead to increased driver, pedestrian, cyclist delay and risk of accidents.*
- *An increase in noise caused as a result of traffic associated with commercial and residential development at New Monks Farm.*
- *Additional harm to visual receptors as a result of the Proposed Development, New Monks Farm and permitted Flood Defences.*
- *Cumulative harm to the setting of Heritage Assets.*
- *Socio-economic effects relating to the provision of employment floorspace and residential accommodation*

Socio-Economic Effects

Chapter 6 concludes that from an economic and employment generating perspective, that the Proposed Development and land at New Monks Farm have the potential to broaden the economic base of the Adur and Greater Brighton economies and provide a richer range of employment opportunities for local residents. It is considered that the two proposals are able to complement each other and provide a wide range of job types within the wider area. Transport, Road Noise and Air Quality

The assessments of Chapter 7, Chapter 8 and Chapter 9 have modelled the New Monks Farm + Shoreham Airport scenario as the basis of their assessments. The findings of these assessments can therefore be considered to also apply for the conclusions of a cumulative assessment.

The additional traffic noise associated with proposals at New Monks Farm does not change the magnitude of impact at the receptor locations compared with just the Proposed Development on its own. The effect on local air quality receptors as a cumulative impact also continues to be negligible. Increased disturbance to Ecological Receptors during construction.

The permitted flood defence works will directly and indirectly effect the River Adur SSSI due to disturbance impacts during construction. Provided that there is some overlap between construction of the proposed Pumping Station and construction of flood defence works the overall cumulative impact will be limited. Cumulative harm to the setting of Heritage Assets.

The effects arising from the Proposed Development, New Monks Farm and Flood Defence works, when considered in combination, relate to the Proposed Development's operational phase, and specifically to the cumulative effect on the

setting (and thus potentially on the significance) of nearby heritage assets in Old Shoreham Conservation Area and Brighton City Airport.

The effects arising from the three developments, when considered in combination, relate to the proposed development's operational phase, and specifically to the cumulative effect on the setting (and thus potentially on the significance) of nearby heritage assets in Old Shoreham Conservation Area, Brighton City Airport and at Lancing College.

The main components of the Shoreham Adur Tidal Walls and New Monks Farm Development projects which may add to the cumulative effect arising from the proposed development are the raising of the tidal wall beside the River Adur, the introduction of a pumping station to the east of the proposed development, the formation of new airport link road to the north and the addition of a retail centre to the west. Cumulative harm to sensitive Visual Receptors.

At Viewpoints 1, 2, 3, 6 and 8 which have been identified as sensitive receptors, the Proposed Development along with proposals for New Monks Farm will further reduce the perceivable gap between Shoreham and Lancing. The presence of the Proposed Development, along with proposals for New Monks Farm will increase the identified adverse effects at the above receptors, although not universally.

As originally submitted the indicative plans showed that the proposed flexible B1(c), B2 and B8 floorspace would be provided within three buildings (which could be divided into smaller units as required). The plans also indicated that the buildings would be approximately 55m in width and would have a maximum ridge height of 14m with a curved roof construction (to reflect aircraft hangers). The lengths of the buildings would be approximately 125m, 130m and 155m. It was indicated that each building would incorporate a mezzanine area at the eastern end to provide ancillary office floor space.

However, in response to consultation responses the application and ES has been amended twice to put forward additional mitigation to reduce the level of harm identified to the landscape and heritage assets. The main amendments to the scheme in February 2018 comprised:

- i. an extension of the red line boundary to include parts of the River Adur Tidal Wall which would be reconfigured to provide an additional area of mudflats to replace an area lost by development of the Pumping Station (this reflected the changes made to the New Monks Farm application) and,
- ii. An Additional Parameter Plan was also provided to confirm the maximum building heights across the site. The buildings heights would be a maximum of 13 metres within the central section of the site dropping to 10 metres within the southern half of the site and 9 metres to the northern boundary of the Application Site. It was submitted that

the proposed buildings heights have been established in order to limit the degree of visual harm caused by the Proposed Development and to identify areas that should be free from buildings.

The Further Information to the ES (described as FIES) generally supplemented the original ES. However, in some instances the FIES replaced previous chapters in particular, ES Chapters 11 (Heritage), 12 (Ecology) and 13 (Landscape) were substantially rewritten as a result of comments and consultation responses, amendments to the proposed development or as a result of additional background information.

Following further consultations with your Officers and the SDNP additional information was submitted in May 2018. This included a Design Code document to provide further supporting information regarding the elevation/roof colour, landscape mitigation, building heights, roof form and lighting. In addition, an assessment of the impact of the proposed pumping station upon the Adur Estuary Site of Special Scientific Interest (SSSI) was provided as requested by Natural England. The submitted Design Code states that,

These Design Codes set out the parameters for building development pursuant to the Outline Planning Application for the site located on land to the east of Shoreham Airport. These codes are prepared in order to:

- *Create consistency of design quality across the development site,*
- *Provide a framework for building design, in terms of building form, materials and colour palette,*
- *To ensure the long-term integrity of the site as a quality environment.*

The Design Code document provides a comparison of the site area compared to the Local Plan allocation and indicates that a 40 metre no build zone would restrict development on the southern section of the site. Landscaping would be provided within a 12 metre strip along the eastern boundary of the site and to the north of the site. As a result of these restrictions the Design Code states that,

'Whilst the red line application site takes in a wider area to allow for access and drainage etc, the development plot is identified on Parameter Plan PL-10_107 as 4.954 ha. This compares to the original site allocation of 3.836 ha. However, within the application plot there are a number of 'no build' zones so that on a comparison basis the proposed site offers 4.042 ha for buildings.

The Design Code also indicates that building heights would be restricted to a maximum of 13 metres on the site with a restriction to 10 metres in height on the southern section of the site and 9 metres in the north-west corner of the site due to operational safety reasons.

In terms of the form of the proposed buildings the Design Codes state that,

'Building Form

Industrial and storage buildings have a relatively generic specification which reflects occupier requirements, which create flexibility for future change. The buildings are utilitarian in form and aesthetic and as with other existing buildings around the airport will be seen as 'background' structures.

The buildings should therefore be:

- Simple in form and not overly contrived*
- Buildings in close proximity should read as a consistent family of structures with similar building form, roof profile and materials*
- Car parking and service yards should be used to create clear, uncluttered breaks within the built form.*
- Office elements should be clearly defined and face the main Cecil Pashley Way and site entrance to create animation*
- A limited palette of natural and neutral colours will be adopted*

Roof Profiles

- Roofs will be at a low pitch (maximum 6 degrees) such that they are largely concealed to viewers at ground level.*
- Eaves details will either be expressed with a traditional overhanging soffit or in the form of a small parapet / concealed gutter.*
- Roof colours will be selected from a range of neutral and natural colours so that they sit harmoniously within the landscape when viewed from distance.'*

In response to comments from the South Downs National Park (SDNP) the Design Code has been further amended adding an additional layout option and additional information on how lighting would be designed and controlled to limit light spillage. These slight amendments to the Design Codes have been the subject of further consultation and any further comments received will be reported at the meeting.

Access

As indicated previously the application includes a joint access strategy with the development at New Monks Farm. At the Planning Committee on the 18th July Members resolved to defer the New Monks Farm development to secure further design changes to the IKEA store and to enable further discussion on the possible future provision of a 4th arm for Coombes Road. This application is also to be considered before this application on the same agenda. Given the joint access and drainage strategy any decision on the New Monks Farm application will be material to the assessment of this application.

The access details to serve both developments incorporate the following highways works:

- A new signalised roundabout on the A27 fronting the New Monks Farm development site;
- A new 50 mph speed limit on the A27 on approach to, and including, the new signalised roundabout;
- An airport link road to the east from a new internal roundabout to Old Shoreham Road, which will provide access to Shoreham Airport and Ricardo Engineering;
- Removal of the existing Old Shoreham Road traffic signal controlled junction with the A27;
- Removal of the existing Coombes Road traffic signal operation with access retained via a left in/left out arrangement from the eastbound A27 carriageway, allowing access to Lancing College and the South Downs National Park;
- Removal of the two existing accesses on the A27 serving the Withy Patch Gypsy and Travellers Site, with the relocation of this site to be accessed from the Airport Link Road;
- Retention of the existing off-carriageway foot/cycle links along the southern side of the A27;
- Creation of a new off-carriageway foot/cycle link along the northern side of the A27 linking to Hoe Court and Lancing College;
- Provision of an at grade Toucan crossing facilities at the new roundabout retaining controlled crossing facilities on the A27 for north-south movements;
- Creation of new off-carriageway foot/cycle links as part of the internal road layout, providing an alternative route away from the A27;
- Inclusion of a new foot/cycle link into the site from the existing Mash Barn estate, which can also serve as an alternative emergency vehicle access.

Relevant Planning History

The application site itself has no planning history for buildings. However, the original planning permission for the new runway granted in constructed in 1984 was only granted subject to a s52 agreement (now s106) which restricted any new development outside of the original confines of the terminal buildings. This agreement also restricted flying operations at the airport.

Shoreham Airport has an extensive planning history which predominantly relates to buildings and changes of use to the various hanger buildings and industrial buildings around the listed Terminal building to the south of the application site. Planning policies have sought to restrict non-aviation uses and the current Local Plan policy seeks to retain all airside buildings/hangers to aviation related uses and for non-aviation users on other buildings only to be allowed if they do not affect the on-going viability of the airport.

Various permissions have been granted at Ricardo (Shoreham) Technical Centre to the north of the application site. The most significant in recent years was the grant of permission for a 2 storey externally clad building on the eastern side of the Ricardo site for full emissions testing of cars, light commercial vehicles and motorcycles, with ancillary office and meeting space (Ref: AWDM/0441/13).

As indicated earlier the planning application in relation to the New Monks Farm strategic allocation has been deferred (Ref: AWDM/0961/17). The New Monks Farm scheme is a hybrid application seeks full permission for 249 dwellings, additional football pitches and a relocated and extended Gypsy and Traveller site and new access along with outline permission for a non-food retail store (IKEA), a further 351 dwellings, community hub, primary school and landscaping.

A flood defence improvement scheme relating to 1.8 km of tidal defences along the River Adur was approved on 22 February 2016 and is currently being implemented (AWDM/1614/15).

Consultations

Highways England

“Referring to the notification of a planning application validated on the 31 August 2017 referenced above, in the vicinity of the A27 Old Shoreham Road that forms part of the Strategic Road Network, notice is hereby given that Highways England's formal recommendation is that we:

- b) recommend that conditions should be attached to any planning permission that may be granted (see Annex A - Highways England recommended Planning Conditions);*

We recommend that the following conditions be attached to any permission granted:

- 1) Prior to bringing any part of the floor space of the development hereby permitted into use, the highway improvements to the A27 Old Shoreham Road providing the main access to the site shall be provided and opened to traffic in accordance with Vectos Drawing No. VN40408/PL-015 Rev H (Proposed A27 Old Shoreham Road Improvements Development Access / Sussex Pad Works).*

Reason: To ensure that the A27 continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980, to satisfy the reasonable requirements of road safety and to prevent environmental damage.

- 2) Prior to bringing any part of the floor space into use of the development hereby permitted and in conjunction with Condition 1, the highway improvements to the A27 Old Shoreham Road / Coombes Road junction shall be provided and*

opened to traffic in accordance with Vectos Drawing No. VN40408/PL-030 Rev A (Proposed A27 Old Shoreham Road Improvements Sussex Pad Merge / A283 Diverge Carriageway Link).

Reason: To ensure that the A27 continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980, to satisfy the reasonable requirements of road safety and to prevent environmental damage.

- 3) *Prior to bringing any part of the floor space into use of the development hereby permitted in conjunction with Conditions 1 or 2, the shared footway improvements on the northern side of the A27 Old Shoreham Road and to the east of Coombes Road shall be provided in accordance with Vectos Drawing No. VD14260-SK-0101 Rev C (GENERAL ARRANGEMENT OPTION A 2.5m FOOTWAY/CYCLEWAY) and HED Drawing No. HED-1172-LA-601 Rev 01 (River Adur to Coombes Road NMU Link — Master Plan and Elevation) and opened for use by the public.*

Reason: To ensure that the A27 continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980, to satisfy the reasonable requirements of road safety and to prevent environmental damage.

Informative:

1. *Works affecting the Public Highway*

Section 175(b) of the Highways Act 1980 (as inserted via The Infrastructure Act 2015) requires those proposing works affecting the public highway to enter into an agreement with the Strategic Highway Authority (Highways England).

This development involves work to the public highway that can only be undertaken within the scope of a legal Agreement between the applicant and Highways England. Planning permission in itself does not permit these works.

It is the applicant's responsibility to ensure that before commencement of any works to the public highway, any necessary Agreements under the Highways Act 1980 are also obtained. Advice on this matter can be obtained from the Spatial Planning Team, Highways England, Bridge House, 1 Walnut Tree Close Guildford, Surrey GU1 4LZ. Highways England switchboard Tel 0300 470 1370 [Email: planningse@highwaysenqland.co.uk](mailto:planningse@highwaysenqland.co.uk)

West Sussex County Council Highways

Background

The application is for the provision of 25,000m² of B1c, B2 and B8 floorspace at Shoreham Airport. The site is located to the south of the A27 and to the north east of Shoreham Airport.

The application is linked to AWDM/0961/17 for full planning permission for the erection of 249 dwellings and outline planning permission (with only landscaping reserved) for a non-food retail store (Use Class A1) and 351 dwellings, a community hub and primary school (with all matters reserved other than access).

A joint transport assessment for both sites has been provided with the application.

Adur Local Plan

The Adur Local Plan was adopted in December 2017. The site has been allocated within the local plan for new employment floor space. The description and relevant highway elements of the local plan policy have been replicated below.

Policy 7: Shoreham Airport

A minimum of 15,000 sqm of new employment generating floorspace (both aviation and non-aviation related), including a mix of B1 (business), B2 (general industry) and B8 (storage)/ hangar uses, will be provided on the north-eastern side of the Airport. Any deviation from the boundary shown on the Policies Map must be based on a clear and convincing landscape and viability justification through the planning application process.

New development at the Airport will result in a need for improved access from the A27. Access across the A27 to the South Downs National Park for pedestrians, cyclists and equestrians must be retained, and where possible, enhanced. New development will also be required to contribute to the provision or funding of mitigation for offsite traffic impacts on the strategic road network and local roads through a package of measures including improvements to the A27/A2025 Grinstead Lane junction.

A package of site-specific travel behaviour initiatives to maximise opportunities to encourage sustainable modes of transport will be required. (This should include travel behaviour initiatives such as workplace travel plans). These initiatives will include improvements to adjacent footpaths, cycle ways and bus transport, linking the Airport to the A259 coast road and Shoreham town centre. A travel plan will need to accompany any future planning application at the site, detailing sustainable transport measures to reduce the impact of development on the highway network.

Access

The site is accessed from Cecil Pashley Way off Old Shoreham Road and the A27. There is also an access to the site from the south via New Salts Farm Road; underneath a low railway bridge. This access is of limited width and height making it unsuitable for large vehicles. Cecil Pashley Way is an unadopted road and would remain as such.

The existing access from the A27 would be closed to vehicles and a new access road would be provided from an internal roundabout to be provided as part of the New Monks Farm development and will join up with the existing access from Cecil Pashley Way. The new access road would benefit from a footpath and cycleway.

Employment Trip Generation and Distribution

The development proposes 25,000sqm B1c/B2/B8 as opposed to the 15,000sqm B1(non-specific)/B2/B8 that was allocated and assessed for the local plan. The development is anticipated to generate 147 two way trips in the AM peak and 109 two way trips in the PM peak. Whilst the floor space is larger than that proposed and modelled within the Local Plan, with the removal of the B1 (non-specific) floor space, no concerns are raised about the level of employment trips used within the modelling parameters.

The trip distribution

The modelling utilised does not distribute any trips south of the development site via the low bridge and onto the A259. This provides a worst-case scenario for the new A27 junction.

The consideration of any flows through the site have been included within the Adur Transport Study and as such the mitigation provided for by the Study and to be funded by the strategic sites, provides a scenario where a level of vehicles utilise the private internal network of the airport to travel between the site and A259.

Detailed comments on the modelling and mitigation have been provided in conjunction with the New Monk's Farm application.

Sustainable Transport

Walking and cycling links

North – The removal of the existing signal controlled junction would also remove the existing signalised crossing. The signalisation of the new roundabout junction provides an at grade crossing, however is distant from the site and would not provide convenient access to the eastbound bus stop on the A27.

An application (ref SDNP/18/00434/FUL) has been submitted to provide a grade separated crossing of the A27. This would be achieved by upgrading the existing footpath, running north from the Toll Bridge along the western bank of the River Adur and up to the A27 flyover, to a bridleway. It would then ramp down (DDA compliant) under the flyover to provide adequate headroom, then turn west on the northern side of the A27 and route back up to Coombes Road to form a new bridleway. The

provision of this link would help the development meet the requirements as set out within the local plan.

It would be conditioned that this link should be implemented by the adjoining New Monks Farm development prior to the removal of the existing pedestrian crossing and as such a condition is not required upon this planning application.

West – A link is provided as part of the New Monks Farm development alongside the internal road network. As part of the New Monks Farm application a contribution is to be secured to upgrade the Grinstead Lane pedestrian crossing to a Toucan crossing.

East – The site is located within close proximity of the Shoreham Toll Bridge, upon crossing the Toll bridge employees would be able to utilise NCN Route 223 or Connaught Avenue to access Shoreham Town Centre.

Public Transport

The closest bus stops are located on the A27 at Coombes Road and on Old Shoreham Road approximately 750m walk to the development. These stops provide access to bus routes number 9 and 2, both of which provide an hourly service on weekdays and weekends; with a combined half hour frequency. Connections are provided to Steyning in the north, Shoreham in the east and Worthing in the west with a journey time of approximately 15-20 minutes.

Car Parking

Car parking is to be provided in line with local guidance.

Cycle Parking

Secured, covered cycle parking spaces are to be provided in line with local guidance.

Servicing

Each unit is to be provided with a dedicated service yard with sufficient space so that the loading bays can be accessed independently and will enable vehicles to enter, turn and exit in a forward gear.

Travel Plan

Comments on the Travel Plan have been provided separately.

Local Plan Transport Study contribution differences

Due to the potential difference in trip generation between the proposed development and that included within the Local Plan, the development is not required to deliver the same level of contributions towards the improvement of public transport services, instead a contribution towards improving the nearest offsite bus stops has been agreed with the applicant.

Travel Plans are to be conditioned and implemented by the end users and as such a contribution is not required.

The level of funding towards off-site highway improvements has been calculated with regard to the scheme to be implemented at A27/Grinstead Lane in conjunction with the New Monks Farm application. The total package of mitigation provided between the New Monks Farm and this application is considered to mitigate the transport impact these developments will have.

Conclusion

No objection is raised to the application subject to the following contributions and conditions:

S106

- £148,000 (Index linked to 2016 prices) towards measures (other than A27/Grinstead Lane) identified within the Adur Local Plan Transport Study.
- £39,000 towards Bus Stop Improvements at Old Shoreham Road to include raised kerbs and Real Time Information.

Conditions

A Grampian condition should be included to ensure the development is not occupied until such a time as a new access is provided, as shown in drawing no VN40408_PL-015G of planning application ref AWDM/0961/17.

Access (details required, access provided prior to first occupation)

No part of the development shall be first occupied until such time as the vehicular access 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

Car parking space (details required)

No part of the development shall be first occupied until the car parking spaces have been constructed in accordance with plans and details submitted to and approved in writing by the Local Planning Authority. These spaces shall thereafter be retained at all times for their designated use.

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

Construction Management Plan

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.

Travel Plan (to be approved)

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.

West Sussex County Council Archaeologist

“Summary

*I consider that the harm to the setting of the highly graded designated heritage assets Old Shoreham Bridge and the Lancing College complex, as they are viewed and experienced from the open riverside environment, would be substantial. I recommend that on these grounds the application should be **refused**.*

National Planning Policy context

The sections of the NPPF which are particularly relevant in the consideration of impact upon designated heritage assets are:

131. In determining planning applications, local planning authorities should take account of:

- *the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation*
- *the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality*
- *the desirability of new development making a positive contribution to local character and distinctiveness*

132. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled

monuments, protected wreck sites, battlefields, grade I and II listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.*

133. Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- *the nature of the heritage asset prevents all reasonable uses of the site*
- *no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation*
- *conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible*
- *the harm or loss is outweighed by the benefit of bringing the site back into use*

134. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

137. Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.

Comment

The applicant has submitted an Environmental Statement (ES) which includes a chapter (chapter 12) on Archaeology and Heritage by PCA Heritage. The ES also includes a number of panoramic photo views looking towards the proposed development site. (For example, plate 12-27 looking southwards from Lancing College and plate 12-28 looking northwards to the development site from the public right of way along the west bank of the River Adur).

The proposed development site on the edge of Shoreham airfield and close to the River Adur is an open location visible from both banks of the river between the railway bridge crossing to the south and the A27 road bridge to the north. I visited Shoreham to view the proposed development site from a number of locations on both banks of the river on Tuesday 3rd October, a bright and sunny day affording good visibility of the application site and its landscape context.

The potential impact upon below ground archaeological remains is summarised in section 12.5.3 which states “Based on the research presented in this report the site is considered to have little significant potential to contain archaeological remains dating

from before the Roman period. However, the palaeogeography of the site, particularly the existence of a former channel of the Adur, demonstrates that the site has a potential to contain deposits with preserved palaeoenvironmental remains and Pleistocene age microfossil assemblages.” I agree with this assessment and the assessment in the subsequent paragraphs 12.5.4 to 12.5.6 of the potential of the site to contain any features or deposits of post-Roman and later date. Should the application be approved any archaeological investigation and recording could be accommodated in accordance with a written scheme of investigation (WSI) through an appropriately worded planning condition.

- *The ES discusses the impact of the proposed development upon designated heritage assets and the Conservation Area of Old Shoreham on the east side of the Adur. (A designated heritage asset is defined in the NPPF glossary as “A World Heritage Site, Scheduled Monument, Listed Building, Protected Wreck Site, Registered Park and Garden, Registered Battlefield or Conservation Area designated under the relevant legislation.”)*
- *The ES considers the impact of the development upon the setting of the Conservation Area. I am inclined to agree that, in terms of inter-visibility, the Grade I listed Romanesque church of St Nicholas will be largely screened from the development. That is to say that the trees in the churchyard would screen views of the commercial development if looking westwards. However, the top of the tower of the church is visible above trees from the west bank of the river.*
- *However, the proposals would have a substantial impact upon the setting of Old Shoreham Toll Bridge (Grade II*) and the complex of buildings at Lancing College (which include Grade I, II* and II listings). To a lesser extent, the development will also have an impact upon the designated assets of the airport itself: the Grade II* terminal, Grade II hangar and the scheduled WWII dome trainer.*

The impact of the proposals upon Lancing College Chapel is discussed in Table 12-53 and sections 12.5.93 to 12.5.95 of the ES. The conclusion drawn by PCA Heritage is that “the proposed development would affect the setting within which Lancing College is experienced...” but that “this effect is considered to be minor within the context of the wide panoramic sweep over which the building presides.”... “In the potential to partly change this character of the chapel, the effect is considered to be of moderate significance.”

Section 12.5.95 of the ES refers to plate 12.28 (page 289) to illustrate “how the proposed development would appear in views northward towards Lancing College Chapel from the footpath beside the River Adur.” However, in reality, the panoramic photograph shown in plate 12-28 does not represent what is experienced with the naked eye. I visited the exact location from which this panoramic photo was taken on Tuesday 3rd October in bright conditions which were at least as good as the conditions recorded in the ES photograph. The chapel and the backdrop of the downs behind (the South Downs National Park) appear in the photograph almost to disappear into infinity. In fact the chapel and the rise of the downland, Lancing Hill, are much more

prominent when perceived on the ground. Equally, the presence of Old Shoreham Bridge and the rise of the downland, Mill Hill, across the Adur Valley are much more prominent. The discrepancy may be due to the use of a wide-angle camera lens to attempt to replicate the field of vision that a person can take in; it is understood that a wide-angle lens on a camera will make the background appear more distant than it really is. Nevertheless, the impression of impact created in the above-mentioned photographs used as illustration in the ES is a misleading one.

Chapter 12 of the ES repeatedly states that the development “would continue a trend of development of the western bank of the River Adur at Old Shoreham which began with the arrival in the first decades of the 20th century of the airport and Ricardo...” (see 12.5.25, 12.5.31, 12.5.33, 12.5.38 and 12.5.91) and that this is “part of a progressive development beside bridgeheads which is ancient in its origins...” I am not convinced by this argument. Principally, the airport is suited to light aircraft and helicopters: many pleasure flights still use the grass for take-off and landing as would have been the practice in the earliest days of the airfield. The Ricardo works and offices are certainly part of the 20th century change but sit quite discreetly to the north of Old Shoreham Road. As to the ‘bridgehead’ concept I consider this a difficult theory to sustain when the bridge appears relatively late in the history of east – west movement along this route: there has been a road on the line of the A27 at least since Roman times and for most of the last two millennia the Adur was crossed by ferry. In London, Southwark is a classic example of a ‘bridgehead’ settlement but I am unconvinced that the same can be said at Shoreham.

The half-hipped roofs and gable end chimneys of the 1930s Ricardo offices constitute the principal view of the works from the south (from the footpath on the west bank of the river); the roof height of the flat-roofed works building behind appears slightly lower than the ridge height of the 1930s buildings. The viewpoint from the east bank of the Adur north of Old Shoreham Bridge looking towards Ricardos clearly reveals the works in proximity to the listed bridge but also underlines the importance of the uninterrupted view of open sky silhouetting the bridge and the ability to follow the gentle curve of the timber structure as it spans the river and reaches the west bank.

At present, the views of the Lancing College complex of buildings from the south from the west bank of the river are set against a background of rising downland but with an open foreground largely made up of the grass of the airfield and a middle-distance view of trees and shrubs. Immediately to the east, the structural components and graceful curve of the timber bridge linking to the Old Shoreham Conservation Area, the tower of St Nicholas’ Church just rising above the trees and the tidal river margins form the middle ground and foreground. Behind them, the breadth of the valley and the downs rising again at Mill Hill complete the scene. The presence of the Ricardo works and the former Sussex Pad hotel are visible but do not dominate the scene. Even the modern A27 bridge and the gyratory is barely visible above the top rail of the timber bridge.

However, structures to a height of 14 metres would have a significant impact on the setting of Lancing College and Chapel and also on the setting of Old Shoreham

Bridge. This impact would be not only from the south but from the north also as viewed from the east bank of the river. Furthermore, although the quality of the setting of Lancing College complex and Old Shoreham Bridge diminishes further south where the footpath is just east of the hangars, buildings and car park of the present industrial estate component of the airport, this is still an important open view and the effect of the development would be to close it off.

Currently, there are other applications for development in the vicinity of Shoreham airport. The illustrative masterplan for the New Monks Farm development to the west of the airport (which my colleague John Mills commented upon) shows that the eastern edge of the New Monks Farm site will be landscaped as an open space with grass and trees. In terms of this latter proposal's impact upon the setting of the Lancing College complex and the designated heritage assets of the airport itself I consider that it will be sufficiently far distant and sufficiently well screened (from viewpoints on the west bank of the Adur) that it can be said that this will not have a significant impact on setting. Directly across the River Adur from Ricardos and west of the A283 Steyning Road is an application for residential development, AWDM/1953/16, which my colleague John Mills also commented upon but restricted his comments to potential archaeological impact on the understanding (in conversation with representatives of Historic England) that they would lead on comments regarding the setting of heritage assets. Historic England wrote to Adur and Worthing Planning Services on 20th April 2017 and raised concerns regarding the impact of this proposed residential development upon Old Shoreham Conservation Area, Old Shoreham Bridge and the Lancing College complex. The letter drew attention to the importance of the flat, open, grassed and undeveloped river bank character of the airport and the residential application site in forming the setting of the designated heritage assets. Historic England also made the point that the issue of cumulative harm needed to be taken into account (which is discussed in their Good Practice Advice Note 'The Setting of Heritage Assets' (GPA3 July 2015) – see paragraph 22 – in assessing the effect of the development upon the significance of the assets.

Recommendation

The submitted Adur Local Plan, now approved as 'sound' by the Planning Inspector's report, seeks in Policy 7 (Shoreham Airport) to achieve a minimum of 15,000 square metres of employment generating floorspace at Shoreham airport. The Planning Inspector commented in his report with respect to this site "I agree with the Council that this is visually a particularly sensitive location. The site can be clearly seen from several viewpoints and any increase in the size of the allocation is likely to have significant visual consequences which, primarily because of the flat nature of the land at and around the airport, it may be difficult to mitigate." As the proposals stand (albeit illustrative and at the outline application stage) the height and mass of the proposed commercial structures would be in conflict with the NPPF especially where paragraph 132 refers to harm caused by development within the setting of a designated heritage asset.

*For the reasons given above I consider that the harm to the setting of Old Shoreham Bridge and the Lancing College complex, as they are viewed and experienced from the open riverside environment, would be substantial. I therefore recommend that on these grounds the application should be **refused**.”*

West Sussex County Council Flood Risk Management

“The following is the comments of the LLFA relating to surface water drainage and flood risk for the proposed development and any associated observations and advice.

Future development - Sustainable Drainage Systems (SuDS)

The FRA for this application proposes that the surface water from this development would be discharged into the adjacent Main River via the proposed pumping station.

Due to the close proximity of the River Adur, the Non-Statutory Technical Standards for sustainable drainage system which accompanies the National Planning Policy Framework states under S1 that where the receiving water body can accommodate flows without increase risk of flooding downstream then there is no requirement to restrict either the discharge rate or volume.

While a pumping station as means of surface water disposal is not considered a sustainable option, this and the discharge to the Main River would be subject to EA approval. Further information regarding the pumping capacity of the proposed pump station would be required as flows from both this proposed commercial development and the proposed New Monks Farm development need to be considered.

The applicant would need to clearly demonstrate the contingency arrangements for pump failure. It is paramount that a robust management plan/maintenance regime/emergency plan is implemented, particularly should breakdown occur.

Please note that Schedule 3 of the Flood and Water Management Act 2010 has not yet been implemented and WSCC does not currently expect to act as the SuDS Approval Body (SAB) in this matter.”

West Sussex County Council - Ecological objection

“Summary

There is not enough information to allow a suitable determination with regards to impact the adjacent statutorily protected site (Adur Estuary SSSI) in the first instance and protected species in the second.

- *Appropriate ecological surveys to be completed and submitted*
- *A wildlife sensitive lighting scheme to be designed and submitted*
- *Liaison with Natural England regarding impacts on the SSSI and appropriate mitigation*

Comment

It would be helpful if application can be informed by a Preliminary Ecological Assessment with phase two surveys completed as appropriate and alongside a consultation with Natural England.

Ground nesting birds breed in this location, there is no indication of how impacts on the species (protected whilst breeding under the wildlife and countryside act 1981) will be mitigated.

Reptiles are known to breed on adjacent land and records exist (source: Sussex Biodiversity Record Centre) for this location. The airport was a historical translocation site for local reptiles.

Being within 30m of the adjacent SSSI, the site falls within Natural England's Impact Risk Zone for the adjacent Statutory Protected (FID81583) therefore LPA consultation with Natural England is obligatory and developer consultation with Natural England is strongly advised.

In addition to the impact on the SSSI with a known population of bats in the local area lighting will be a particular issue. Therefore a lighting scheme (isoline contours for artificial lighting) should be submitted having been produced by a lighting designer liaising with an appropriately qualified ecologist. The properties of the light source also need to be controlled and a luminaire schedule produced."

Sussex Police (Local Policing Branch) – 1st Response

"Thank you for your correspondence of 14th September 2017, advising me of an outline planning application for permission for the erection of new commercial buildings with an overall height of 14ms to provide up to 25000m² of floor space for Light Industrial (Use Class B1c), General Industrial (Use Class B2) and Storage and Distribution (Use Class B8) with access, landscaping and associated infrastructure (including a new pumping facility on the River Adur) at the above location, for which you seek advice from a crime prevention viewpoint.

I have had the opportunity to examine the detail within the application and in an attempt to reduce the opportunity for crime and the fear of crime I offer the following comments from a Secured by Design (SBD) perspective.

I was pleased to note that the Design and Access Statement submitted in support of the application gave mention to some crime prevention measures to be incorporated into the design and layout.

Depending on requirements of the occupiers, secure fencing and gating of the compounds & yards should be a minimum of 1.8m in height to resist climbing and with access control.

Lighting throughout the development will be an important consideration and should conform to the recommendations within BS5489:2013. Consideration should be given

to any potential CCTV ensuring that the lighting is commensurate with the CCTV equipment.

Access to the river pumping station and also the proposed foul water pumping station should be adequately secure and fit for purpose.

The National Planning Policy Framework demonstrates the government's commitment to creating safe and accessible environments where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion, and with the level of crime and anti-social behaviour in Adur district being below average when compared with the rest of Sussex,

I have no major concerns with the proposals, however, additional measures to mitigate against any identified local crime trends should be considered.

I direct the applicant or their agent to our website at www.securedbydesign.com where the Secured by Design (SBD) Commercial Development 2015 document can be found. This is a comprehensive document that encapsulates both commercial developments where the public have no formal access, e.g. factory or office buildings, and those where public access is integral to the commercial use such as retail premises, leisure centres and public buildings. This will be able to provide the applicant with in-depth advice pertinent to the design and layout.

Accredited products that are fit for purpose and appropriate along with natural surveillance, access control will assist the development in creating a safe and secure environment.

I look forward to providing further in-depth comments at reserved matters

I would also ask you to note that Sussex Police is now exploring the impact of growth on the provision of policing infrastructure over the coming years and further comment on this application may be made by our Joint Commercial Planning Manager.

The Crime & Disorder Act 1998 heightens the importance of taking crime prevention into account when planning decisions are made. Section 17 of the Act places a clear duty on both police and local authorities to exercise their various functions with due regard to the likely effect on the prevention of crime and disorder. You are asked to accord due weight to the advice offered in this letter which would demonstrate your authority's commitment to work in partnership and comply with the spirit of The Crime & Disorder Act.

This letter has been copied to the applicant or their agent who is asked to note that the above comments may be a material consideration in the determination of the application but may not necessarily be acceptable to the Local Planning Authority. It is recommended, therefore, that before making any amendments to the application, the applicant or their agent first discuss these comments with the Local Planning Authority."

Sussex Police (Local Policing Branch) – 2nd Response

“Thank you for your correspondence of 1st June 2018 regarding Outline planning permission for the erection of new commercial buildings to provide up to 25000m2 of floor space for Light Industrial (Use Class B1 c), General Industrial (Use Class B2) and Storage and Distribution (Use Class B8) with access, landscaping and associated infrastructure (including a new pumping facility on the River Adur). This application is accompanied by an Environmental Statement (ES) for which you seek advice from a crime prevention viewpoint.

I have had the opportunity to examine the detail within the application and in an attempt to reduce the opportunity for crime and the fear of crime I offer the following comments.

The National Planning Policy Framework demonstrates the government's commitment to creating safe and accessible environments where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion, and with the level of crime and anti-social behaviour in Adur & Worthing district being average when compared with the rest of Sussex, I have no major concerns with the proposals, however, additional measures to mitigate against any identified local crime trends should be considered.

I direct the applicant or their agent to our website at www.securedbydesign.com where the Secured by Design (SBD) Commercial Development 2015 document can be found. This is a comprehensive document that encapsulates both commercial developments where the public have no formal access, e.g. factory or office buildings, and those where public access is integral to the commercial use such as retail premises, leisure centres and public buildings. This will be able to provide the applicant with in-depth advice pertinent to the design and layout.

Accredited products that are fit for purpose and appropriate along with natural surveillance, access control will assist the development in creating a safe and secure environment in which partake in industrial and commercial activities.

I have had the opportunity to examine the detail within the application and in an attempt to reduce the opportunity for crime and the fear of crime I offer the following comments from a Secured by Design (SBD) perspective.

There are no changes to the design and layout of the development which affect my previous comments in my letter dated 29 September 2017, reference NW/ADU/17/05A which remain extant.

I would add that the location of the development is fairly remotely located from residential properties and in the corner of the airfield. There may be a number of

employees who may well choose to walk or cycle to the location as well as those who will drive.

Vehicular and pedestrian routes should be designed to ensure they are visually open, direct and well used. They should not undermine the defensible space of the commercial development.

The configuration of buildings to maximise the natural surveillance is of great importance and careful layout can help resolve many potential crime problems.

Routes for pedestrians, cyclists and vehicles should run alongside one another and not be segregated. All planned routes should have a rational purpose and follow natural desire lines. They should be well overlooked and integrated.

Public footpaths should not run to the rear of, and provide access to industrial units, rear yards or neighbouring buildings. As far as possible routes should be overlooked by surrounding buildings, straight, wide, well-lit and avoid potential hiding places.

It is also important that pedestrians or cyclists have good visibility along a footpath/cycle route.

I direct the applicant to Chapter 1 of Secured by Design Commercial Developments 2015 which can be found at www.SecuredbyDesign.com for advice regarding the proposed initial development and layout.

I reiterate that I have no major concerns with the proposals, however, additional measures to mitigate against any identified local crime trends should be considered. I look forward to providing further in-depth comments at reserved matters."

I would also ask you to note that Sussex Police is now exploring the impact of growth on the provision of policing infrastructure over the coming years and further comment on this application may be made by our Joint Commercial Planning Manager.

Historic England – 1st Response

"Summary

*Historic England has been involved with this site through pre-application advice on the Shoreham Airport Masterplan and through the strategic allocation of the Local Plan. We think it of great concern that the historic airfield will be encroached upon by this and other potential development. This is based on the harm this will cause to the significance of heritage assets, chiefly as a result of change to their settings, and the contribution that this makes to significance. We have concentrated our advice upon the designated heritage assets, many of which are listed at high grade in the land close to the site. The proposals represent significant harm to a unique historic airfield landscape that makes a major contribution to the significance of principal listed building within it and also causes harm to the setting and appreciation of the Grade II**

listed toll bridge and the Grade I listed Lancing College Chapel. Historic England therefore objects to this proposal.

Groundworks associated with the proposed development are likely to cause some harm to archaeological remains but we think it likely that this can be adequately mitigated by means of an Archaeological Mitigation Strategy in collaboration with West Sussex County Council's Environment & Heritage Team.

Historic England Advice

Historic England has been engaged in pre-application discussions with the applicant's landscape and heritage advisers and provided initial advice on potential impacts of proposals for related development adjacent to this site located to the west of the airfield (our letters 13th April 2017; 16th April 2017 (ref PA00453142); 7 August 2017 (ref PA00484410) and 1 September 2017 (ref P00630564). Historic England also provided advice on the significance of this area in response to consultations about the master plan for Shoreham Airport. We expressed concerns about this proposed site for a strategic employment allocation as part of the Councils' broader regeneration policies for the area because of the potential harm that could arise to the significance of heritage assets from substantial development to support such a use.

These letters set out the significance of the heritage assets affected by the proposals that have now come forward, with the impact arising principally from development within their setting. This advice, following a further site visit to assess the impact of the submitted proposals including from Lancing College and along the east and west banks of the River Adur should therefore be read in conjunction with those earlier letters.

The context of the site which is in an important strategic gap between settlements, is sensitive, both in terms of landscape (see Visual sensitivity analysis (Fig 14) by HED Landscape Architects and Urban Designers and also because it lies within the setting of several designated heritage assets. These include Lancing College (listed Grade I); Shoreham Airport Terminal Building (Grade II); the Municipal Hangar (Grade II); the pedestrian timber toll bridge (Grade II*) and the dome gunnery trainer (scheduled). The setting of these assets overlaps and is extensive because of the topography of the river within its former marshland and still largely open setting to the west. The elevated site of Lancing College is visible from this lower, riverine setting, and it also has a visual relationship with the airfield. When standing adjacent to the college chapel in particular (which is open to the public) the panorama below is extensive and contains one of the finest views of the airfield that enables an appreciation and understanding of it as a distinct and historic landscape in its own right.*

Historic England will concentrate upon the impact of the this proposal upon these highly graded designated heritage assets but we will also briefly refer to non-designated heritage assets, including archaeological remains, that make a positive contribution to the distinct character and identity of the area.

Significance of the airfield

The heritage significance of Shoreham airfield is set out in a Heritage Statement by ACTA Landscape and Heritage Consultants (2016) and the Desk Based Assessment by PCA Heritage Ltd (2017). Shoreham was one of the centres of early British aviation and is the only one which is still active as an aviation centre. It is Britain's oldest licensed airport and was also used as a military airfield in both World Wars; flying began in 1910 and Brighton (Shoreham) Airport was opened in 1911. It became a centre for civilian flying training and was used by notable pioneer aviators, such as Harold Piffar who flew his experimental Hummingbird biplane there in 1910. The airfield was adapted for military aviation during World War One during which time it was used by the Royal Flying Corps 3rd Reserve Squadron. In 1918 it was used for testing captured German aircraft.

The growth of Britain's civil air transport services during the 1930's led to a flurry of new local and regional airports being established. In 1936 Shoreham was redesigned and named Brighton Hove and Worthing Municipal Airport. The terminal building and hangar of the time represent a significant survival from this important period in the development of civil aviation

The importance of this survival is acknowledged in the applicant's Environmental Statement at paragraph 12.5.44 where it records that:

*Historic England's listing entry for Shoreham Airport's centrepiece terminal building (which incorporates its control tower, administration offices, customs hall, restaurant and bars) states that 'The terminal building is an unusual survival from the early days of civil aviation transport **and its landscape setting with adjacent original airfield and hangar make it particularly rare and of more than special interest.** (my emphasis) (ES Vol 1 page 267)*

It thus is clear that one of the key elements that justify the high listing of the terminal building at Grade II is the landscape setting and adjacent original airfield. This does not appear to have been recognised in the analysis of impact on setting provided by the applicants.*

Military airfields were usually zoned and it seems clear that the eastern and northern fringes of Shoreham airfield, outwith the perimeter road, were created during the Second World War as defensive zones, containing dispersed hangars, air-raid shelters, AA guns, pillboxes and battle headquarters, to defend in particular against landings of enemy paratroopers and gliders. Such defences are known to survive along the banks of the river and the ES suggests that the proposed development site also has a moderate to high potential to contain further, hitherto unknown, archaeological evidence of activity during the war.

Second World War remains also survive on the north-western side of the airfield, including a gunnery dome trainer, pill box, over blister hangar and road. The dome gunnery trainer is rare and particularly important and as a result is designated as a scheduled monument. It is a hemispherical building in which were projected films of moving aircraft that trainees used to practice aiming and firing a mock-up of an

anti-aircraft gun. We think that the airfield setting was probably considered beneficial for training and still does contribute somewhat to the dome trainer's heritage significance. The dome is also a distinctive presence in views from Brighton Airport's terminal building towards Lancing College.

The airfield itself is identified as a discrete landscape LCA 3 in the Shoreham Adur landscape study update 2016 by HED (figure 13.10) and is of high landscape character sensitivity (figure 13.11). The proposed site for development is also within an area of high visual sensitivity and high overall landscape sensitivity as identified in the same report (figure 13.13). These assessments both in terms of the setting of the listed building and the landscape value of the airfield demonstrate that development on this site will cause significant harm to assets of great value.

The ES suggests that there is also some potential for the proposed development site to contain prehistoric archaeological remains and palaeoenvironmental remains associated with a former channel of the river, moderate potential for the survival of remains of Roman, Saxon or Medieval salt industry and moderate to high potential for evidence of former land reclamation and sea defences.

Harm to significance of heritage assets in the wider landscape.

Historic England is concerned that the important gap between historic settlements which is the setting to Old Shoreham Conservation area and also makes a contribution to the setting and significance of Lancing College and the Airport Terminal buildings, is being encroached upon by this proposed new development. If the application at Monks Farm is taken into consideration cumulatively the strategic gap is being significantly eroded and the open landscape is being "squeezed" from east and west with the river and the northern sliver of the airfield remaining but experienced in the context of substantial development of a commercial character. In contrast to the proposal at Monks Farm which is largely concentrated in the lower quality landscape areas, this proposal sits squarely in landscape of high value which provides an important contribution to the significance of the listed buildings. The precedent this would set raises concerns about the longer-term survival of the airfield.

There is harm caused to the setting of both Lancing College and also the grade II listed toll bridge and the analysis of that harm within the ES is also flawed. At page 252 it states:*

12.5.20 Until the early 20th century, Old Shoreham Bridge linked Old Shoreham with the road westwards towards Worthing. The eastern marshes skirted by the road have become Shoreham Airfield to the south of the western bridgehead, and an engineering works (Ricardo) to the north. In terms of setting, the link between the village, its bridge and their rural hinterland is still there, but is less legible.

Therefore, an assessment of the impact of the proposal upon the contribution made by the setting should be considering whether the link between the village (a Conservation Area), its bridge and their rural hinterland retains its legibility. The analysis at 12.5.21 is however simply a justification for the development as the latest

*illustration of change, and not an assessment of the impact of that change. Any objective assessment of impact upon the legibility of the link between the bridge, village and the former rural setting can only conclude that it is significantly weakened or harmed both in terms of visual impact but also in how it is **experienced** when approaching and crossing the river in either direction.*

The flood risk improvements currently in progress on the east side of the river incorporate a river walk along the top of the defences which will allow the panorama of the landscape and its historic layers to be appreciated and experienced in a new way. This is a compensation for the visual severance the defences cause to the historic relationship between listed buildings in Old Shoreham (e.g. the Red Lion and The Amsterdam public houses both listed at Grade II). The sheer scale of the proposed development will change the character of the landscape. No kinetic views have been provided to demonstrate how the impact of the development will change as you move along the path but the impact of the much smaller Ricardo works, in particular how it blocks views of the chapel of Lancing College, is already evident.

The potential impact arising from this development is much greater and it will forever change the best view of the layered history of the landscape that is illustrated as you walk across the toll bridge from east to west, with the airfield to the west and the chapel to the east, by severing the visual connection between the bridge and the airfield beyond. The proposed development would intrude within the perimeter of the historic airfield for the first time since it was established in 1911. In doing so it would diminish a landscape that is itself an important historic area, but that also contributes greatly to the significance of its component buildings and features, including its principal listed building. The proposed development would overwrite a large part of the perimeter and defensive flank of the airfield, which would greatly diminish appreciation of its extent and operation during the war.

There would also be some harm to the significance of the scheduled gunnery dome trainer by curtailing the sense of openness of the airfield thereby undermining appreciation of the extent of the airfield as it was configured during the Second World War.

Groundworks associated with the proposed development also have the potential to damage or destroy some undesignated heritage assets, such as geo-archaeological and palaeoenvironmental deposits, the remains of Roman or Medieval salt-working, the post-medieval remains of a sea wall, and the remains of a Second World war Pickett-Hamilton fort.

Recommendation

Historic England objects to the application on heritage grounds.

Under the NPPF it is a core planning principle to conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations (para.17 NPPF). When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

No other planning concern is given a greater sense of importance in the NPPF. The more important the asset, the greater the weight should be.

The planning system should play an active role in guiding development to sustainable solutions (para.8, NPPF). Pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment (para.9 NPPF). Your authority should therefore also seek to improve proposals so that they avoid or minimise harm to the significance of designated heritage assets, whether through changes to the asset or to its setting. In determining planning applications, local planning authorities should take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
- the desirability of new development making a positive contribution to local character and distinctiveness (para.131, NPPF).*

Significance can be harmed or lost through alteration or destruction of a heritage asset or development within its setting. As heritage assets are irreplaceable, harm should be avoided wherever possible. Any harm or loss should require clear and convincing justification (para.132 NPPF) so an application should demonstrate that all less harmful alternatives have been considered. If a proposal cannot be amended to avoid all harm, and the harm is less than substantial, it can be weighed against the public benefits of the proposal (para.134, NPPF).

The harm being caused to designated heritage assets of the highest value is at the upper level of less than substantial harm as it affects a key characteristic that justifies the airport terminal building being listed at Grade II. Any public benefits have to convincingly justify this harm in order to meet the requirements of the NPPF and Government objectives for the historic environment. Historic England is not convinced that this harm is necessary and therefore objects to the application.*

Groundworks associated with the proposed development are likely to cause some harm to hitherto unknown archaeological remains. We note and welcome the intention to develop an Archaeological Mitigation Strategy in collaboration with West Sussex County Council's Environment & Heritage Team, which will include measures to evaluate and mitigate the effects of the proposed development on archaeological remains, and consequent analysis, archiving and dissemination of archaeological results. An ability to mitigate harm to archaeological remains will not reduce the harm to be caused to designated heritage assets through change within their settings.

Your authority should take these representations into account in determining the application. If you propose to determine the application in its current form, please inform us of the date of the committee and send us a copy of your report at the

earliest opportunity.”

Historic England’s comments on the FEIS are awaited.

Historic England – 2nd Response

“Summary

Historic England retains concerns about the harm that this proposal would cause to the significance of designated heritage assets by virtue of the contribution made to this by their settings. We nevertheless conclude that the level of harm is less than substantial in NPPF terms albeit at the higher end of that scale. We therefore think that it falls to your Council to weigh that harm with the public benefits of the proposal taking note that all harm requires a clear and convincing justification and that great weight needs to be afforded to the conservation of designated heritage assets (including the contribution made by their setting). The statutory duty in this case is to pay special regard to the desirability of preserving listed buildings and this would include consideration of setting.

Historic England Advice

In our letter of 24 October 2017 which was sent following pre-application advice on the Shoreham Airport Masterplan and through the strategic allocation of the Local Plan, we expressed great concern about the impact of development encroaching upon the historic airfield and the harm it will cause to the significance of designated heritage assets. We objected to the proposals based upon the harm caused to the unique airfield landscape which makes a major contribution to the listed airport buildings and to the harm being caused to the setting of Lancing College Chapel (Grade I listed) and the toll Bridge (Grade II listed) and the contribution it makes to their significance.*

These concerns had been raised earlier and consistently in our letters of 13th April; 16th April; 7 August; and 1st September 2017. The formal advice provided in our letter of 24th October set out in detail both the significance of the heritage assets affected by these proposals and the impacts caused by these proposals upon them both individually and cumulatively as a layered landscape of great importance.

The LVIA additional information provided by Hyland Edgar Driver dated March 2018 serves to illustrate these concerns notwithstanding that it is primarily intended to demonstrate landscape impact as seen in kinetic views when moving along the river.

We draw your attention particularly to the Summary of visual effects provided for the Kinetic Views -East bank of the River Adur (views 1.0; 4; and 5.0) which correctly states that the impact of the development upon the setting of Lancing Chapel would be similar to that of the existing Ricardo’s complex. The harm caused to the setting of the chapel and its contribution to its significance is there for all to see. It is also noted in relation to view 4.0 that the lower slopes of the SDNP and the chapel will again be affected (harmed) by the proposed new buildings, which would be “dominating” the

middle ground in view 5.0

Historic England has even greater concern with regard to the impacts identified in Kinetic Views -East Bank of River Adur (north of Toll Bridge) facing southwards where it is stated that in view 2.0 "More of the proposed buildings will be visible as they start to rise above the Bridge" This will have an effect on the setting of the Toll Bridge but minimal effect on the landscape setting."

In relation to view 3.0. it is stated "The buildings will have a major (my emphasis) effect on the openness of the gap as currently views are afforded across the airfield to Lancing. The setting of the Toll Bridge will be effected as currently it is seen against open sky"

In the kinetic views-west bank of the River Adur (south of Toll Bridge) facing northwards the illustrations including dotted wirelines of the new development in views 1.0; 2.00; 3.0, 400 and 5.00 all demonstrate that the new development will partially block appreciation of the Lancing College Chapel in its setting and in view 5.0 the development will also obscure views of much of the open landscape of the SDNP west of the Chapel.

This latest analysis clearly demonstrates the substantial visual impact that this development will have on the experience of this layered historic landscape which contributes to the significance of the highly graded designated heritage assets we have identified as being affected.

We note that notwithstanding our earlier advice the emerging Adur Local Plan 2016 allocates approximately 15,000 sqm of new employment generating floorspace on the NE side of the Airport. This application is for considerably more floorspace (25,000sqm) and the impact of this increased development can be clearly seen. It is a fundamental principle of the NPPF that the historic environment is protected and enhanced as part of the environmental role of sustainable development NPPF para 7). The NPPF also requires local planning authorities to identify the particular significance of heritage assets affected by development and to take that into account to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal (NPPF129). Without prejudice to our concerns expressed regarding allocation of employment floorspace in this sensitive location in principle, an obvious, initial way to minimise harm is to resist the expansion of employment floorspace that this application represents.

Finally, we refer you again to our letter of 24 October in which we set out our concerns insofar as they relate to the archeological impacts associated with the scheme. These concerns still stand and we attach our previous letter here for ease of reference.

Recommendation

Historic England has concerns regarding the application on heritage grounds. In determining this application, you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess. The Designated Heritage Assets affected by this proposal are of the highest significance and therefore the weight given to their conservation should be even greater (NPPF para 132). You must also take account of section 38(6) of the Planning and Compulsory Purchase Act 2004 to determine planning applications in accordance with the development plan unless material considerations indicate otherwise.

We have not identified any heritage benefits arising from the proposals and therefore in light of the importance of the heritage being affected, for your council to be able to approve this proposal you should first be convinced that:

- *you are satisfied that you have sufficient information before you to adequately understand the levels of harm to significance by changes to the setting (as required by para 128 of the NPPF); that the harm has been minimised (para 129 of the NPPF) and;*
- *that for the irreducible amount of any remaining harm the public benefits arising from this proposal are such as to provide the clear and convincing justification (as required by (para 132 of the NPPF) and;*
- *if you agree with us that the harm though serious is less than substantial in the terms of the NPPF (para 134) that the public benefits of the proposal are such to outweigh that harm.*

Your authority should take these representations into account and should you seek amendments, safeguards or further information, or if there are any material changes to the proposals, or you would like further advice, please feel able to contact us.”

Southern Water

“Please find attached a plan of the water main records showing the approximate position of a public water distribution main within the site boundaries. The exact position of the public water main must be determined on site by the applicant before the layout of the proposed development is finalised.

In order to progress the proposed development on the site, the following should be taken into account:

1. *The 9 inch diameter water main requires a clearance of 4 metres either side of the water main to protect it from construction works and allow for future access for maintenance.*
2. *No development or new tree planting should be located within 4 metres either side of the centreline of the public water main.*
3. *No new soakaways, swales, pond or other water retaining or conveying features should be located within 5m of a public water main.*

All other existing infrastructure should be protected during the course of construction works. All existing infrastructure, including protective coatings and cathodic protection, should be protected during the course of construction works. No excavation, mounding or tree planting should be carried out within 4 metres of the public water main without consent from Southern Water.

The impact of any improvement works within highways and access roads on the public sewers and water apparatus shall be approved and agreed by Southern Water under NRSWA enquiry.

In order to protect water supply apparatus, Southern Water requests that if consent is granted, a condition is attached to the planning permission. For example "The developer must agree with Southern Water, prior to commencement of the development, the measures to be undertaken to protect the public water supply mains."

The results of an initial desk top study indicates that Southern Water currently cannot accommodate the needs of this application without the development providing additional local infrastructure. The proposed development would increase flows into the waste water sewerage system and as a result increase the risk of flooding in and around the existing area, contrary to paragraph 109 of the National Planning Policy Framework.

Alternatively, the developer can discharge foul flow no greater than existing levels if proven to be connected and it is ensured that there is no overall increase in flows into the foul system. You will be required to provide a topographical site survey and/or a CCTV survey with the connection application showing the existing connection points, pipe sizes, gradients and calculations confirming the proposed foul flow will be no greater than the existing contributing flows.

Should the Local Planning Authority be minded to approve the application, Southern Water would like the following condition to be attached to any permission. "Development shall not commence until a drainage strategy detailing the proposed means of foul disposal and a implementation timetable, has been submitted to and approved in writing by, the local planning authority in consultation with the sewerage undertaker. The development shall be carried out in accordance with the approved scheme and timetable."

The application details for this development indicate that the proposed means of surface water drainage for the site is via a watercourse. The Council's technical staff and the relevant authority for land drainage consent should comment on the adequacy of the proposals to discharge surface water to the local watercourse.

We request that should this application receive planning approval, the following condition is attached to the consent: "Construction of the development shall not commence until details of the proposed means of foul and surface water sewerage

disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water.”

Due to changes in legislation that came in to force on 1st October 2011 regarding the future ownership of sewers it is possible that a sewer now deemed to be public could be crossing the above property. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site.

The applicant is advised to discuss the matter further with Southern Water, Sparrowgrove House Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk”.

Following initial investigations, Southern Water can provide a water supply to the site. Southern Water requires a formal application for connection and on-site mains to be made by the applicant or developer. We request that should this application receive planning approval, the following informative is attached to the consent:

“A formal application for connection to the water supply is required in order to service this development. Please contact Southern Water, Sparrowgrove House Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk”.

Environment Agency

*It is acknowledged that on completion of the Shoreham Adur Tidal Walls (SATW) scheme the area of the proposed development will be regarded as Flood Zone 3a, and offers suitably improved flood protection for commercial/industrial purposes. We are therefore happy to **remove our outstanding objection**.*

However, the applicant should be aware that should structural failure of the new defences occur the proposal will be impacted by rapid inundation of tidal waters.

The predicted tidal surge level for commercial development for the year 2070 is 4.8mAOD. On the basis that finished floor levels are to be set at 2.1mAOD the proposal could potentially be impacted with flood depths to a level of 2.7mAOD.

The resubmitted Flood Risk Assessment (FRA) has not taken into account failure of the defences and we therefore we recommend that you are satisfied with the means of flood resilience measures identified within the FRA sections 8.4.3 and 8.5.1 and the emergency planning officer is satisfied with the means of evacuation.

We recommend that the building be internally tanked as that which is reasonably practicable so as the building is afforded suitable protection from flooding throughout its lifetime.

Flood resilience and resistance – Advice to developer/ LPA

We strongly recommend that consideration be given to use of flood proofing measures to reduce the impact of flooding when it occurs. Flood proofing measures include barriers on ground floor doors, windows and access points and bringing in electrical services into the building at a high level so that plugs are located above possible flood levels.

We recommend reading the following guidance:

[*'Improving the flood resilience of new buildings'*](#)

[*'Prepare your property for flooding: A guide for householders and small businesses'*](#)

Consultation with the relevant building control department is recommended when determining if flood proofing measures are effective.

Flood warning and evacuation plans – Advice to developer/ LPA

In this situation, occupiers would be reliant on flood warning and evacuation procedures to ensure their safety.

In all circumstances where warning and emergency response is fundamental to managing flood risk, we advise LPAs to formally consider the emergency planning and rescue implications of new development in making their decisions.

The PPG states that LPAs should consult their emergency planning staff to ensure evacuation plans are suitable through appropriate planning conditions (Ref. 7-054-20150415).

We therefore recommend seeking comments from the relevant emergency planners.

Please note that it is not our role to assess the detail of flood evacuation or emergency plans. We do not carry out these roles during a flood. Our involvement with this development during an emergency will be limited to delivering flood warnings to occupants/ users covered by our flood warning network.

Pumping Station – Advice to LPA

The Lead Local Flood Authority (LLFA) should ultimately be satisfied that the pumping station design calculations can accommodate surface water run-off from the New Monks Farm development as well as the proposal.”

Technical Services - First Response

“Thank you for the opportunity to comment upon this application. The site lies in flood zone 3, areas of the site are predicted to suffer from surface water flooding according to the latest maps produced by the EA, although the area appears not to have suffered too greatly in recent years. The area is prone to high ground water which is affected by water levels in the River Adur.

The proposal for the site includes a drainage strategy plan, this indicates no on – site attenuation, the concept of which is being considered by Anthony McCloy, under his appointment to review the NMF application, surface water is simply discharged to the nearest watercourse and then pumped to the River Adur.

It is broadly accepted that where the receiving water body can accommodate flows without increase risk of flooding downstream then there is no requirement to restrict either the discharge rate or volume.

While a pumping station as means of surface water disposal is not considered a sustainable option, this and the discharge to the Main River would be subject to EA approval. Further information regarding the pumping capacity of the proposed pump station will be required as flows from both this proposed commercial development and the proposed New Monks Farm development need to be considered.

Additionally, responsibility for maintaining the pumping station needs to be clarified, are NMF or the Airport operators responsible for maintenance?

Notwithstanding the conclusion of Mr McCloy, I cannot support the application as it stands; the carpark areas must have oil separators on them to protect the Adur and the adjacent ditch from accidental pollution by fuel or chemical spillage. I cannot find any undertaking to provide these measures in the submitted literature.

*Therefore, I would like to raise a **holding objection** until details of pollution control for this are provided and until such time as the entire concept of the NMF drainage system is reported on by Mr McCloy.”*

Technical Services – Second Response

“Please refer to my previous comments dated 14th September 2017.

I note that the EA have withdrawn their official objection to the proposals but advise that a catastrophic failure of the new tidal walls defence could flood the development up to a depth of 2.7m, and that the FRA fails to acknowledge this.

These proposals still, so far as I can see, do not provide adequate details of drainage to the car parking area, / forecourt / distribution area, drainage from which could still lead to pollution of the receiving waters.

The development relies on the pumping station, without which it will add to the risk of flooding upstream. Therefore, if conditions are proposed to

- a) *Require full drainage details to be provided before development begins*
- b) *Require that the NMF northern ditch is fully constructed before development begins*
- c) *Or require that the pumping station is operational before development begins*

*I would be prepared to accept the proposals otherwise my **holding objection** should still remain.*

The reason for a) being that no details are currently provided. The reason for b) being that the runoff from this site will be passed to the receiving water course, this will increase volume and potentially cause upstream flooding – which will, until the northern ditch is completed, flow towards the Dogs Trust thereby increasing flood risk elsewhere.

The reason for c) being that if upstream flooding is to be avoided either the pumping station or the ditch but preferably both are completed before this development takes place.”

Natural England – 1st Response

“SUMMARY OF NATURAL ENGLAND’S ADVICE

FURTHER INFORMATION REQUIRED TO DETERMINE IMPACTS ON The South Downs National Park Protected Landscape and Adur Estuary Site of Special Scientific Interest (SSSI)

*As submitted, the application could have potential significant effects on **The South Downs National Park Protected Landscape and Adur Estuary SSSI**. Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation.*

The following information is required:

- *Further details within the Landscape Visual Impact Assessment (LVIA) which identify and address the issues set out below in order to determine the full impact on the South Downs National Park. This should include the cumulative impact with New Monks Farm application and details of the siting of the pumping station on the wider landscape (AWDM/0961/17).*
- *Pumping station – direct impacts of the cumulative outflow on the intertidal mudflats resulting from this application, together with the New Monks Farm Application (as above), should be clearly addressed including any necessary mitigation measures.*
- *Wider impacts of the development on biodiversity within and adjacent to the Adur Estuary SSSI and functionally-linked land, impacts on waders on the SSSI including the possible effect of the height/ proximity of buildings immediately abutting the SSSI boundary.*

Without this information, Natural England may need to object to the proposal.”

Natural England – 2nd Response

Natural England INSUFFICIENT INFORMATION FOR DETERMINATION AT THE PRESENT TIME

“For clarity, Natural England are not objecting to the principle of this development. We are aware that the site has been allocated in the Adur Local Plan. However, from the

information submitted to date, we are concerned that at this stage of the application process, insufficient consideration has been given to mitigating impacts on the setting of the South Downs National Park (SDNP) and Adur Estuary Site of Special Scientific Interest (SSSI).

Although we recognise that this is an outline application, our advice is that the Council defer determination of the proposal until the following additional information is submitted from the applicant:

- *Demonstrable evidence and justification that this proposal can and will accommodate suitable mitigation measures with regards to identified landscape and visual impacts on the setting of the SDNP, particularly with regard to the increase in the size of the application area.*
- *Demonstrable evidence and justification that this proposal can and will accommodate suitable mitigation measures with regards to the adjacent SSSI.*
- *A set of agreed design principles (to include the maximum size and scale of buildings) which will be used to help guide and secure suitable mitigation at later application stages.*

Without this information, Natural England may need to object to the proposal.

Please re-consult Natural England once this information has been obtained.

Natural England's advice on these matters is explained in further detail in the following sections.

Landscape & Visual Impact on the Setting of the South Downs National Park

Natural England is a statutory consultee for any development scheme requiring an Environmental Impact Assessment (EIA). We therefore have a duty to provide advice to the local planning authority on this proposal. As the EIA includes a landscape component, our advice covers landscape issues, particularly as landscape and visual impacts on the setting of the SDNP are significant.

The proposed development lies within close proximity to the South Downs National Park (SDNP). The special qualities of the SDNP include diverse landscapes and breath-taking views. In this area, key characteristics of the SDNP include a landscape of apparent large and expansive scale, with far reaching views across the open flood plain of the River Adur (SDNP Landscape Character Area, 2011). The flat and open character of the site itself permits these far-reaching views, which extend towards Shoreham and out to sea. In this respect, as the site contributes to the key characteristics of the SDNP, it is considered to have importance influence on its setting.

In our previous response to this proposal (ref: 226269, dated 06 November 2017), natural England expressed concern regarding the landscape and visual impact of the proposal on the statutory purposes and setting of the SDNP. This advice remains

unchanged. The following advice further explains our position, and provides some recommendations on how some of the landscape and visual impacts of this proposal may be mitigated.

We are in agreement with Adur District Council's Landscape Consultant (Shiels Flynn) that not all landscape impacts of this proposal can be mitigated (Comments and Advice statement, June 2018). However, mitigation measures to reduce the visual impacts are possible. In this sensitive location, the importance of mitigation measures should not be undervalued. It is important that mitigation measures are included in the design proposals, and it is our advice that mitigation measures are incorporated into designs at the earliest possible stages.

At this time, the main issue is the size of the site area. Policy 7 of the Adur Local Plan allocates 'a minimum of 15,000 m² of floorspace' at this site. However, the current application looks to increase the floorspace to 25,000 m². Policy 7 continues that 'any deviation from the boundary shown on the Policies Map must be based on a clear and convincing landscape and viability justification through the planning application process'. Therefore, whilst an increase in the site area may be acceptable from a viability perspective, it also needs to be demonstrated that the proposal can be acceptable in terms of landscape and visual impacts. As submitted, this has not been demonstrated.

The Landscape and Visual Impact Assessment (LVIA) for this proposal identifies landscape and visual impacts at viewpoints within the SDNP as moderate/major adverse, which natural England considers unacceptable. We recommend that further consideration is given to mitigation proposals to demonstrate that landscape and visual impacts can be mitigated to level which could be considered acceptable. We acknowledge that this application is for outline permission, however sufficient confidence needs to be provided at this stage that the moderate/major adverse impacts on the SDNP can be mitigated. The level of detail will of course increase at the reserved matters stage, but the landscape mitigation and design principles along with measures such as building size (height and area), building shape (avoiding block edges) should be secured at this stage (to be refined at reserved matters).

Adur Estuary SSSI

*The site is located adjacent to the Adur Estuary Site of Special Scientific Interest (SSSI), which, together with Rye Harbour further to the east, represent the only significant areas of saltmarsh between Chichester and Pagham Harbours in West Sussex, and Sandwich Bay in Kent. The estuarine plant communities are unusual due to the relative scarcity of cord-grass, *Spartina* spp. The large area of intertidal mudflats within the estuary are important for a variety of wading birds.*

Although this application is outline only, further, general details on the proposed size, scale and location(s) of buildings and ancillary features (such as access roads, parking and plant) are required. Due to the proximity of the site to the SSSI, there

may be potential impacts from the proposed development on the notified features of the SSSI. Potential impacts would include (but may not be limited to):

- *Bird disturbance during construction*
- *Bird disturbance due to operational activities*
- *Reduced success of resident and/or overwintering bird populations where sight lines are lost and/or buildings abutting the estuary result in behavioural changes and/or the adjacent habitat becoming undesirable.*

The site has been noted for its bird interest, and there has been concern regarding the loss of habitat for bird species once the site is developed. We would advise your authority of the duty to conserve and enhance biodiversity under the NPPF, and the Policy 31 of the Adur Local Plan. The Local Plan states that 'all new developments will be required to take account of and incorporate biodiversity features at the design stage'. Policy 31 (Biodiversity) states that 'all development should ensure the protection, conservation, and where possible, enhancement of biodiversity'. In this case, as with the landscape and visual impacts, we would recommend that due consideration is given to securing design principles at this stage. We would recommend that design principles include for the incorporation of biodiversity features to support local wildlife interest, the details of which can be secured at reserved matters. Design principles should consider impacts to the SSSI and also opportunities to provide wider biodiversity enhancements.

Design Principles

We understand that the Development Brief referred to in Policy 7 of the Local Plan (to address the landscape and historic issues of this site allocation) has not yet been produced. At this stage, and in the absence of a Development Brief, we would recommend that a set of design principles are agreed with the applicant to help guide mitigation proposals. We note that a Design Code has been provided for the proposal, (March 2018) which provides some general landscape mitigation objectives. However, at this stage this document does not address all of our concerns regarding landscape/visual and ecological impacts.

From a landscape and visual perspective, we would not support the 'utilitarian'-type units proposed in the 'Built Form Guidelines' of the Design Code. The idea of traditional warehouse units (which can be imposing in their mass and scale) suggests that the applicant has not given due consideration to the importance of sensitive building design, which is of concern in this location, and highlights the need for early agreement of suitable design principles.

To ensure landscape and ecological impacts are given due consideration at this stage, and to guide and secure suitable mitigation at later application stages, we have provided some suggested design principles, which we recommend are agreed with the applicant prior to determination of this application:

Site Layout

- *Layout designs should look to provide a generous landscape buffer along the site boundaries, particularly the eastern boundary. This will break up the mass of the built area, retain (some) views from the SDNP across the site into the green gap, and maximise the distance between buildings and/or active areas of the site and the adjacent SSSI. We agree with the Design Code that tree screening would not serve as suitable mitigation for this proposal due to the existing open airport landscape.*
- *Buildings (which will result in a significant change to the structure of the immediate landscape adjacent to the SSSI) should be sited as far to the west as possible. This would maximise the distance between the buildings and the SSSI, reducing the potential for disturbance.*

Building Scale and Design

- *Sensitive building design should aim to 'soften' the landscape/visual impact of the building(s). The avoidance of 90° angles in building design is recommended. This could be achieved by gently curved edges to roof and wall structures. Whilst not wholly mitigating the mass of the building(s), this may help integrate the structures with the surrounding landscape, thus reducing the visual impact.*
- *Efforts should be made to keep the height of the building(s) to a minimum to reduce the impacts of the proposal (which currently appears to include large, warehouse-type units).*

Building Materials

- *Colour choices for building materials should be carefully considered to accord with the changing colours in the surrounding landscape during the year.*
- *Living green roofs and green walls, planted with native species of benefit to local biodiversity, may help to ease the visual transition between the built elements of the proposal and the undeveloped areas within the surrounding landscape. This may reduce the visual impact of the proposal. Living green roofs and walls should also be recognised for their multiple benefits including (but not limited to) provision of drainage solutions, biodiversity enhancements, green infrastructure, local air quality improvements and noise attenuation.*
- *Noise reducing surfacing materials (e.g. for access roads) and noise attenuation measures for buildings should be included in the design to reduce impacts from noise disturbance on the SSSI. At this stage, we do not expect specific details to be provided, but we would advise that design principles for the site consider these.*

Biodiversity Enhancements/Net Gain

- *The Adur Estuary SSSI is identified within the Adur Local Plan (2017) as a 'key area of green infrastructure' (GI). The Local Plan states that 'new developments should seek to incorporate elements of green infrastructure into their design where appropriate, for example through provision of green roofs, SuDS, landscaping, tree planting etc.' Policy 30 (Green Infrastructure) requires that developments incorporate elements of green infrastructure into their overall design, and/or enhance the quality of green infrastructure as appropriate. To accord with the Local Plan, design principles for the site should outline/demonstrate how GI and biodiversity enhancements will be an inherent part of the design proposals. A design principle to include a living green roof, as outlined above, provides an example of how this could be achieved.*

Please note that if your authority is minded to grant planning permission contrary to the advice in this letter, you are required under Section 28I (6) of the Wildlife and Countryside Act 1981 (as amended) to notify Natural England of the permission, the terms on which it is proposed to grant it and how, if at all, your authority has taken account of Natural England's advice. You must also allow a further period of 21 days before the operation can commence.

The issues raised above are considered to be resolvable. We would be happy to further engage with the applicant on a cost recovery basis through our Discretionary Advice Service (DAS), if required, to agree measures to resolve these issues."

South Downs National Park – First Response – objects to the application and comments that,

'It is recognised that the application site is a site allocated in the Adur Local Plan, which has now been adopted. The South Downs National Park Authority does not object to the principle of the allocation and what the policy seeks to provide on the site.

The SDNPA does however still have significant concerns based on how this policy has been interpreted in the current application to date. Following the meeting on 22 February 2018, where the applicant confirmed the intention to produce a more detailed Parameters Plan and design principles, and tabled the kinetic study, the SDNPA submits a holding objection to the proposed development. This is subject to ongoing work to produce this additional information, which may overcome the SDNPA's concerns. A final response will then be provided, taking any additional plans and information into account.

The concerns raised by the SDNPA, which we would request to be resolved as part of this ongoing work, are as follows:

- 1) *It is noted that the application has been made in outline, with all matters reserved except access. It is considered, however, necessary to demonstrate at this stage*

that the application site would be capable of accommodating the proposed 25000sqm of floorspace (10,000sqm above the policy requirement), without causing substantial harm to the surrounding area. It is considered that this has not been sufficiently demonstrated owing to the constraints of the site boundary location causing the floorspace to be housed in buildings of significant size and height, with no attempt to break up the mass and located long-side to the South Downs. There is little opportunity demonstrated for landscaping to mitigate the impact of the proposed development, as the type and level of mitigation planting, either on or off-site has been demonstrated to be inappropriate, owing to the sites open character.

- 2) Furthermore, as a result of the simplistic approach taken to the LVIA, the concerns for which have been fully detailed in the advice provided to Adur DC by Sheils Flynn, we don't have confidence in the landscape and visual impact outcomes identified. We appreciate work is taking place to address this and help inform the other concerns raised. The scheme will need to carefully consider and address the impact of the development in both views into and from the SDNP, including consideration of the impact and role Lancing College plays in the setting of the Park at this location.*
- 3) The current scheme has not considered positive mitigation measures to address landscape and visual impacts. These should be design-led mitigation measures rather than screening that might be uncharacteristic of the area.*
- 4) From a SDNPA Dark Night Skies view, this area of the National Park immediately adjacent to this development and north of the A27 would be classified as a 'transitional' area between progressive darkness and urbanisation. While conditions do not suggest classification as a 'dark sky' they still remain of importance to protect from light pollution, as they act as a barrier to darker areas. Consequently, it is important that the general sky conditions do not degrade and push back these transitional areas. The development will introduce significant new lighting that has the potential to impact on the dark skies and view within the SDNP. While the core dark skies are located some distance and are unlikely to be immediately affected, the impact on these transitional areas is unacceptable, as the overall sky conditions are likely to reduce. The use of dark sky friendly lighting is welcomed as this will help reduce the impact. However, the sheer illumination in this area, combined with the potential for there to be significant activity during dark hours, is likely to conflict with the aims of the National Park to protect its dark skies reserve status.*
- 5) The cumulative impact of the proposed development here and at New Monks Farm needs to be fully understood and addressed in the development proposals for both – particularly as both proposals expand the site boundaries, reducing the openness of the floodplain, which itself shares an important relationship in terms of understanding the landscape character of this part of the SDNP.*

- 6) *There is also concern regarding groundwater flooding and surface water accumulation (due to the low level of site) which is proposed to be dealt with through the enhanced pumping station. The concern is that it is intended to discharge above high tide level (as opposed to the current tidal flap valve that is closed for 6 hours each tidal cycle and discharges through a small channel through the marshes). Discharging at a higher level could have a serious impact on the saltmarsh in the adjacent SSSI, causing enhanced erosion. The SDNPA would defer to the relevant statutory bodies for further advice here.*

We are happy to continue to work with Adur DC and the applicant, to help secure a scheme that responds to our concerns. If you require any clarification on the points raised in this response, please contact Vicki Colwell (vicki.colwell@southdowns.gov.uk or 01730 819280).

South Downs National Park – Second Response –

“These comments should be read alongside our original response, which raised a holding objection to the proposed development.

Summary

The scheme represents the introduction of a large expanse of built form, which will result in a major adverse impact on the character of the SDNP and in views to and from the South Downs (including Lancing College, which represents an important cultural heritage asset that contributes to the landscape character).

The applicant has taken on board many of the comments made at our meeting earlier this year and has started to provide a package of mitigation measures to help reduce the adverse impact of the development, which could be conditioned and carried forward for when the reserved matters application (dealing with layout, scale, appearance and landscaping) is considered.

Whilst these measures are welcomed, they unfortunately do not go far enough to mitigate the adverse impact on the SDNP. Therefore, the SDNPA still has significant concerns with the proposal. Further specific comments are provided below.

L VIA Additional Information

- 1) *The applicant has indicated that the predicted landscape effects on the SDNP would be moderate in magnitude. We do not agree, but instead concur with the suggestion by Adur DC Landscape Consultant (Sheils Flynn), who has advised the effect would be major in magnitude, as “The development would disrupt the distinctive and contrasting relationship between the South Downs, the coastal plain and the valley of the River Adur, which are highlighted by the extraordinary landmark of Lancing College Chapel on the valley side overlooking the River Adur and the coastal plain”.*
- 2) *The inclusion of the kinetic study is welcomed and is helpful when assessing the views to the South Downs in particular. This should not shy away from the*

- fact there is clearly a significant adverse landscape and visual effect (see comment 3 below).
- 3) *The principle of identifying the mitigation objectives is supported, however it is felt that there might be a step missing (i.e. identifying/summarising the effects to then apply these objectives to). Also, the LVIA places too much focus on the impact of the buildings and not the car park/service yard areas, which could equally have a negative impact. The mitigation objectives should seek to address this impact as well.*
 - 4) *The points made about lighting impact are not as well evidenced and more positive steps should be identified to help address the effect of lighting on the International Dark Night Skies Reserve. Attention is drawn to the SDNPA Technical Guidance Note for Dark Skies, which can be found here: <https://www.southdowns.gov.uk/wp-content/uploads/2018/04/TLL10-SDNPA-Dark-Skies-Technical-Advice-Note-2018.pdf>.*
 - 5) *The site currently delivers no environmental benefits, which given the sensitive location, should be resolved. The Design Code could be used to overcome this, identifying potential measures, such as use of green walls/roofs, planting (see comments below) etc.*

Design Code

- 6) *The principle of the Design Code and Parameters Plan is supported.*
- 7) *1.1.3 – the purpose should also be to ensure adequate mitigation is provided to reduce the adverse impact of the development on the SDNP, Grade I Listed Building (Lancing College) and the designated Local Gap.*
- 8) *The proposed bund is outside of the red line – are Adur DC happy that this can still be secured through condition or S106?*
- 9) *Options for landscaping mitigation will depend greatly on the built form and parking locations. This needs to be reflected better in the Code (i.e. possible options for single and multiple building layouts).*
- 10) *The impact of car parking and service yards is not taken into consideration as part of the design code. This is an integral part of the application scheme and should be included.*
- 11) *Advice/recommendations should be provided with regard to window/door location and treatment, to ensure the design code recommendations are not undermined by poor choices regarding glazing/apertures.*
- 12) *More information is required regarding the form of the bund for the design code. The principle is likely to be justified, but very dependent on how it is treated.*
- 13) *More information is required regarding the planting to the north and east. An indication of suitable species should be included (including the consideration of Black Poplar and disease resistant Elm) alongside planting plans.*
- 14) *Encourage the planting of wildflower verges instead of grass through the Design Code.*
- 15) *As above, there is no consideration of lighting, which should be included as part of the Design Code.*

Conclusion

The SDNPA remains significantly concerned regarding the impact of the proposed development on the character and in views to/from the SDNP. This is due to the significant scale of the building(s) proposed, which is 10,000sqm greater than the amount allocated in the development plan policy.

Whilst the mitigation proposed is generally sensitive to the location, the proposals are insufficient. If the recommendations above are incorporated into the proposals then hopefully this will help lead the applicant to a more meaningful package of mitigation measures. However, and unfortunately, it is unlikely that this will overcome the significant harm identified as a result of the scale of the proposed development. The SDNPA would also reaffirm that there may be further comments/concerns raised as a result of the detailed design coming forward as part of later reserved matters applications.”

The South Downs National Park – Third Response to amended Design Code

‘Thank you for informing us of the submission of a revised Design Code, and providing the opportunity to give further comments.

It is noted that there has been no further amendment to the Landscape and Visual Impact Assessment, and therefore the SDNPA comments dated 20 July 2018 remain relevant in this respect. In respect of the updated Design Code, the SDNPA wishes to provide the following comments:

- Our expectation of the Design Code is that it provides characteristic responses to minimise/mitigate for impacts upon both the landscape and visual setting of the SDNP.*
- The SDNPA is pleased to see that our comments regarding the detail contained within the Design Code have largely been considered and incorporated into the Code.*
- 1.4.2 states the rationale to create filtered views of the buildings; should it not say to filter views of the buildings?*
- It is advised that when a principle/parameter is directly addressing the impact on the SDNP, this should be more explicit.*
- The SDNPA would still like more comfort regarding materials – the muted colour palette approach is fine, but should not rule out potential use of natural materials that may not fit the palette, but could still result in an appropriate design approach, which better mitigates the impact of the scheme. Materials can also be used cleverly to break up mass and bulk of buildings, which could also be a stronger design principle coming out of the Code.*
- Pleased to see the section on lighting, as requested. Glazing and lighting should be specifically restricted on the north and north-eastern elevations (i.e. those which are most exposed to the SDNP).*

- *Consider including parameters for the colour of LED lights – it would be a shame to see the good work which is being undertaken to minimise impact on wildlife and views undone by such a minor detail!*
- *Points 13 and 14 from our original comments (regarding suitable plant species and use of wildflower verges) have not been referenced in the updated Code. It is still recommended that these are included.*

The SDNPA hopes the above is useful and are pleased to see that the applicant has sought to reduce the impact of the proposals on the character and visual setting of the SDNP. Whilst the mitigation proposed is generally sensitive to the location, it remains the case that it is unlikely this mitigation will overcome the significant harm identified as a result of the scale of the proposed development. The SDNPA would also reaffirm that there may be further comments raised as a result of the detailed design coming forward as part of later reserved matters applications.'

The Sussex Wildlife Trust (1st Response) objects to the application and comments that,

"The following objection is made on behalf of the Sussex Wildlife Trust in relation to Shoreham Airport Outline Planning Application AWDM/1093/17 following the submission of further information.

- *The Sussex Wildlife Trust recognises this site is allocated in the emerging Adur Local Plan (ALP) and the importance of a plan led system as opposed to a developer led process. However we are concerned that the application has been made for 25,000sqm of floor space (10,000 over the policy requirements). Therefore we hope that our comments are used constructively to make certain that this development properly plans for the natural capital needed within the District and ensures that any development is truly sustainable.*
- *Within the planning application form, the applicant is asked in question 13 Biodiversity and Geological, whether the application site is on or adjacent to a designated site, important habitat or other biodiversity feature. The applicant's answer of 'NO' this information is incorrect as the site is adjacent/near to the Adur Estuary SSSI. This is well documented in the emerging ALP and even referred to in Policy 7 Shoreham Airport.*
- *The importance of the airport and adjacent SSSI for wintering and breeding birds is recognised within the supporting text of the Policy 7 in Paragraph 2.84. As well as bird species we can see from desktop records available from the Sussex Biodiversity Record Centre that reptiles are also recorded in this area.*
- *We are concerned that the ecological information submitted with the application does not adequately address breeding birds. Section 11.4.41 of the Environmental Statement (ES) says that 'The two walkover surveys were undertaken in October 2016 and February 2017 were out-of-season and therefore failed to record any breeding bird activity.' It is widely recognised locally that the*

site is used by Lapwings and Skylarks that have historical and still do use this area of the airfield for feeding and nesting. Both of these species are of conservation concern and are listed on the UK Red List. In terms of Lapwings, given their tendency to be site faithful and long lived, we do not feel that the impact of developing this site on this species has been properly considered. During the Local Plan process the use of this area by Lapwings and Skylarks was recognised by the District Council and capture in the supporting text for Policy 7. We are dismayed by the applicant's complete lack of regard for these species and do not have confidence in the statement made in section 11.7.4 of the ES: 'It is not anticipated that there would be any further impacts upon breeding birds once the Scheme is operational, so this is considered to be a Neutral.'

- *Policy 7 in the Adur Local Plan makes clear that assessment at planning application stage will include. 'A site wide ecological management plan that is informed by up to date ecological information to be drawn up and implemented to the satisfaction of the local planning authority...'. Whilst we recognise this as an outline application, we do not have evidence that this document has been produced within the applicant's information. We remind the council that not only does policy stipulate the need for up to date ecological information, but paragraph 165 of the NPPF also clearly states that this is a requirement in decision making.*
- *The additional information submitted with the New Monks Farm application (AWDM/0961/17) refers to 702m intertidal compensatory habitat being delivered via that application as a result of the instalment of the pumping station. Can we seek clarity on where the water from pumping station will discharge onto? Will it be onto the compensatory habitat, as indicated in section 11.5.6 of the Environmental Statement in this application? We are concerned that the in combination effects of the pumping station alongside the New Monks Farm application have not been sufficient assessed and we ask Adur District Council to seek further advice from Natural England and The Environment Agency.*
- *Biodiversity gains proposed in this application seem to be lacking in their understanding of the site. The application is suggesting trees as a form of screening; however, we are concerned that this demonstrates a lack of appreciation of the sites open nature. Further to this paragraph 2.86 of the Local Plan states 'Ecological enhancements will be sought through all aspects of development on this site (for example green roofs etc.) to take into account visual sensitivities of the landscape and offer biodiversity opportunities'. We are concerned that this has been ignored by the applicant as page 35 of the Design and Access Statement states that 'A colour coated profiled steel sheet will generally be used at the external facing materials for the roofs and could be coloured in greys, natural greensand beige /brown colours with a non-reflective finish. This would help to mitigate against visual intrusion into the adjacent countryside from longer range views'. We ask the council to ensure a robust Landscape and Ecological Management Plan is in place to inform where compensatory habitat is required and where the most effective and suitable gains can be delivered.*

We ask the council to consider their responsibilities under section 40 of the NERC Act 2006 and ensure that relevant and up to date ecological information to support this application is provide before it proceeds any further. It is not acceptable to leave this element of the application to the reserved matters process.”

The Sussex Wildlife Trust (2nd Response) objects to the application and comments that,

“The following objection is made on behalf of the Sussex Wildlife Trust in relation to Shoreham Airport Outline Planning Application AWDM/1093/17 following the submission of further information in May 2018.

We have previously commented on this application and we wish to highlight that our previous comments submitted on 04/10/2017 and 20/03/2018 still stand.

The Sussex Wildlife Trust recognises that this site is allocated in the adopted Adur Local Plan (ALP) and the importance of a plan led system as opposed to a developer led process. However, we are concerned that the application has been made for 25,000sqm of floor space and proposes an extension to the boundary of the site allocation in the ALP. We trust that our comments are used constructively to make certain that this development properly plans for the natural capital needed within the District and ensures that any development is truly sustainable.

The Sussex Wildlife Trust would like to take this opportunity to highlight the following matters.

We recognise that this is an outline application, but we are not satisfied that the applicant has shown an appropriate level of understanding of this allocation and the commitments made to it through the ALP policy. This is demonstrated in the following ways:

- *The council made a clear commitment to this allocation benefitting from a development brief, as stated in Policy 7 of the adopted Adur Local Plan, to our knowledge this has not been produced by the council.*
- *We therefore ask how they can assess the applications suitability when the criteria on which to consider the development has not yet been produced.*
- *We also bring the council’s attention back to the Inspectors Report following the examination of the Local Plan, in which he states in section 76: In order to reflect the sensitive nature of the airfield the Council is proposing that the boundary should remain as currently proposed but that the policy should be amended to make it clear that a deviation from the proposed boundary may be considered favourably but only if any such change is fully justified in terms of landscape and viability evidence. I consider this to be a reasonable and pragmatic way forward and therefore, in order to ensure that the most appropriate strategy is followed, I recommend MM20.*

This was translated into the policy via wording which stated that Any deviation from the boundary shown on the Policies Map must be based on a clear and convincing landscape and viability justification through the planning application process.

Having viewed the LVIA – additional information document, we do not see a clear landscape and viability justification presented as part of this application to justify the extension to the boundary. We seek clarity from the council, as to how the applicant has justified the boundary change to them?

- We are concerned that the ecological information submitted with the application does not adequately address breeding birds. Section 11.4.41 of the Environmental Statement (ES) says that the two walkover surveys undertaken in October 2016 and February 2017 were out-of-season and therefore failed to record any breeding bird activity. It is widely recognised locally that the site is used by Lapwings and Skylarks that have historical use, and still do use this area of the airfield for feeding and nesting. Both of these species are of conservation concern and are listed on the UK Red List. In terms of Lapwings, given their tendency to be site faithful and long lived, we do not feel that the impact of developing this site on this species has been properly considered.*
- During the Local Plan process the use of this area by Lapwings and Skylarks was recognised by the District Council and captured in the supporting text for Policy 7. We are dismayed by the applicant's complete lack of regard for these species and do not have confidence in the statement made in section 11.7.4 of the ES: 'It is not anticipated that there would be any further impacts upon breeding birds once the Scheme is operational, so this is considered to be a Neutral.'*
- Policy 7 in the Adur Local Plan makes it clear that assessment at planning application stage will include: 'A site wide ecological management plan that is informed by up to date ecological information to be drawn up and implemented to the satisfaction of the local planning authority...'. Whilst we recognise this as an outline application, we do not have evidence that this document has been produced within the applicant's information. We remind the council that not only does policy stipulate the need for up to date ecological information, but paragraph 165 of the NPPF also clearly states that this is a requirement in decision making.*
- The application is suggesting trees as a form of screening; however we are concerned that this demonstrates a lack of appreciation of the sites open nature. Further to this paragraph 2.86 of the Local Plan states 'Ecological enhancements will be sought through all aspects of development on this site (for example green roofs etc.) to take into account visual sensitivities of the landscape and offer biodiversity opportunities'. We are concerned that opportunities to integrated biodiversity into this development have been ignored by the applicant. This is demonstrated in the Shoreham Airport Development Design Code (March 2018), where page 8 states that roof colours will be selected from a range of neutral and natural colours so that they sit harmoniously within the landscape when viewed from distance. We request that an Ecological Management Plan is in place to inform where compensatory habitat is required and where the most effective and suitable gains can be delivered.*

- *We note that this application is now accompanied by a report on the impact of the NMF pumping station on the Adur Estuary SSSI, in response to the comments from Natural England to both this application and that for NMF application (AWDM/0961/17). Having read this report we are concerned that it is narrow in its approach and has failed to consider the impact on wading birds, which are designating feature of the Adur Estuary SSSI as stated on the citation for the site. We remind the council that in the Natural England response dated 06/11/2017 they requested further information on*
 - *Pumping station – direct impacts of the cumulative outflow on the intertidal mudflats resulting from this application, together with the New Monks Farm Application (as above), should be clearly addressed including any necessary mitigation measures.*
 - *Wider impacts of the development on biodiversity within and adjacent to the Adur Estuary SSSI and functionally-linked land, impacts on waders on the SSSI including the possible effect of the height/ proximity of buildings immediately abutting the SSSI boundary.*

We do not feel the additional information provided answers the concerns the raised by Natural England and therefore the Council are not in a position to determine this application.

We ask the council to consider their responsibilities under section 40 of the NERC Act 2006 and ensure that relevant ecological information to support this application is provide before it proceeds any further. It is not acceptable to leave this element of the application to the reserved matters process.”

Adur and Worthing Councils – Waste Management

Nothing has changed from my earlier comments on this proposal:

“Thanks for sight of these plans. I couldn’t see anything in there that specifically dealt with waste management but given that it is a business unit the size and quantity of the bins required are going to be determined by the nature of the business. Without knowing that, or how the bins might be accessed I’m not really in a position to comment further.”

Adur District Conservation Advisory Group (ADCAG)

“This airport ranks among the oldest working airports in Europe and has an inspired history. In addition to which, the airport building is listed & is a valuable asset to the area.

Throughout its planning history, there has always been a caveat on any planning application, that such application should be aeronautical associated. This caveat was firmly adhered to by both councils involved with this site, i.e. Brighton/Worthing and members of the airport’s own consultative committee were always, very firmly instructed to adhere to the condition. Members have been given to understand that this caveat (or covenant) has been rescinded but no definitive confirmation can be

traced of this factor, which in itself is most important to any future planning applications.

The whole site can clearly be seen to have been well designed, with warehouses & hangars located to the south, leaving ample room for any future improvements to the existing runways, of which a few years ago, such plans were envisaged. In fact this airport attracted a great number of visitors who used to spend the weekends viewing the planes & helicopter movements & taking part in short flights sightseeing over Sussex. Indeed, many young people had flying lessons with a view to making a career in aeronautics.

The site proposed to erect the so-called warehouse has always been used as a taxiing area & as a grass runway for the older style planes. To now consider allowing this area to house a large industrial warehouse will certainly impact on the use of this airport & indeed, could actually hinder its continued use as such.

Until the last few years, this airport has always been a success & a valuable asset to the community & certainly popular & as air transport both commercial & passenger is becoming increasingly popular, it can with prudent care return to its original popularity. A similar situation arose with Shoreham Harbour which now, has reverted to its former success & is thriving.

As to the design of the proposed warehouse, it is both unsightly & overpowering. In fact it will dominate the whole area & again detract from the rural aspect of the area which is an important factor. The question has to be raised as to why it should be located on a prominent site which in itself is used by planes for landing & taxiing purposes. All landing areas need is for a site to be totally free of obstacles, particularly buildings, on an open aspect being of absolute importance & fundamental to safety & ultimately to the very existence of any airport. In addition, the impact on views across the river from the east & from the National Park will be unacceptably intrusive. If, as claimed by the developer, this development is vital to the viability of the airport, why was this building located within the already built up area on the area to the south of the airport which already have commercial buildings many of which are empty.

Currently, it is understood that the airport is enjoying increasing business from the helicopter operations based on site which such operations will also be impaired by the location of the proposed development (& by the New Monks Farm proposals)

Prior to members voting on this application, the Chairman was instructed to clarify that the Grade 2 agriculture area referred to at the beginning of this report, actually relates to the development of 250 houses in this application.

*It was unanimously agreed taking all aspects of the impact of this application into consideration, that ADCAG members feel strongly to recommend **REFUSAL.**"*

South East Power

No objections to the application.

Lancing Parish Council

“Objection on the following grounds:

- i) there is a lack of information, no flood risk assessment, traffic assessment or ecological survey have been provided;*
- ii) the proposal is an overdevelopment of the area. especially taking into account there are a number of vacant industrial units in the vicinity;*
- iii) the increase in traffic movements arising from the proposed development is considered a highway safety issue;*
- iv) the proposal is detrimental to the future of this well used airport as it reduces the amenity site, leads to the loss of a training area and will create a health and safety issue for trainee pilots.”*

Adur and Worthing Councils’ Environmental Health Officer (Noise)

“It is Government Policy that LPA's should seek opportunities to protect, improve and enhance the environment, and this requires proper consideration of the acoustic environment around new residential developments and it is in this context I make my comments.

A27, Old Shoreham Road

The acoustic report identifies that the existing noise levels in this area are high and the resulting development combined with the New Monks Farm development will have negligible impact on noise levels in the vicinity. As already discussed in my representation for the New Monks Farm development I am of the opinion that a noise barrier should be provided to protect residents South of the A27 carriageway from traffic noise. Traffic noise along this stretch of road is already excessive and Highways England have proposed low noise resurfacing. This surfacing will only be effective if traffic is moving at sufficient speed. When traffic is congested at peak times there will be no acoustic protection offered by this scheme. The new development both here and at New Monks Farm, along with predicted future traffic growth are likely to extend the periods of congestion along this stretch of road which in turn will extend the period of time where no acoustic protection is provided by the low noise surfacing. Therefore, as part of this scheme a contribution shall be provided for the recommended acoustic barrier.

Construction Noise

I would recommend that the construction management plan also includes the need to liaise with neighbouring business to minimise the impact of the development on them.

A condition will be needed for additional noise assessment, should piling be required.

Operation Noise

I would also advise that the development has a condition placed on it to ensure that the occupiers have a noise management plan in place to deal with noise from the operation of the premises. This should include transport noise, reversing alarms, mobile plant and any fixed machinery that may be needed in the future. The Mechanical services and external plant is yet to be assessed and I would recommend a condition to ensure noise levels and proposed mitigation is acceptable and agreed before installation.

Pumping Station

There are no adverse EH comments regarding this facility.”

Adur and Worthing Councils’ Environmental Health Officer (Air Quality)

“The environmental statement includes a comprehensive chapter on air quality. An air quality assessment has been completed for the proposed development. Alongside this a cumulative impact assessment has been completed. Both conclude that the operational effects will be negligible at off site receptors (the development itself is not considered to be Air Quality sensitive).

An emissions mitigation assessment has also been completed. This concludes that the damage cost associated with the development will be £216,841. The report goes on to state in 9.6.7 "It is anticipated that the implementation of Travel Plan, and project sustainability measures will more than offset the emissions cost calculated above, which in itself is considered to be a worst-case estimate." I do not agree with this statement. Firstly, a travel plan is required by the County Council so including this in the list of mitigations is seen to be double counting mitigation. In other words, it is being provided anyway irrespective of the mitigation. Secondly no evidence is provided to corroborate the statement that the travel plan and "Project Sustainability" more than offsets the calculated emissions cost.

As a result, I recommend conditions are attached to any permission granted as follows.

1. No development shall take place until a Construction Environmental Management Plan (CEMP) 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 - HGV construction traffic routings shall be designed to minimise journey distance through the AQMA's.*
- *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 control of dust emissions from the site (to include roads and stockpiles),*

- *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: As this matter is fundamental in order to consider the potential impacts on the amenity of nearby occupiers during construction.

2. The use hereby permitted shall not be carried on unless and until details of all operational phase air quality mitigation measures have been submitted to and approved in writing by the Local Planning Authority. The mitigation shall be equal to a value of £216,841 as identified in the emissions mitigation assessment contained within Chapter 9 of the Environmental Statement and provided as part of the application.”

Adur and Worthing Head of Major Projects and Investment

“I am writing on behalf of Worthing Borough Council as the one third beneficial shareholder of Shoreham Airport. As the freeholder, we offer no objection to the proposed development.

Worthing Borough Council along with the other joint freeholder Brighton & Hove City Council have undertaken lengthy and detailed discussions with the administrators of the airport on the proposals at Shoreham Airport with a view to ensuring that developments at Shoreham Airport contribute to the long term economic development of the area.

As a result, on 1st February 2018, Worthing Borough Council agreed revised lease heads of terms with the airport’s administrators to facilitate economic and commercial development at the airport. The Joint Strategic Committee agreed:

- *in principle to the grant of four new 350 year head leases as detailed on the Plan*
- *the payment of the outstanding deferred consideration owed;*
- *the payment of a lease premium to be apportioned across the four new leases (value to be determined by an external valuer)*
- *change of uses and other terms altered as per the heads of terms;*
- *delegated agreement of the detailed lease terms and all other steps necessary to enable the proposals outlined in this report to proceed to the Director for the Economy in consultation with the Leader of Worthing Borough Council.*

In recent years, the Airport has failed to deliver significant job creation due to poor management by the tenant, now in administration, despite numerous schemes being proposed and there has been no delivery to meet wider employment generation aims. The new agreement with the administration company presents an opportunity to continue to facilitate the delivery of the wider economic benefits for the wider area

(including Worthing Borough) as well as leading to investment in Adur District and promoting inward investment in the region.

As a result of these negotiations, a planning application has been submitted by Albermarle Shoreham Airport in Administration (ASAL) for a substantial development at the airport for the construction of up to 25,000 m² of B1(c), B2 and B8 floorspace along with access, landscaping and associated infrastructure (including a new pumping facility on the River Adur (application number AWDM/1093/17).

ASAL and New Monks Farm Development Ltd have worked in partnership to develop and agree joint transport and flood/drainage strategies that will ensure that both developments have sufficient infrastructure to serve the developments. The applicants for the airport planning application have highlighted that the delivery of their proposal is co-dependent on the delivery of the infrastructure that is also required for the New Monks Farm development including:

- *The delivery of the City Deal funded Adur tidal walls flood defence scheme.*
- *Replacement of the Sussex Pad junction on the A27 with a new roundabout.*

While a decision on the Airport application has yet to be reached, the applicants have highlighted the economic benefits of the proposal including the creation of up to 200 jobs, as well as wider positive economic multipliers when future employees deliver further consumption in local businesses. While the application's Environmental Statement also identifies a number of adverse effects arising for the scheme, these economic benefits are considered substantial, and it will be the role of the planning case officer and planning committee to weigh and apportion the overall planning balance of the application.

In conclusion, Worthing Borough Council as freeholder have worked in conjunction with Brighton & Hove City Council to develop proposals that will support the positive economic contribution that Shoreham Airport makes to the wider region. The proposed application for 25,000 square feet of B-class commercial space will contribute to this objective. ASAL have made clear that the two applications are concatenated to enable the delivery of complementary infrastructure that is required for both applications. As the proposed development is therefore considered to contribute to Worthing Borough Council's objective of ensuring that the airport makes a positive economic contribution to the area, we offer no objection to the proposed development by New Monks Farm Ltd."

Representations

Objections

A total of 64 letters of objection have been received from local residents to the application on the following grounds:

Landscape

- The site is an important green link between Shoreham and Lancing and a huge benefit to the local community of walkers, runners, cyclist and riders who use the river paths.
- The buildings up to 14 metres in height will be seen from far away affecting the Green Gap which is a pleasure to see from Mill Hill.
- The development would conflict with Policy 7 of the Local Plan which states that development should be designed to minimise the impact on the local Green Gap.
- The Strategic Gap is in danger of being eroded already by the New Monks Farm development. The addition of two gigantic buildings 14 metres high with little gap would breach Local Plan Policy.
- WSCC has made recent improvements on the Downs Link with viewing bays and picnic tables to enjoy the green space of the Airport. These bays would look straight at industrial buildings.
- The development should be on the southern edge of the Airport where it is not ruining views for the town.
- Buildings will be built on flat open land where no amount of landscaping will mitigate the effect on the area.
- The development will be out of keeping with the sympathetic memorial to the air crash victims by the old toll bridge.
- The development would conflict with Policy 7 of the Local Plan which states that development should be designed to minimise the impact on the local Green Gap.
- The pumping station will be 7.9 metres high, 13.1 metres wide and contained in a 36 metre area fenced off all within a sensitive Green Gap.
- The amended plans do little to address the concerns. The Committee should walk the path on both sides and across the toll bridge. If the application is passed, the Council would be desecrating a site of historical environmental and natural beauty.
- The Ricardos site perfectly demonstrates that it is impossible to landscape a building into a flat grass floodplain.
- Shoreham thrives because its environment, wildlife and views are beautiful, destroy this and the town's economic prosperity will suffer.
- Although it is recognised this is an outline application, and if approved showing a building of 13 metres high, it is still considered that the sheer bulk of this development would create an unwarranted intrusion into this important landscape.
- It is essential that the Planning Committee are absolutely clear regarding the visual impact of this development before making any decision. It is suggested, therefore, that a full-scale outline structure should be erected temporarily on the site so that Councillors and residents can have the opportunity to judge for themselves the visual impact from various viewpoints. It is not considered that the photo montage drawings satisfactorily demonstrate the visual impact.

Safeguarding of the Airport

- There are technical issues with the safe operation of the Airport raised by the House of Commons All Party Parliamentary Group on Aviation.
- The development would be dangerous under the busy Airport used frequently by small aircraft and helicopters.
- Small airports should be protected not turned into industrial estates.
- The Airport is heavily used and less space would be available for emergency services and there would be restricted visibility for approaching flights.
- On safety grounds alone, this application should be refused.
- It is questioned whether the development will restrict the takeoff and landing of planes.
- It has been noted that there have been several minor plane accidents on the airfield over the last two years and the Airport is currently used as a refueling point for military, rescue and other aircraft. Reducing the amount of airfield would raise serious safety concerns.
- A key operational airport does not allow its main asset, its airfield, to be built upon.
- Should a property development company even be running an airport?
- By cutting down the size of the airfield flight based businesses such as the helicopter flying schools too will have less space. The Airport will be less able to deal with future increases and demand from leisure and business flights.
- Cars are not allowed to park in certain places along this part of Cecil Pashley Way due to low flying planes and yet it is proposed to erect 14 metre high buildings along this stretch.
- There is concern that the buildings are so close to operational runways that they will cause severe turbulence making the runways unusable and ultimately leading to the closure of the Airport.

Flooding/Drainage

- The site is in a flood plain.
- The site is in Flood Zone 3A indicating that it has more than a 75% risk of flooding (including tidal, surface and ground water flooding).
- Our sewer drain has overflowed 3 or 4 times with sewage running out onto the streets. There are similar problems in Grinstead Lane and the sewage system just cannot cope with all the development proposed in the area.
- Any surface water run-off from an industrial site should discharge into the River Adur but would raise alarm bells. Accidents do happen as Southern Water's recent record proves and draining water from the site into a SSSI and an RSPB nature reserve that is an important estuary habitat for many threatened water bird species could be potentially disastrous. The health of the Adurs Leisure Fisherman Windsurfers and small craft users could also be put at risk from polluted river water.

Wildlife

- Lighting at night would disrupt local bird roosts, owls, bats and moths.
- The development would destroy the breeding site of the threatened skylarks.

- The pumping station risks adding pollutants into the river and into the mudflats which support a large variety of wildlife and hundreds of birds and is a designated SSSI.
- The impact on wildlife will be immense, Skylarks are on the endangered list and the last pairs in the area breed on this part of the airfield (they are ground nesting) as do the also declining Lapwings and the field is a source of food for many other birds, mammals and invertebrates.
- The Kestrel pair have had nest boxes put up on the flyover but the place they are often seen hunting for voles is part of the airfield where the development is planned. The area is also opposite where the Environment Agency is relocating the lizards and slow worms that are being moved because of the flood defences.
- Roe deer often graze on this part of this part of the airfield also and the surrounding streams provide peaceful nesting areas for Reed Warblers and other small birds. These will be impacted by the increased noise and disturbance of the proposed development.
- Wildlife corridors are vital to many species directly linked to the Downs this beautiful airfield allows a wealth of wildlife to thrive on our doorsteps.
- None of this damage to habitat will be mitigated by cosmetic screen planting and green/brown roofs. Roofs are by their nature barren and exposed. The rare ground nesting birds will be gone. There would not be any nesting on roofs as they would be exposed to gulls and other predators - they are ground nesting and need this site conserved.
- The landscaping mentioned is wholly inadequate and helps none of the key endangered species that use the site. It does not need landscaping, it needs leaving as it is for them to thrive.
- Would the lights and noise of these warehouses not impact on wildlife, in particular roosting birds along the protected river site?

Infrastructure

- Southern Water will be unable to supply more water.
- There is a lack of hospitals, Police, ambulance services, fire stations, GPs and dentists.
- Water supplies, schools, GPs cannot cope with all the planned development, including Hyde wanting to develop the southern end of the floodplain.
- The Airport already has enough empty industrial units, therefore, why are more required?
- By using the light industrial units along the harbor, for housing, the Committee is facing a problem of their own making ie. where to provide jobs for the housing that has been allowed.

Heritage

- The development would block any sight of the iconic Shoreham Airport. The proposed development would destroy the iconic view from the toll bridge, river Adur footpaths, South Downs and Lancing College which all brings tourism and leisure revenue to the area.

Transport and Air Quality

- An Amazon warehouse would be operational 24/7 and would add to air pollution.
- The A27 carries over 60,000 vehicles and is congested for many hours of the day.
- The development will add to existing congestion on local roads.
- WSCC Highways should consider all junctions, not just Grinstead Lane roundabout. There are other very congested junctions such as Ropetackle and Shoreham Beach roundabouts.
- More traffic coming and going from the Airport will add more misery to road users and more pollution. The south east cannot cope with all these people and cars.
- New warehouses on the Airport and Ikea deliveries will add more HGVs plus Ikea customers will create more congestion. The so-called rush hour is no longer an hour – the peak times are now 7 – 10am, 11 – 2pm and, during term times, 3 – 4pm which merges into evening peak up until 7pm. The day is already filled with traffic cannot take more.
- How will emergency services access anywhere along these congested roads.
- Shoreham is already suffering dangerous levels of air pollution and storage and distribution suggests a large increase in lorries which will be a serious risk to clean air and our health.
- Not enough consideration is being given to the additional traffic that will chose to use the A259 to avoid the congested A27 and have a knock-on effect on the rest of the area.
- Current plans to make changes to the A27 are badly thought out and will not decrease congestion.
- The location of the development can only lead to more traffic movements adding to the air pollution that already comes across the river on the prevailing south westerly wind.
- Will there be any control on the times of these commercial vehicles?
- Crossing the Old Shoreham Road is already dangerous and there are no crossing points for pedestrians. Road safety is already a big issue and an enormous worry for people living in the area.
- The proposed plan suggests the development bring over 450 jobs, however, there is no mention of how many parking spaces will be provided and it is assumed that any overflow will affect already over congested surrounding areas, specifically the over congested Old Shoreham Road as the Airport is a short walk over the bridge.

Residential Amenity

- It is noted that the National Park objects due to light pollution due to the dark skies reserve status of the Park. This raises a question whether the distribution warehouses are going to be a 24-hour operation. properties in Old Shoreham Road could be subjected to light and noise pollution throughout the night.

Contrary to Adopted Local Plan

- The development fails to meet the key policies set out in the 2016 Local Plan: Policy 7 the proposal is significantly larger, close to double that envisaged in the Plan. It will have a greater impact on the landscape, character, heritage and amenity.
- Policy 7 states that new development, therefore, must be designed to minimise its impact on the landscape as well as on the open nature of the Local Green Gap. Key views must be retained and any impacts on historic character of the Airport and historic assets within it must be minimalised. The proposal fails to meet these requirements. The main proposition to deal with all these issues is landscaping. The tree planting is, in fact, in direct opposition to the open nature of the current Green Gap and the Airport itself.
- The flat, open Airport landscape will be adversely impacted by buildings of up to 14 metres in height.
- Policy 11 Shoreham by Sea - This Policy states that the setting of the River Adur will be protected a new development adjacent to the river must respect its location and character. Again the current proposal is the absolute opposite of what is required by this Policy.
- Policy 32 – Biodiversity – This states that all developments should ensure the protection, conservation and, where possible, enhancement of biodiversity. The planning application notes that there are protected species but it is not immediately clear whether these have been identified. The development area is a key wildlife corridor and falls in an important part of the riverside habitat. It is also next to a SSI and this alone should be grounds for refusing the proposal. The potential economic benefits do not outweigh the impact on the SSI.
- Whilst we are aware that the Plan went through a Public Inquiry in 2017, the lack of representation submitted to an Inquiry must surely demonstrate that the general public does not engage in the planning process at the forward planning stage. This is unlikely to be through lack of interest but rather the sheer complexity of the process. The public participation elements of the process were ineffective and notwithstanding the Public Inquiry held earlier this year, the whole principle of the development should be revisited.

Design and Appearance

- The proposed design is overbearing and inappropriate for its rural setting.
- The proposal refers to utilitarian form and aesthetic, this is revealing as the developer's intent and is at odds with the need for any design to be sympathetic to the local area, landscape and views.
- The design refers to the use of profiled metal sheets. This is totally and obviously inappropriate in the heritage site at the Airport surrounded by visible Listed Buildings such as those on the Airport itself as well as on the Lancing College estate.

Other

- At the back of all this overdevelopment, there are the Brexit negotiations. It is questioned how we know that the companies involved will be financially sound after March 2019. Ikea has already pulled out of some deals and the decision should be deferred until the outcome of the Brexit negotiations.
- Tourism/Leisure Impact will be significant – think how many paintings and photos there are of this beautiful view going to be destroyed by the needless development.
- People move to Shoreham increasing the town's prosperity because of the uplifting. If you want to lose Shoreham its vibrant café culture and thriving independent shops and markets, then spoiling one of its most loved views is certainly a way to achieve this.
- It will cease to be a jewel in the south coast crown and people will stop moving and visiting here in such great numbers.
- The development will be contrary to the Local Plan which states that development should not have a detrimental impact.
- The owners, Arbermarle, previously used the excuse about needing to maintain the financial stability of the Airport when it covered the other side of the airfield (close to the railway line) with warehouses and industrial units. At the time the public were reassured that this would secure the future of the Airport. Clearly it has not done so, or is this new development just about making more money for Arbermarle at the expense of the local area?
- Shoreham and Lancing are not short of industrial space with a large industrial estate on the old Lancing Carriage Works site, another one along Dolphin Road and more warehouses on the Brighton Road. There are also big estates in east Worthing. The fact that industrial land on the beach and along the river is being converted to housing is not reason to build more industrial units on greenfield sites.

Objections

Groups and Organisations

Lancing College through its Planning Consultant objects to the application on the grounds that,

- the proposal is for two and a half times the minimum floorspace allocated for the site within the new Adul Local Plan.
- The resulting impacts of this scale of development is unacceptable taken individually and cumulatively with the adjoining New Monks Farm development in relation to access and connectivity to the Lancing College Estate and the National Park for all vehicle and non-motorised user groups (NMUs) and on the landscape and heritage setting of the College's nationally listed heritage assets and estate land within the Park.

- The case for the scale of development proposed lies on the end users of the new space being restricted which calls into question the linked employment and wider economic benefits that are purported to be provided by the proposed development and whether a smaller, more flexible form of space which can accommodate a wide range of jobs would be more beneficial.
- The Landscape and Visual Impact Assessment is inadequate and demonstrates that the proposed large shed buildings would block views towards the Listed Grade I Lancing College Chapel, other listed College Campus buildings and their setting which form important viewpoints within and towards the SDNP.
- The amended Landscape and Visual Impact Assessment (LVIA) reconfirms that the large sheds will significantly extend beyond that set aside for development by the Local Plan allocation, will block and harm views towards the nationally significant heritage and landscape assets of the College, the setting of these assets and the National Park and this harm will not be mitigated by proposed landscaping.
- As the proposals are in outline form only, the benefit of the proposed design code and landscaping and lighting plans also cannot provide comfort that these significant and harmful impacts can be appropriately mitigated. Regardless of the proposed natural colour palette for the new buildings within the site, there will still be solid blocks blocking views to and harming the setting of national important assets.
- The Airport application is dependent upon the NMF delivering acceptable new access and linkage arrangements for motor and non-motorised users. The access plans for NMF still do not include the required 4th arm to the proposed new A27 roundabout that is necessary if the existing Coombes Road/Sussex Pad junction is to be closed and which must be provided before the existing two way, east west entry and exit arrangement from Coombes Road is closed as proposed.
- The separate application has been submitted for a section of new NMU link within the SDNP and that also forms part of the strategic access plans for NMF and, in turn, the Airport also remains unacceptable. Amongst other matters, the proposed link does not fully meet the minimum design requirements that are necessary to ensure the link will be fit for purpose as a convenient, safe and attractive shared route for pedestrians, cyclists and equestrians.

Southview Area Residents' Association comment that,

“This Airport has always been considered by local residents, as an important feature in Adur, attracting both a degree of employment plus an important tourist attraction. However it is felt that with the right management it could easily be reverted to its original status of being the oldest working airport in Europe.”

Residents feel that to allow this current application would in fact, be the death knell for this popular airport, particularly as the erection of a large unsightly building being erected on the grass runway which is used by many of the smaller, older plains.

There is no doubt that to allow such an unsightly commercial construction on this site will, like the neighbouring IKEA proposal, will again attract an unacceptable degree of vehicular traffic to & from the site which will again, have an undesirable impact on the neighbouring towns in Adur, despite the A.27 modifications under current consideration.

We would question the intentions of the applicant, I.e. why do they insist on using the site in question when other commercial structures have been built on the Southern area of the airport, some of which, according to local residents, remain unoccupied. It is felt to create the precedent of building on a piece of land which is used solely by local aircraft will clearly result on a gradual transformation of this popular airport to a business park/factory estate.

We would ask that Adur planners refuse this application.”

Shoreham Ornithological Society comment that,

“The following objection is made on behalf of Shoreham District Ornithological Society which has 200 local members:

Shoreham District Ornithological Society objects to this application and any alternative proposal for development by way of employment floor space or housing within the North-Eastern Corner of the airfield.

*We support other objectors on the basis of development on this site destroying the visual amenity and benefits of the green gap when using the riverside walking recreational facility which is part of the **character of Shoreham by Sea**.*

*A **'well-being' factor** will be destroyed. A circular walk of the riverbanks is valued as a break from the urban environment and provides an easily undertaken introduction to the countryside for local young children. The remaining view from the riverbank across the south east of the airfield in isolation will be limited and of negligible value as it will be a view across, building, hard surfaces, parked aircraft and helicopter movements. The river is an intrinsic part of the green gap which should not be severed by this proposal.*

*We also object to the impact of further increasing the already onerous **traffic problems on the A27** and locally within the town.*

We will focus on detailed Ornithological objections:

Background comment - *We previously submitted objections during the consultation stage of the draft local plan and our objections are repeated here. We believe our*

objections mirror those raised by other organisations' submissions and we are concerned that ecological issues have neither been taken seriously nor appropriate research undertaken.

*In the first round of the Draft Plan Consultation development was proposed along the entire eastern side of the airfield cutting the green gap off from the river, an intrinsic part of the gap, especially as it is **riverine habitat next to the Adur Estuary SSSI**. After the intervention of RSPB the proposed development area was reduced to just the north east corner of the airfield. RSPB had challenged the separation of the river from the 'green gap' wildlife corridor. They then attempted, without success, to challenge AWDC reduction of the development area to just the northern end as that is the most valuable sector of the airfield ornithologically as I will set out below.*

Valued Riverine Habitat — roosting site for BoCC Red Listed Species — Lapwings.

This site is next to a SSSI and has a direct ecological relationship with it. Any development here is inappropriate.

The north-eastern quarter is the most valuable area of the airfield ornithologically with the south-eastern quarter being of the limited value as it contains terminal and other commercial buildings, hangars, etc, much hard surface, aircraft parking, the east to west grass runway and very frequent low flight helicopter movements. Aeronautically and commercially the north-east corner is quiet and wildlife there is relatively undisturbed and away from direct alignment with the hard surface south to north runway.

*The airfield, particularly the east side and most particularly the quiet north east corner is a valuable **riverine habitat** adjacent to the **Adur Estuary SSSI**. Principally concentrated in the NE corner is a roosting area in winter months (October through March) for wintering **Lapwings, a Bird of Conservation Concern- Red Listed**. There is a direct relationship for the Lapwings between the grassland roosting area for use at high tide or in extreme weather and the adjacent river mudbanks, mudflats and saltmarsh where they forage. This inter-related habitat does not exist elsewhere along the river. Without both habitat elements the Lapwing habitat will be lost. **A blow to Lapwing conservation.***

In extreme weather conditions other waders may be present within the roost and Curlews are often seen at high tide in winter.

*The presence of the Lapwings in the river or on the airfield is part of the character of the green gap enjoyed by locals using the leisure facility of the riverbank walks. This same area is also a roosting area in winter for large flocks of **gulls** also using the adjacent river and mudbanks during lower tides and the airfield is also enjoyed by local residents for the presence of **Skylarks** which would also be displaced.*

Proposed Pumping of surface water into SSSI - We share the concerns of others at the impact of surface and flood water being pumped into the River Adur from developments within the existing green gap. I.e. New Monks Farm, Ikea and North Eastern airfield corner.

Our concerns are;

1 - the impact of the flow of water which may reduce the mud habitat and concern at its chemical impact upon the mud habitat upon which the community of wetland birds forage.

2 — Toxic pollution: Bearing in mind the two proposed commercial developments would have significant vehicle parking and transport movements we are additionally concerned at the increased possibility of harmful vehicle related pollutants in the surface water run-off reaching the river let alone it being a SSSI. A fuel or other chemical spillage or leaks or other toxic vehicular residue could have harmful effects within the river for several miles up-stream and downstream due to the tidal flow, including upon the shell-banks further south within the SSSI, a foraging area for various waders including Oystercatchers, Turnstones, Redshank, Dunlin, Ringed and Grey Plovers, Little Egrets and also Kingfishers.

We are mindful of the recent research in the River Ouse at Piddinghoe where plastic residues were found in marine creatures. Similarly, albeit not plastics, a drip feed of harmful run-off could have an impact over time upon the marine food chain in the Adur as far north as Bines Bridge and Mockbridge areas.

No development at all should be allowed in the North-Eastern airfield corner.”

All Party Parliamentary Group on General Aviation comments that,

“I write in connection with the above application and its consideration at Committee on 18 July 2018. I am also aware of application AWDM/1093/17 and appreciate that both applications are, in principle, supported by the Councils, Albemarle Shoreham Airport in Administration (ASAL), the Brighton City Airport Consultative Committee and many organisations committed to the economic future of the area.

However, your Committee was not provided any technical information relating to the current and future operations of the Airport and there is no evidence in the material submitted with the above application that proper technical assessments have been undertaken.

You will be aware of representations on the application by the All-Party Parliamentary Committee on General Aviation and a range of other interested organisations. These representations drew attention to the lack of technical survey and analysis, relating in particular to aerodrome safeguarding. The application is supported by a large amount of technical information, for example on traffic and noise impacts so we are

concerned that there is no evidence aerodrome safeguarding has been fully evaluated.

This is not a matter which could be implicitly judged by ASAL. It requires a technical survey and appraisal taking account of the specific physical characteristics of the Airport, the topography and the potential impact of the proposed development on the:

- a. airspace around the Airport*
- b. integrity of the electronic aids to navigation*
- c. aeronautical ground lighting*
- d. risks arising from the potential attraction of additional wildlife*

In addition, the evaluation should address the potential impacts on the airport operation during construction arising from temporary lighting or construction equipment or, for example, dust generation. The evaluation should also consider any measures needed in connection with the new development to protect aircraft from the risk of collision with new obstacles.

In the absence of this detailed appraisal and the implementation of any appropriate safeguarding measures, there is a risk that Airport operations may be compromised and/or their viability undermined.

The need for this appraisal was highlighted in the consultation process in 2017. However, this requirement is now underlined by the provisions of the National Planning Policy Framework July 2018, which is a material consideration in planning decisions.

Section 9 of the NPPF requires the promotion of sustainable transport and paragraph 102 emphasises the need to consider all forms of transport infrastructure. Paragraph 104 f) specifically recognises the importance of maintaining a national network of general aviation airfields, such as Shoreham Airport, forming an important part of the UK's transport infrastructure, their need to adapt and change over time and the diversity of their economic value in respect of serving business, leisure, training and emergency service needs. It also draws attention to the Government's General Aviation Strategy.

The future operation and viability of Shoreham Airport is a material consideration given the increasing importance of General Aviation as evidenced by the Strategy and NPPF.

I understand that your Committee has deferred consideration of the application to address matters relating to highways and the proposed IKEA element of the scheme. I would recommend and request that this deferral period is also used to carry out the appraisal as outlined above.

The survey and appraisal should also assess AWDM/1093/17 prior to its consideration by your Committee.

If the survey and appraisal can demonstrate that the proposed development would not harm the Airport operations or that mitigation measures can be put in place to do this, the APPG-GA would support the application and AWDM/1093/17 as the additional development planned at the Airport may also assist in supporting its long-term future.

The slowing down of the economy has adversely affected the values of both commercial and residential property in most parts of the UK. Building costs have risen and both rents and capital values have fallen substantially. Presumably this project was evaluated at least eighteen months to two years ago in preparation for the planning application, we would ask whether any subsequent appraisals have taken place either for the Administrators or the Council? And, if they have, that these appraisals could be made public.”

Letters of Support

Three letters of support have been received from local residents.

New Monks Farm Ltd support the application and state that,

MF Ltd stating that,

NMF Ltd fully supports the planning application. NMF has been working in partnership for 18 months to agree a joint Transport and Flood/Drainage Strategy that will benefit both developments. NMF Ltd fully recognises and supports the wide economic benefits the Airport will delivery for the local economy. The socio-economic impact submits that the development could generate up to 450 jobs and £12.2 million into the local economy.

When considered together with our application, the development will make a positive and significant economic impact to the greater Brighton sub-region. An independent assessment estimates the value of the combined economic impacts as,

*£182 capital investment
1,328 gross jobs created
£3.48 million in public sector receipts
£23.7 million additional economic impact per year*

These are major benefits to the sub region.

Ricardo PLC

“As there are many common issues and one application somewhat depends on the other, we have chosen to do a combined response. We also understand that there will be further information provided and that both applications will be heard at the same Planning Committee.

*Our comments assume the Council approve the Adur Local Plan with the inspector's amendments and that it is adopted before **the** applications are heard.*

We reserve our position in the light of the provision of updates to existing information and any new information from the applicants or other bodies, particularly statutory consultees.

We support both applications in principle, but have a number of observations and concerns. Some of which are of a wider nature than just these two applications.

The developments must exude excellence and enhance the current excellence proposition we have around the locality including:

- *The Elite Performance Centre*
- *The Airport as a training location (flying schools and GBMet)*
- *Heritage — the Airport Terminal, Dome, Toll Bridge and Lancing College*
- *Lancing College - education and large local business*
- *Landscape and environment — river Adur SSSI and SDNP*
- *Ourselves - technology and manufacturing*
- *The emergent Growth Hub (see below)*

Adding housing and retailing excellence are potentially exciting enhancements.

The infrastructure excellence in all its forms needs to be in place before or during development and not lag. The drainage approach is a good example of this.

The following points are both wide ranging and specific to one or both developments
Traffic and junctions design

Overall traffic schemes

- *We see it as essential for the A27 schemes and any WSCC highway improvements are presented in a coherent and timely manner noting all expected developments that affect the network, the expected Local Plan content and construction sequences*
- *The same applies to planned road maintenance and utility work — "dig once" is encouraged*
- *We are frustrated that the highways authorities have not presented the implications for air quality, both at local hot spots and across the affected network — ifs a key part of whole community environmental impact assessment*
- *We want to see how the traffic flows along the existing A27 will be addressed post construction of the developments in the applications — we are aware of discussions, but want to see consensus output, so we have to reserve our position on this matter*
- *We need to see some graphical simulations of all the flows as requested in April 2017 re whole road network and related discussions — this will help the business and our employees understand in more detail for all transport modes — this should come from the highways authorities*

- *We would hope the new developments create demand for useful and frequent bus routes which would be of use to our employees commuting from the east and west*
- *We expect to see improved cycle routes to the west, past Grinstead Lane*
- *We await some data from NMF re impact on our Real Driving Emissions (RDE) route times and speeds*
- *We await detailed discussion with developers on through airport (rat run) traffic changes, noting we have a car park on the airport — we support the tone about agreeing the approach to this with airport tenants and users*
- *We cannot comprehend the differences in design approach for the Grinstead Lane junction between HE and NMF. Intuitively, the NMF design make more sense and preserves more trees*

Sussex Pad Junction

- *We accept that the location is as far east as is possible, noting the multiple design constraints*
- *We are very disappointed that the Coombes Road side does not have east/west access — we strongly encourage a future application for this and ask the Council, SDNPA and WSCC Highways have an agreed approach for this prior to the applications going to Planning Committee — it's important for Park access, sustainable transport for our staff, particularly in the summer, and our drive-by test site, as well as for Lancing College*
- *Crossing the A27 on foot and by cycle — we agree with Lancing College that there is a high safety risk if there is not an easy route for pedestrians/cyclists and would want to see central reservation fencing. We are encouraged by ideas around a route under the A27 at the NE corner of our site and upgrading the west side of the Adur foot path to a bridle way*

Construction impact

- *Due to our dependence on the road network and consistency of journey times and speeds needed for our RDE testing which is revenue generating, we would seek a condition that ensures we have plenty of warning of construction and we get predicted changes to route characteristics at each stage of construction in any scheme, whether it be from a developer, utility or highways authority*
- *Managing work on these applications and Adur Tidal Walls will need good coordination — we will work with the Airport, developers and Environment Agency on this*

Infrastructure — other than roads

- *As a major electricity user, we are concerned on the impact of the local 11kV network — its already fragile and would expect some more engagement from UKPN — a condition to increase resilience in advance of demand increase, noting future demand expectations (below) is expected*

- *We would expect substantial provision for Electric Vehicle (EV) and Plug-In Hybrid Electric Vehicle (PHEV) charging, supporting infrastructure and smart grids in the commercial and housing developments — in 20 years, it is likely that half the new vehicles will need to plug in We would suggest the following (IEC 62196-2 for AC and 62196-3 for DC):*
- *Mode 2/3 to retail carparks*

Mode 1 for housing

- *Mode 2/3 to retail carparks*
- *Mode 4 for EVs or PHEVs used in distribution depot based from the developments*
- *We would expect all the south facing housing roofs and the commercial buildings to be equipped with solar panels — the Port are a good precedent for this*
- *We would expect ultrafast broadband (fibre to inside property) to be a condition*

Regeneration

- *It is essential the developments related to the airport support economic viability and airport operations — in that sense we see the airport as an airport operation and an "industrial estate" The airport development must be clear on how the Greater Brighton City Deal "Environmental Growth Hub" is delivered. The Council is committed to this as it is a signatory to the Deal. If the anticipated change to an "Advanced Engineering Growth Hub" materialises, this will not change the underlying need. From what we can see, the types of use are fine and we would provide a support letter **for** a future LGF bid to help make the innovation space need economically viable*
- *Our employees would like to know a lot more about housing affordability good housing within walking or cycling distance is a potential recruitment plus for the business and a transport flow mitigation for the community."*

Ricardo Ltd Further Comments

"Further to our letter of 10 November 2017, we provide some additional feedback now that further information has come forwards from the developers and various statutory bodies, particularly Highways England and WSCC. We also note the approval of the Local Plan, which we consider to be a significant development for Adur and the Greater Brighton City Region.

We continue to support both applications and have updated our observations. Some of which are of a wider nature than just these two applications. The points in our original letter stand unless amended by this letter.

Our points on all aspects of excellence remain unchanged. Infrastructure excellence in all its forms needs to be in place before or during development and not lag. The drainage approach is a good example of this.

The following points are both wide ranging and specific to one or both developments. We have retained the headings from our additional letter.

Traffic and junctions design

Overall traffic schemes

- *We support the additional potential for traffic system enhancements that could come from the Transforming Cities bid which we have supported*
- *We are aware that both highways authorities have not objected to the schemes*

Sussex Pad Junction

- *No additional comments*

Construction impact

- *We are aware that the Adur Tidal Walls works should be complete before significant construction starts which reduces short term risk and complexity*

Infrastructure – other than roads

- *In addition, we see the combined schemes as major opportunities for the use of smart grid technology and will work with the developers to see how this can be delivered – it will need to be considered on day 1 (as part of dig once) and has the potential to reduce cost to all the property owners and improve viability for all*
- *We note that EA and WSCC (as flood authority) have not objected to the schemes*
- *We welcome and support the NMF applicant's additional planning application submitted to the South Downs National Park for improved non-motorised users east access under the A27 flyover and along the north side of the carriage way into Coombes Road.*
- *We have no objection to the foot path on the Eastern of our site being upgraded to a bridle way*

Regeneration and other Planning Considerations

- *We should not forget that both developments will significantly enhance the economy in Adur and the Greater Brighton City Region and that both applicants have detailed these benefits*
- *We note the Airport Consultative Committee, of which we are members, has supported both schemes*
- *We note and support the NMF scheme delivering wider community regeneration benefits such as a new single form entry primary school serviced site with expansion space; the relocation and expansion of the Gypsy and Travellers site with four additional pitches; and a new 28 hectare country park with new ecology habitats, cycle and foot pathways to access the South Downs National Park for residents and visitors.*
- *We welcome additional screening and improvements to IKEA's northern elevation to minimise visual impact from SDNP.*
- *The airport development has potential to accommodate jobs growth in Shoreham*

for Ricardo and we are already in dialog with the developers regarding potential opportunities.”

The Airport Consultative Committee supports the application and states that,

Worthing and Adur Chamber of Commerce supports the application and states that,

‘I am writing on behalf of Worthing and Adur Chamber of Commerce and Industry to fully support the planning application submitted by Albermarle Shoreham Airport in Administration [ASAL].

We fully recognise and support the wider economic benefits the Commercial Development scheme will deliver for the Adur & Worthing local economy. The delivery of 25,000 sq.m of much needed new commercial space is vital in attracting new businesses and inward investment to the area.

I understand that the development could generate around 450 jobs and £12.2m into the local economy. This is firmly welcomed and can only help to secure Shoreham Airport a future business growth hub.

These economic and community benefits were presented to members of the Worthing and Adur Chamber of Commerce in April 2018 and are welcomed and supported by the Chamber.’

Relevant Planning Policies and Guidance

Adopted Adur District Local Plan 2017. In particular policies:

- Policy 1: The Presumption in Favour of Sustainable Development
- Policy 2: Spatial Strategy
- Policy 3: Housing Provision 20
- Policy 4: Planning for Economic Growth 25
- Policy 5: New Monks Farm, Lancing
- Policy 7: Shoreham Airport
- Policy 13: Adur’s Countryside and Coast
- Policy 14: Local Green Gaps
- Policy 15: Quality of the Built Environment and Public Realm
- Policy 16: A Strategic Approach to the Historic Environment
- Policy 17: The Historic Environment
- Policy 18: Sustainable Design
- Policy 24: Safeguarding Existing Gypsy, Traveller, and Travelling
- Policy 25: Protecting and Enhancing Existing Employment Sites and Premises
- Policy 28: Transport and Connectivity
- Policy 29: Delivering Infrastructure
- Policy 30: Green Infrastructure
- Policy 31: Biodiversity

Policy 32: Open Space, Recreation and Leisure
Policy 33: Planning for Sustainable Communities
Policy 34: Pollution and Contamination
Policy 35: Water Quality and Protection
Policy 36: Flood Risk and Sustainable Drainage

Revised National Planning Policy Framework (MHCLG July 2018) The NPPF has considerable status as a material consideration which can outweigh Development Plan provisions if policies are out of date or silent on a relevant matter. In such circumstances paragraph 11 of the recent NPPF, 2018 states that development should be approved unless: it would cause adverse impacts which significantly and demonstrably outweigh benefits when assessed against NPPF policies overall; or if the NPPF affords particular protection to assets or areas of importance. The relevant Chapters for the consideration of this application are:

National Planning Practice Guidance (CLG 2018)

Relevant Legislation

The Committee should consider the planning application in accordance with: Section 70 of the Town and Country Planning Act 1990 (as amended) that provides the application may be granted either unconditionally or subject to relevant conditions, or refused. Regard shall be given to relevant development plan policies, any relevant local finance considerations, and other material considerations

Section 38(6) Planning and Compulsory Purchase Act 2004 that requires the decision to be made in accordance with the development plan unless material considerations indicate otherwise.

In considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. (S66 (1) Planning (Listed Buildings and Conservation Areas) Act 1990);

- To pay special attention to the desirability of preserving or enhancing the character or appearance of the Old Shoreham Conservation Area (S 72(1) Planning, Listed Buildings and Conservation Areas Act 1990); The effect of the duties imposed by section 66(1) and 72(1) of the Planning (Listed buildings and Conservation Areas) Act 1990 is, respectively, to require decision-makers to give considerable weight and importance to the desirability of preserving the setting of listed buildings, and to the desirability of preserving or enhancing the character or appearance of a conservation area. In addition,

- Section 11A(2) of the National Parks and Access to the Countryside Act 1949 and section 85 of the Countryside and Rights of Way Act 2000 require that 'in exercising or performing any functions in relation to, or so as to affect, land' in

National Parks and Areas of Outstanding Natural Beauty, relevant authorities 'shall have regard' to their purposes.

- The Environment Act 1995 revised the original 1949 legislation and set out two statutory purposes for national parks in England and Wales:
 - Conserve and enhance the natural beauty, wildlife and cultural heritage
 - Promote opportunities for the understanding and enjoyment of the special qualities of national parks by the public
- When national parks carry out these purposes they also have the duty to:
 - Seek to foster the economic and social well-being of local communities within the national parks. This duty is particularly important to the delivery of the statutory purposes of protected areas. The duty applies to all local planning authorities, not just national park authorities. The duty is relevant in considering development proposals that are situated outside National Park or Area of Outstanding Natural Beauty boundaries, but which might have an impact on the setting of, and implementation of, the statutory purposes of these protected areas. There are a number of other duties placed on planning authorities regarding biodiversity enhancement and the countryside including:

Under section 40 of The Natural Environment and Rural Communities Act (NERC) 2006 local planning authorities (LPAs) must have regard to the purpose of conserving biodiversity, including restoring and enhancing species, populations and habitats, as well as protecting them.

Under the Wildlife and Countryside Act 1981, LPAs should take reasonable steps to further the conservation and enhancement of the flora, fauna or geological or physiographical features by reason of which the site is of special scientific interest (SSSI).

Planning Assessment

As Members are aware, part of the current application site is allocated for development in the recently adopted Local Plan. Policy 7 of the Adopted Plan states that,

'A minimum of 15,000 sqm of new employment generating floorspace (both aviation and non-aviation related), including a mix of B1 (business), B2 (general industry) and B8 (storage)/ hangar uses, will be provided on the north-eastern side of the Airport (as shown on the Policies Map). Any deviation from the boundary shown on the Policies Map must be based on a clear and convincing landscape and viability justification through the planning application process.'

New development at the Airport must be designed to minimise its impact on the landscape as well as on the open nature of the Shoreham-Lancing Local Green Gap. Key views must be retained, and any impacts on the historic character of the Airport

and the historic assets within it must be minimised. A Development Brief will be required to address these issues.

New development at the Airport will result in a need for improved access from the A27. Access across the A27 to the South Downs National Park for pedestrians, cyclists and equestrians must be retained, and where possible, enhanced. New development will also be required to contribute to the provision or funding of mitigation for offsite traffic impacts on the strategic road network and local roads through a package of measures including improvements to the A27/A2025 Grinstead Lane junction.

A package of site-specific travel behaviour initiatives to maximise opportunities to encourage sustainable modes of transport will be required. (This should include travel behaviour initiatives such as workplace travel plans). These initiatives will include improvements to adjacent footpaths, cycle ways and bus transport, linking the Airport to the A259 coast road and Shoreham town centre. A travel plan will need to accompany any future planning application at the site, detailing sustainable transport measures to reduce the impact of development on the highway network.

Due to the current Flood Zone 3b (functional floodplain) designation at the Airport, no development shall take place within the allocated area until the relevant section of the Shoreham Adur Tidal Walls on the west bank has been completed. In addition, flood mitigation measures will need to be incorporated into the development in order to further reduce flood risk. A Flood Risk Assessment (FRA) will be required at the planning application stage. The FRA must take account of and seek to facilitate relevant recommendations of the Lancing Surface Water Management Plan.

Mitigation measures will be required to ensure that new development at the Airport does not impact on the ecological value of the airport itself or the adjacent Adur Estuary SSSI. Where possible, ecological enhancements should be incorporated as an integral part of the development.

A number of assessments will also be required at the planning application stage. These will include:

- A desk-based assessment and, where necessary, a field evaluation of archaeological assets which should be undertaken before determination of any application. Reference should be made to the West Sussex Historic Environment Records; and,*
- A site wide landscape and ecological management plan that is informed by up to date ecological information to be drawn up and implemented to the satisfaction of the local planning authority to ensure the long-term maintenance of retained and newly created onsite habitats.*

Any new development at the airport must not jeopardise the runway use or airport operations.'

The key issues to determine are therefore whether the proposed development complies with the above Local Plan policy and other relevant Development Plan policies having regard to:

- Safeguarding issues – relating to the function of the Airport
- landscape impact, including impact on the National Park, the Local Green Gap and the cumulative impact taken with the development at New Monks Farm
- the Impact on Heritage assets
- extent of harm and proposed mitigation,
- Transport, ecology and Drainage

In considering these matters Members must have regard to their statutory duty to have regard to the desirability of preserving the setting of listed buildings and Conservation Areas and to have regard to the special purpose of the National Park (to conserve and enhance natural beauty, wildlife and cultural heritage) in considering any adverse impact the development would have on the setting of the Park.

If the development does not comply with the Development Plan then in accordance with s38 of the Planning and Compulsory Purchase Act it would be necessary to determine whether there any other material considerations which would justify a departure.

1. Compliance or otherwise with Development Plan Policies

As with consideration of the development at New Monks Farm, an important consideration is the quantum of development proposed (above the minimum 15,000 set in the Local Plan) and the extent to which any deviation of the proposed allocation boundary can be justified.

The Inspector in considering the Local Plan was made aware at the Examination that the proposed boundary would impact on the safe passaging of taxiing aircraft, particularly in respect of their wingspan and that there were concerns about the viability of the overall development. However, he concluded that,

‘Whilst I understand that there may be issues of viability regarding the amount of floorspace to be provided (and the ‘viability links’ with the allocation at New Monks Farm), I agree with the Council that this is visually a particularly sensitive location. The site can be clearly seen from several viewpoints and any increase in the size of the allocation is likely to have significant visual consequences which, primarily because of the flat nature of the land at and around the airport, it may be difficult to mitigate. In order to reflect the sensitive nature of the airfield the Council is proposing that the boundary should remain as currently proposed but that the policy should be amended to make it clear that a deviation from the proposed boundary may be considered favourably but only if any such change is fully justified in terms of landscape and viability evidence. I consider this to be a reasonable and pragmatic

way forward and therefore, in order to ensure that the most appropriate strategy is followed, I recommend MM20.'

The revised NPPF now places far greater emphasis on viability being resolved at the plan-making stage rather than at the detailed planning application stage and this difficulty of resolving viability issues at the application stage may not arise in the future (although a number of commentators have questioned how detailed viability can be determined at the plan-making stage). Nevertheless, in this case the Inspector recognised that there was a safeguarding issue with the proposed allocation and that a deviation *'may be considered favourably but only if any such change is fully justified in terms of **landscape and viability evidence.**'*

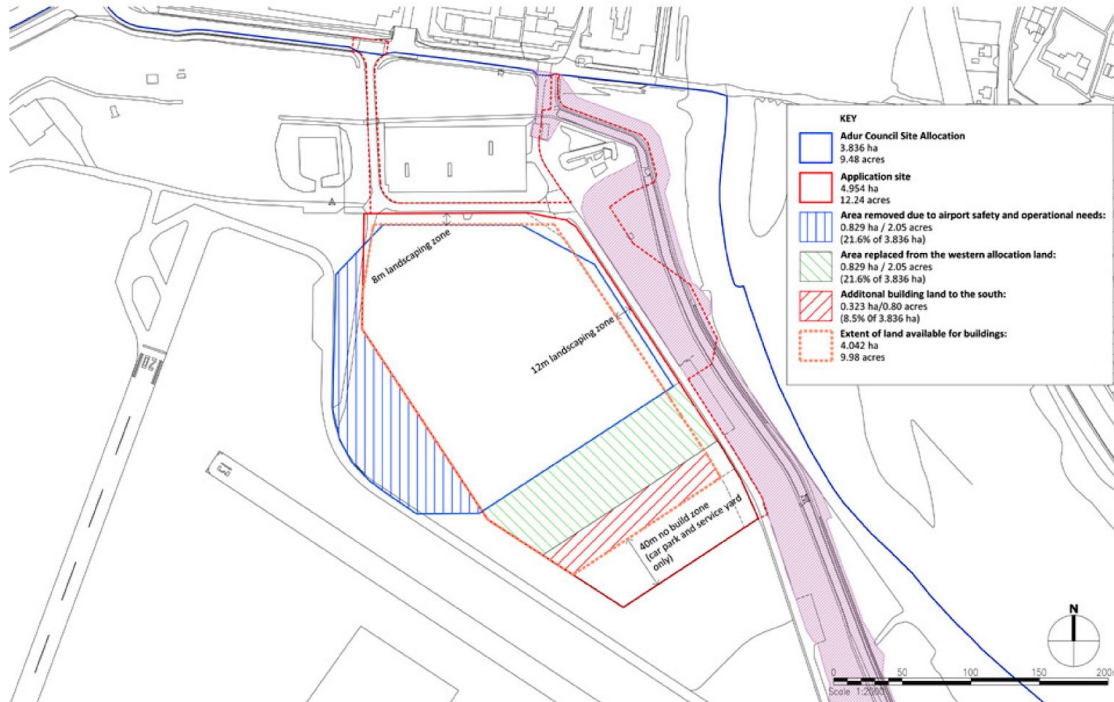
Safeguarding of the Airport

It is relevant to note that the Inspector did not consider that safeguarding was, in itself, a reason to adjust the boundary of the allocation. However, since then the NPPF has been revised and as the All Parliamentary Committee indicates in its letter of representation, the latest NPPF now recognises,

'the importance of maintaining a national network of general aviation airfields, and their need to adapt and change over time – taking into account their economic value in serving business, leisure, training and emergency service needs, and the Government's General Aviation Strategy'

On this point alone, it is considered that in line with the revised NPPF and the wording of Policy 7 (*that development should not jeopardise the runway use or airport operations*) there is justification for adjusting the allocation boundary away from the airport taxi road. Whilst, it does not justify, in itself, an increase in the size of the proposed employment allocation the only logical readjustment to deliver 15,000 sqm would be to extend the boundary southwards as the site is bordered by the internal airport access road (Cecil Pashley Way).

The applicants plan, reproduced below, highlights that the green hatched area replaces the land 'lost' (hatched blue) adjacent to the airport taxi road. Whilst, it could be argued that the commercial floorspace could be reduced to accommodate a smaller development (below 15,000 sqm), employment needs of the area and viability issues (considered later in the report) dictate that this would not be feasible.



Whilst concerns have been raised about the adverse effects of the development on the operation of the Airport the applicants instructed an Aviation Consultant and the report included with the FEIS concluded that,

‘Having clarified the status of the various runways at Shoreham Airport with the airport management team we have been able to establish what OLS safeguarding criteria applies and then in discussion with PRC we have been able to determine that all of the proposed industrial development buildings are of a height and in locations that do not impact on any of the OLS. We are satisfied that the proposed development of industrial buildings on land at Shoreham Airport will not impact on operations at the airport.’

The report also considered any possible impact from air turbulence and concluded that in view of the distance away from the runways the buildings would be unlikely to impact safe flying through any generation of wind turbulence.

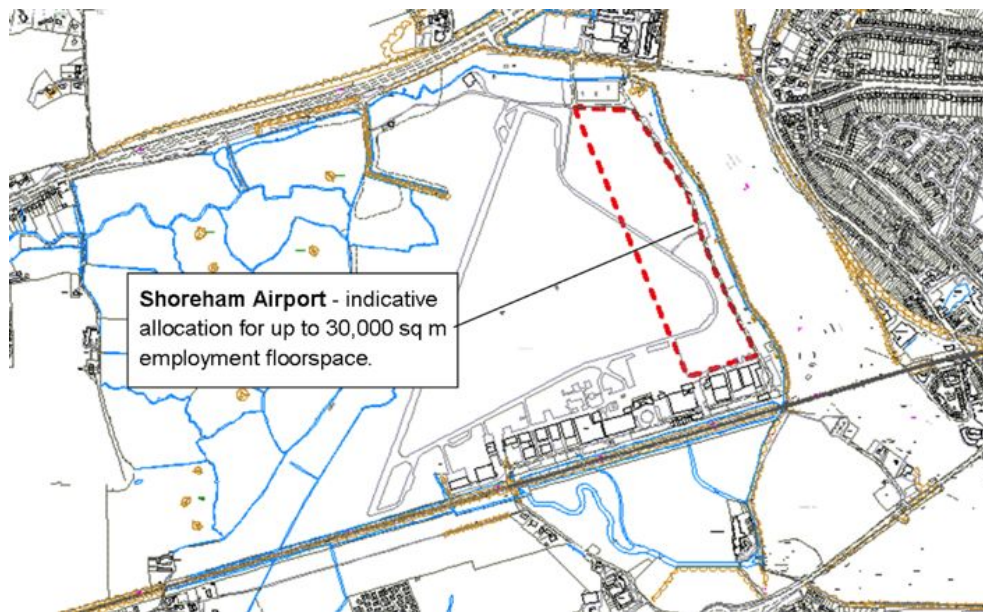
Before considering the landscape and heritage impact of the proposed development, it is worth revisiting the background to the allocation in the Local Plan as any assessment has to be in the context of this allocation (particularly as Historic England has questioned the principle of development on the site).

Local Plan Allocation

Historic England in its first consultation response objected to the proposed development but also to the principle of any development in this location irrespective of the Local Plan allocation.

The Council did consult Historic England at each stage of the Local Plan and undertook the balancing act identified in NPPF weighing up harm against the public benefits of delivering employment and helping the future prosperity of the Airport. The Council did have regard to the landscape and heritage sensitivity of the site but also was mindful of the fact that there were few locations within the airport that commercial development could take place without affecting airport operations.

Some Members may recall that earlier versions of the Plan (2012 Consultation Draft) had identified a broad location for commercial development along the River (see Plan below).



At the time, Historic England (HE) objected to the Plan and stated that,

'I welcome the recognition of the heritage assets at the airport, and the requirements set out in paragraph 2.88, but I would prefer to see these incorporated into Policy 7. Our preliminary view, pending a future landscape and capacity assessment, is that with those requirements the Draft Plan is adequate in terms of the location and floorspace of new development in respect of the listed Terminal building and adjacent hangar. However, there is an argument for keeping this land open so as not to impinge on the superb views to Lancing College from Shoreham - this stretch of the river has always been admired, drawn and photographed since the College rose because of the conjunction of the II bridge and the distant buildings. We would like to see sizeable corridors incorporated into any development to maintain as much of this view as possible. Height is also an issue for the same reason. At this stage, therefore, we raise an objection in principle to the location and quantum of development proposed as without further assessment we are not satisfied that as much as up to 30,000 sqm could be accommodated here without unacceptably detracting from the historic and important view.'*

The Revised Draft Local Plan in 2013 proposed 10,000 sqm employment floorspace (following further landscape and capacity work and further consideration of operational issues at the Airport). There is no record of any HE representation to the amount and location of employment floorspace at the Airport or NMF allocation at this stage. However, during correspondence with HE during 2013 identified ongoing concerns about views from the Rover to Lancing Chapel and the Inspector of Ancient Monuments expressed concern regarding the given that the Dome was intended to provide covering fire for the airfield, and therefore needed a clear view, any development close to it is likely to adversely affect its significance.

On the emerging Masterplan for Shoreham Airport HE stated in July 2013, *“We are pleased to see that the document recognises the need to consider the setting of heritage assets and refers to our setting guidance. The airport provides both the visual setting for the designated heritage assets and their contextual setting i.e. it also enables one to understand the function of its parts and their functional relationship with one another. **Similarly, the setting of other identified assets including Old Shoreham Bridge, Lancing College and St Nicolas Church should be considered not only in terms of their visual contribution to the wider landscape, but their functional and historic relationship with it”***.

In 2014, the Council consulted on the proposed Submission Local Plan and again there is no record of HE making representation to the amount and location of employment floorspace at the Airport or NMF allocation.

In 2015, with the Regulation 18 Consultation on Proposed amendments to New Monks Farm allocation and Policy 7 indicating 15,000 sqm at Shoreham Airport, HE registered its concern about potential harm to the setting of the Dome Trainer and commented that it would expect to be closely involved at an early stage in discussions about the design if this proposal is taken forward.

However, subsequent correspondence from HE in 2015 recommended that a further heritage assessment is done in order to understand the heritage significance of the airfield, its components and setting, in order to inform development proposals. HE stated that its initial assessment was that the proposals do seem likely to be harmful to the heritage significance of the dome trainer and possibly other aspects of the heritage significance of the airfield. The letter also commented on the scale and character of the proposed commercial development to the east of the dome trainer which might be dominating and incongruous and which might harm the airfield setting of the dome trainer and views to Lancing College from Shoreham.

In view of this advice the Council commissioned ACTA Landscape and Heritage Consultants and the report concluded that,

‘The principal impacts of the development would be on the setting of the 1930s buildings, the fortuitous present-day setting of the dome trainer, and on the views to

Lancing College and Old Shoreham. These impacts would not be sufficient to cause substantial harm within the terms of the National Planning Policy Framework.'

Following the receipt of this report and the Adur Landscape Sensitivity report the Council consulted on the Submission Adur Local Plan 2016. No comments were made by Historic England. At the subsequent consultation on Amendments to the Proposed Submission HE commented on the potential harmful impacts of the new access road on the Dome trainer but no comment was made on the Shoreham Airport allocation. HE did respond to the Main Modifications to the Submission Adur Local Plan 2017 but only to the effect that it had no comments.

In summary as a statutory consultee HE has been consulted at every iteration of the Local Plan since 2012 but has not always made representation. Of significance is that HE did not make representations at Submission Adur Local Plan 2016 stage to either the NMF or Shoreham Airport allocations and therefore were not invited by the Inspector to attend the Adur Local Plan Public Examination. Representations to the NMF and Airport planning applications, in terms of the impact on the wider heritage assets, have not been raised by HE since 2015.

Having considered the landscape and heritage impacts and assessed the options for alternative locations the Local Plan allocation was considered justified having regard to the significant employment needs of the District and the attraction of the Airport as an employment location. This is important context in terms of assessing both the landscape and heritage considerations and the applicant has concentrated on comparing the additional impact over and above the Local Plan allocation and the design and layout response to the sensitive landscape and heritage location.

Landscape Impact

As indicated, in preparing the Local Plan Landscape Consultants Sheils Flynn prepared an Assessment of Landscape Sensitivity and Landscape Study update in 2016. The studies highlighted the *'exceptionally high sensitivity of the flat, open greenspace of Shoreham Airport and in particular the striking contrast between the green turf of the airfield and the sinuous natural form of the River Adur.'* The area also makes an important contribution to the landscape setting of St Nicolas, Shoreham, a Grade I listed building and the Shoreham Tollbridge, a Grade II* listed structure which are key components of the Old Shoreham Conservation Area. It is also part of the complex of heritage assets associated with the historic Shoreham Airfield and forms part of the landscape setting of the Grade 1 listed Lancing College Chapel.

It was determined that by locating the new employment land directly to the south of the Ricardo site, in the north-east corner of the airport, it would not have a significant impact on the open character of the area between Shoreham and Lancing and key views to and from the South Downs National Park, as well as the operation of the Airport. The Local Plan, however, recognised that this would be *'dependent on new development being sensitively sited and designed.'* It should be noted that earlier

consultation drafts of the Local Plan had promoted development further south but representations from the Airport and operators raised concerns about the impact on airport operations (particularly helicopters operating in the south-east corner of the airfield).

As the above plan identifies the key issue is whether the increase in the allocation boundary can be justified in landscape terms. As previously indicated there is an operational need to relocate the boundary eastwards and to compensate for this 'lost' extend the boundary southwards. Whilst, this would increase the impact of any development particularly on views from the Tollbridge and east and west banks of the River, it would assist in maintaining a greater visual gap to the strategic allocation at New Monks Farm. It would also help to maintain a greater visual gap when viewing Lancing College from the Airport terminal building. Whether this, in itself, would be acceptable would need further analysis but with a development of circa 15,000 sqm this would enable greater flexibility in terms of siting of buildings to address the sensitive landscape setting.

The proposal, however, is to extend the boundary further south and increase the level of development to 25,000 sqm. In assessing whether this further increase in both land area and quantum of building can be justified in landscape terms, having regard to the proposed mitigation measures, the key issues are:

- i. potential harm to the setting of the South Downs National Park (SDNP);
- ii. potential harm to the landscape of the Lancing - Shoreham-by-Sea Local Green Gap; and,
- iii. the predicted cumulative landscape and visual effects of the Shoreham Airport development in conjunction with the other submitted planning applications in the vicinity – at New Monks Farm and Steyning Road, Shoreham-by-Sea.

Setting of the National Park

As indicated in the Relevant Legislation Section of the report the National Parks and Access to the Countryside Act 1949 and section 85 of the Countryside and Rights of Way Act 2000 require relevant Authorities 'in exercising or performing any functions in relation to, or so as to affect, land' in National Parks, relevant authorities 'shall have regard' to their purposes. Purpose 1 set out in the Environment Act 1995 is to '*Conserve and enhance the natural beauty, wildlife and cultural heritage*'. Members therefore have a duty to consider the impact of the development on the setting of the National Park.

The applicant's updated LVIA addresses predicted landscape and visual effects on the SDNP and concludes that the predicted landscape effects are moderate and predicted visual effects (based on analysis of multiple viewpoints from and to the SDNP) are generally major adverse. The Councils Landscape Consultant disagrees and considers that given the importance of the River Adur as the defining feature of the landscape within the Lancing-Shoreham Gap and the focus of views from the

SDNP in this area, the predicted landscape effects of this development on the setting of the SDNP are *major* and not moderate in magnitude.

Certainly, the overall scale of development would disrupt the distinctive and contrasting relationship between the South Downs, the coastal plain and the valley of the River Adur, which are highlighted by the landmark of Lancing College Chapel on the valley side overlooking the River Adur and the coastal plain. The Local Plan allocation would in any event have had impact but an increase of 10,000 sqm would substantially increase the overall scale and massing of development.

The applicant's viewpoint assessments, and indicate the predicted landscape and visual effects of the proposed development in the views from the SDNP, at Mill Hill, Lancing College Chapel and Lancing Ring. The views towards the South Downs from the coastal plain, particularly those to Lancing College Chapel from the public rights of way along both banks of the River Adur are also relevant. From these viewpoints, it is clear that there would be a greater landscape impact on the setting of the Park compared to the Local Plan allocation.

Impact on the Local Green Gap

The analysis of the Lancing-Shoreham Local Green Gap (LGG) in the Adur Landscape Study Update 2016 demonstrates that all the area east of Mash Barn Lane contributes to the distinctive landscape settings and identities of both Lancing and Shoreham. It follows, therefore, that any development within this area carries the risk of increasing the perceived coalescence of these two settlements.

The Councils Landscape Consultant identifies that this risk is particularly high in the vicinity of the airport because:

- *the existing commercial developments at the Ricardo Shoreham Technical Centre and the Airport are established building complexes in the centre of the gap and,*
- *the meandering River Adur, the flat open green turf of the airfield and the backdrop of the South Downs together create a striking and distinctive landscape composition, which is sensitive to change.*

As indicated earlier in the report the distinctive landscape character of the Lancing-Shoreham Gap¹ highlighted in the Adur Landscape Study Update is,

'the importance of the River Adur as a key landscape feature within the Lancing-Shoreham Gap. The majority of the publicly accessible viewpoints within the gap are from the bridges across or paths alongside the river and the sinuous river corridor provides a striking and distinctive focus for local views. It points out that the juxtaposition of the open green turf of the airfield and the River Adur brings emphasis to the natural curve of the river.'

The key 'tests' that can be used to establish the degree of potential harm that this development might cause to the landscape of the Lancing-Shoreham LGG are the degree to which the development proposals would interrupt the cross-gap views from the Shoreham Tollbridge and the path along the east bank of the River Adur as well as the elevated views from the SDNP in which the distinctive combination of landscape features is experienced.

The proposed allocation extending further south along the River, depending on the eventual layout, could have an adverse effect on the following key views across the Local Green Gap.

- **View west from the east bank of the River Adur** – the revised Landscape and Visual Impact Assessment (LVIA) and the applicant's set of kinetic (moving) views do demonstrate that there would be a significant adverse impact on the quality and character of the LGG in the cross-gap views from this popular public right of way because the proposed buildings would block the long view across the airfield to Lancing
- **View north-west from trains** travelling across the Lancing-Shoreham LGG between Shoreham-by-Sea and Lancing. The applicant's kinetic view again suggests that there would be a significant adverse impact on the perceived openness of the gap in views from the train as it heads westwards towards Lancing. The new buildings would effectively be perceived as an extension of the existing Ricardos' Technical Centre. Whilst there would still be a perceived green gap between the new buildings and the airport it would be much reduced.
- **View south-west from the Shoreham Tollbridge** – The applicant's kinetic views from the Tollbridge and VP6 in the LVIA suggests that the Shoreham Airport development would dominate this sensitive view, blocking the open view across Shoreham Airport to the extent that there would be little gap between the proposed buildings and the existing Shoreham Airport buildings. As this is a listed (grade II*) structure and a popular recreational route, this is a high sensitivity viewpoint and the predicted landscape and visual effects are significant and adverse.

The kinetic views presented in the applicant's report demonstrate that the impact of the proposed Shoreham Airport development on the Lancing-Shoreham LGG becomes progressively more adverse as one travels northwards along the path which follows the east bank of the River Adur. The degree of harm depends on whether the final layout/massing of the buildings enables gaps between the blocks.

It is also relevant to note that within these relatively close riverbank path views, the car parks and service yards which are sited in the 'gaps' between the proposed buildings, would also have an adverse visual effect (as well as the proposed buildings) as they will 'break' the simple green turf-wetland composition which is characteristic of these important cross-gap views. This would be the case with the

allocated site but the landscape harm would be increased as development closes the gap in east west views.

Cumulative Impact

The New Monks Farm and Shoreham Airport developments are very closely linked from an economic perspective, as well as in terms of predicted landscape and visual effects. It is important that the cumulative landscape and visual effects are fully understood and considered in the masterplanning process for both developments.

The Councils Landscape Consultant has been concerned that the cumulative landscape and visual effects section of the Shoreham Airport LVIA does not identify the setting of the SDNP as a cumulative landscape receptor (despite it being assessed as a landscape receptor for the individual development). There is also some concern that no cumulative LVIA was submitted with the proposed residential development at Steyning Road on the east bank of the River (an undetermined planning application) as this is close to the airport site and would be seen from the Tollbridge and elevated views from the Downs.

The LVIA does acknowledge that the cumulative visual effects would be significant but suggests no mitigation measures to address the identified issues. From Mill Hill and Lancing Ring there would be some significant adverse cumulative visual effects in which all three developments could be seen together; and from the junction between the Tollbridge and Footpath 2049 on the west bank of the River Adur and Lancing College Chapel, in which the Shoreham Airport and Land at Steyning Road developments could be seen together.

In discussions with the Councils Landscape Consultant and the SDNP the colour of the proposed Shoreham Airport buildings (including the roofs) and the pattern of vegetation that is characteristic of the Downs – coastal plain margins would have a major influence on the degree to which the buildings contrast with its airfield and South Downs surroundings in the elevated views from the South Downs. This is considered in the mitigation Measures section of the report.

Heritage & Archaeology

Archaeology

The military occupation of the site between 1940 and 1946 also had an impact on the site; a gridded network of pipe bombs designed to negate any possibility of landing aircraft on the airfield were sunk into the ground across the airfield, including the site. A Pickett-Hamilton Fort was also constructed within the site, and it is likely that there are other military activities that may have gone unrecorded on the site. The site therefore has a moderate to high potential to contain archaeological evidence dating to WWII.

As stated by Historic England and WSCC Archaeologist the groundworks associated with the proposed development are likely to cause some harm to hitherto unknown archaeological remains. There is a need therefore as suggested by the applicants Heritage Consultants to develop an Archaeological Mitigation Strategy in collaboration with the County Council's Environment & Heritage Team, which will include measures to evaluate and mitigate the effects of the proposed development on archaeological remains, and consequent analysis, archiving and dissemination of archaeological results and this can be dealt with by way of a condition.

Impact on Heritage Assets

As indicated previously, the evidence gathered to inform the Local Plan identified the key characteristics of the Lancing-Shoreham Local Green Gap and that the area is highly vulnerable to change. An important characteristic of the area are the panoramic views to the Downs beyond the A27 to the north and along the River Adur and within these areas there are important landmark buildings of heritage significance. The area is of landscape sensitivity and the expansive mown turf of the airport makes a significant contribution to the setting of a number of significant heritage assets.

It is important, therefore, that the Committee carefully considers the impact of the proposed development on the setting of these important heritage assets in the context of the Local Plan allocation, Government advice in the NPPF and the Council's statutory duty to have regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess.

The introduction of any buildings into this flat and open landscape would have an impact and therefore the text to Policy 7 specifically comments that,

'It is essential that the open character of the area is retained and key views are protected. These views are obtained from viewpoints within the South Downs National Park such as Lancing Ring and Mill Hill to the airport and Terminal Building, the Grade I Listed Church of St Nicolas and the Old Tollbridge, as well as key local views across the Local Green Gap and up to the Downs and Lancing College from the well-used paths running north-south on both sides of the River Adur. It is important that the settings of the Grade II Listed Terminal Building, the Grade II Listed hangar and the Dome Trainer Scheduled Ancient Monument are not negatively impacted upon as a result of new development and any new access to the Airport.'*

The historic environment policy is broadly unchanged in the revised NPPF and in the response to the consultation the Government stated that it, *'recognises the importance of the historic environment and has no intention to reduce, whether through the Framework or otherwise, the important protections that exist for it.'* An important principle set out in the NPPF is that *'heritage assets are irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.'*

In considering the potential impacts of development paragraphs 193 to 196 in the NPPF are of particular importance. In considering the impact of proposed development on the significance of a designated heritage asset, the NPPF advises that *'great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.'*

NPPF goes on to state that any harm or loss of significance of a designated heritage asset (including from development within its setting) should require clear and convincing justification. Substantial harm or loss of assets of the highest significance (Grade I, II* listed buildings) should be wholly exceptional. In such cases of substantial harm NPPF states that permission should be refused unless the substantial harm or loss is necessary to achieve substantial public benefits that outweigh the harm or loss (para 195).

Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use (para 196).

Whilst, there is still a need to carefully assess the heritage impact of the proposed development at a planning application stage, the principle of 15,000 sqm has been established through the Local Plan process. The current application and its impact on heritage assets has to be assessed in this context and in particular the additional harm caused through the extended boundary and additional floorspace proposed. Historic England's subsequent response to the amended LVIA does recognise this fact as it comments that,

We note that notwithstanding our earlier advice the emerging Adur Local Plan 2016 allocates approximately 15,000 sqm of new employment generating floorspace on the NE side of the Airport.....Without prejudice to our concerns expressed regarding allocation of employment floorspace in this sensitive location in principle, an obvious, initial way to minimise harm is to resist the expansion of employment floorspace that this application represents.'

The strong objection from Historic England needs careful consideration in assessing the level of harm and whether this harm can be mitigated. The airport setting to the various heritage assets as well as the historical significance of the airport and its role in two World Wars has to be assessed as well as the individual settings of buildings and structures and the cumulative impact of the development with that proposed at New Monks Farm.

Historic Significance of the Airfield and its Setting.

There is little doubt that the Airport is of significant heritage significance and this is accepted by all parties. The airport is the oldest municipal airfield in the Country and had a significant role in the early history of aviation. The flying field has been in use for over 100 years. The airport used by the Royal Flying Corps and the Canadian Air Force in the First World War and in the 1920s and early 1930s it was a venue for flying training and aircraft manufacture.

A Moderne terminal building was constructed in 1936 and remains one of the best examples of its type in the Country. The terminal building has over the years lacked in investment and some year ago suffered with significant internal damage due to water penetration (however recent investment has made significant improvements). The building is Grade II* and the adjoining hanger Grade II. Its relationship with the flying field is as it was in the 1930s, and the contemporary municipal hangar survives.

The airfield was used by the RAF during the Second World War for air sea rescue, emergency landing and other functions. Early in the war it acquired substantial anti-aircraft and anti-paratrooper/glider defences and many these features still remain (along with pillboxes along the river edge). In 1943, a dome trainer was constructed for anti-aircraft training by the RAF Regiment. The dome is one of only six surviving in the country, although it is now in a poor state. It is a scheduled ancient monument (SAM).

For a long time after the war the airfield was a base for aircraft manufacture. In 1971, Shoreham returned to being a municipal airport, and returned to general aviation. The asphalt runway and taxiways were installed in 1984 up to that point, the operational areas had been a grass field. In 2013, it was renamed Brighton City Airport. The airport therefore has many layers of heritage value supported by a large on-site archive. In addition, the site is significant in the setting of Lancing College, Old Shoreham Bridge and St Nicolas's Church.

A request was made to list the airfield but this was rejected in June of this year by the Secretary of State on the basis that,

'The Historic England Infrastructure: Transport Listing Selection Guide gives no guidance on the protection of flying areas or runways. However, it should be noted that the operational areas of Shoreham Airport contain no structures relating to the earliest periods of flight, and that the taxiways and runway were constructed in 1984. The taxiways, apron and runway do not meet the criteria for designation: by their very nature they are not rare, being common to all airfields in some form; although their form represents their function, they are not of structural interest in the sense of having recognisable permanent components, their main component, a surface, being subject to frequent repair and replacement; and their technical interest is limited.'

The main impact of the proposed development would be on the more historic defensive cordon, the scale of development on the outer perimeter of the airfield and

the overall impact of the development on the landscape which impacts on the significance of a number of high grade designated heritage assets. As stated earlier Historic England (HE) in its first consultation response has questioned the principle of any development on the site and comments that,

'The potential impact arising from this development is much greater and it will forever change the best view of the layered history of the landscape that is illustrated as you walk across the toll bridge from east to west, with the airfield to the west and the chapel to the east, by severing the visual connection between the bridge and the airfield beyond. The proposed development would intrude within the perimeter of the historic airfield for the first time since it was established in 1911. In doing so it would diminish a landscape that is itself an important historic area, but that also contributes greatly to the significance of its component buildings and features, including its principal listed building. The proposed development would overwrite a large part of the perimeter and defensive flank of the airfield, which would greatly diminish appreciation of its extent and operation during the war.'

This response does not have any regard to the adopted Local Plan but does illustrate the sensitive impact that any development would have on the historic airfield. The subsequent HE response commenting on the FEIS and amended LVIA does acknowledge the Local Plan allocation but states that,

'We note that notwithstanding our earlier advice the emerging Adur Local Plan 2016 allocates approximately 15,000 sqm of new employment generating floorspace on the NE side of the Airport..... Without prejudice to our concerns expressed regarding allocation of employment floorspace in this sensitive location in principle, an obvious, initial way to minimise harm is to resist the expansion of employment floorspace that this application represents.'

Any development into this landscape, including the Local Plan allocation, would affect the historic connection between the airfield the wider landscape and a number of heritage assets. The inter-visibility between the Tollbridge and the airport and views from both banks of the River would be further reduced by extending development further to the south. In this respect, the development would conflict with the relevant Local Plan policy which seeks to protect key views to and from the principal heritage assets and the wider landscape.

The level of harm identified by the ES is considered to be underestimated by both HE and the County Archaeologist particularly the argument that development at the 'bridgehead' of the Old Tollbridge could be 'viewed as part of the ongoing process of Old Shoreham's urban growth.' Nevertheless, the amended ES still concludes that the proposed development and in its operation, would, without mitigation, give rise to significant permanent adverse effects on the setting of Shoreham Airfield dome trainer, Old Shoreham Bridge, Shoreham Airport terminal building, Old Shoreham Conservation Area, Lancing College Chapel and Lancing College East and West Quadrangles.

The amended FEIS and in particular, the revised LVIA, looks at the impact of the development at various points along the various public footpaths. These kinetic views

were requested to assess the changing impact on the landscape but also helps assess the impact on heritage assets. The following summarises the key impacts of the proposed development in the context of the allocated site:

Terminal Building and Hanger

The key purpose of Shoreham Airport's terminal building is to provide views of the airfield it services and the skies above it. It is accepted that by reducing the size of the working airfield, which largely approximates to its original size, the proposed development would alter the historic view afforded from the terminal building. However, within the context of the broad panorama available, and the distance of the proposed development from the terminal, the potential impact is regarded as minor in extent.

The reduction in the overall width of the commercial site (to avoid any impact on the airport taxiway) is considered beneficial in terms of the view northwards from the terminal and its relationship with the runways and operational areas of the airport. The field of vision is slightly increased in terms of views towards Lancing Chapel and the large grassed forecourt to the terminal building still provides its open and functional setting with the principal runway. The negative impact is that the increased area does impact on the historical connection with the River and its defensive perimeter.

The ES considers that the impact of the development on the Grade II hangar is less significant than the views to and from the terminal building. It is the only original value and therefore its relationship with the terminal building is clearly important. The reduction in the size of the historic airport has an impact but the distance from the development and the extent of the remaining airfield does reduce the overall impact on its setting.

Lancing College Complex

Lancing College Chapel, a Grade I listed building is recognised as having exceptional interest and is described as a fine example of Gothic Revival architecture. Its elevated position commands views of the South Downs, Coastal plain and the English Channel. Its setting plays an important part of its significance as the amended ES recognises being '*purposefully dramatic and ensuring that the building acts as a focal point in views from many directions.*' The views southwards across the coastal plain and out to sea are equally as dramatic.

The introduction of built form within the largely undeveloped coastal plan would have some impact. From in front of the College it the development would be quite prominent despite the distance away although it would not break the horizon line. There would also be prominent vantage points long the public footpath adjacent to the complex of buildings. In view of the overall panoramic view the ES considers this impact to be minor and whilst that could be argued, there is no doubt that the more significant impact is from views looking towards the Chapel.

The development has been reduced in height to a maximum of 13 metres but nevertheless from certain vantage points – primarily along the west bank of the River the proposed development would block views of the Chapel and complex of designated College buildings. The wireframe view below illustrates the impact well as indicated by

Historic England. This view would change slightly as the west bank footpath moves westwards and increases in height as part of the Adur Tidal Wall improvement scheme but it is not considered that it would materially change the impact.



The ES considers that this impact would be moderate to *large adverse* without mitigation. Depending on the orientation and height of buildings, to be considered later in the report under proposed mitigation, any building on the allocated site would also have some impact when viewed from the Riverside path. The intended east-west orientation of buildings, preferred in the ES Heritage chapter, would mean that any multiple building would be viewed against other buildings. From this view only a single storey building would enable views of the Chapel and would still block views of its landscaped downland setting.

Lancing College, East and West Quadrangles

The Quadrangles (Grade II*) form the central part of the school complex, with the southern elevations facing towards the coastal plain. Although the lower structures are not as prominent a landmark as Lancing College Chapel, the quadrangles form an important part of the college's ensemble particularly when viewed from the south, east and south-east.

The above wireframe overlay on the image indicates the form, shape and mass that the proposed development could have within the landscape. As with Lancing Chapel the proposed development when viewed from the west bank of the River obscure the quadrangle from view. This would have an adverse impact on its landscape setting.

Dome Trainer

The effect of the roundabout and associated access roads are considered in some detail in connection with the New Monks Farm development. Whilst it was accepted that there would be some impact on its setting, this would be balanced/offset by other improvements to its setting and improved accessibility. This is recognised by the County Council's Archeologist and Historic England. The Dome is in a poor condition and ground levelling, clearance of vegetation and linking the monument with the Country Park are all positive benefits that outweigh any harm caused.

Extending the level of development along the eastern side of the airport would have some greater impact on the setting of the dome. As the ES demonstrates the extent of

commercial development would 'curtail the sense of openness of the working airfield to the east of the dome trainer' and its relationship with the eastern WWII defences when looking in a south easterly direction and would therefore have a slight to moderate effect, from this angle, on the landscape setting within which the dome is experienced.

The Old Tollbridge, St Nicholas Church and Old Shoreham Conservation Area

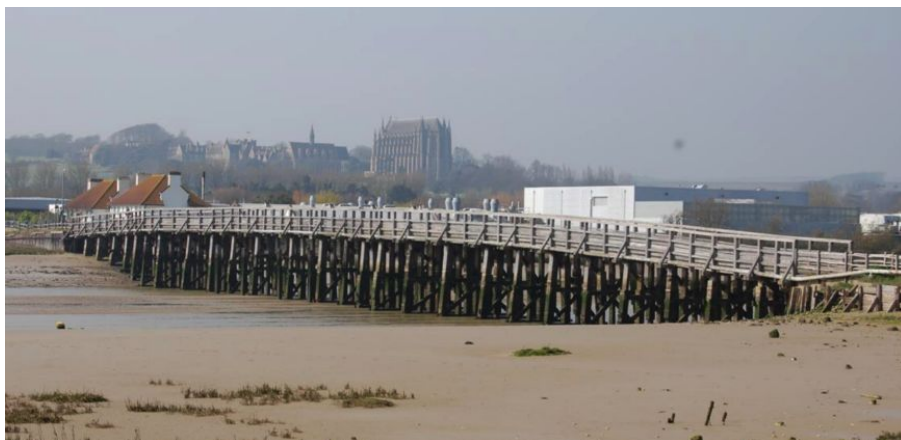
As already stated the setting of the Tollbridge will be affected by the proposed commercial development. The Heritage Assessment undertaken by ACTA prior to the submission of the Local Plan provided a detailed assessment of the airfield as the setting for historic landmarks that surround the proposed development site. This report also assessed the significance of views to the setting of the various assets. In terms of St Nicholas Church (Grade II*) and the Tollbridge (Grade II*) the report states that,

'The close-range views of Old Shoreham Bridge and St Nicolas's Church from the riverbank show an attractive grouping of an important early post-Conquest church with what Historic England describe as the last surviving example of a major river crossing toll bridge.....The historical value arises from the way that the significance and location of the settlement of Old Shoreham and the importance of a crossing of the lower river are explained at a glance. These views are of high historical and aesthetic significance.'

In the longer, wider views north-eastwards across the airfield, the bridge is not particularly conspicuous. Although the church can be seen, it does not break the skyline. With the backdrop of pines and the downs it forms an attractive rural element between the road junction on one side and modern residential development on the other. These views of the bridge and church are thus of lower importance than the riverside ones and can be classed as having medium aesthetic and historical significance.'

The close-range views of the Old Tollbridge, the Church and Old Shoreham Conservation Area would not be affected when viewed from the west bank of the River. However, when looking east the extent of commercial development would impact on the 'rural' setting of the Tollbridge and the historic settlement of Old Shoreham. This would be affected by any development close to the Tollbridge but the additional commercial floorspace proposed would interrupt more views between the bridge and the airport and provide a more urban backdrop to the Tollbridge when viewed from various viewpoints along the River. The greatest visual impact would be from the north of the Old Tollbridge when looking south west where currently the curvature of the bridge against the sky would be replaced by a backdrop of commercial buildings. It is accepted that this would have a greater impact than the slight to moderate assessed by the applicants Heritage Consultant.

The impact of the relatively new commercial building at Ricardo's does illustrate the impact of change within its wide-open spacious setting (photograph from the ES).



The visual connection with the Airport is less obvious from the Churchyard as it is partially blocked by the Red Lion and there are a number of trees within its curtilage, nevertheless the Church tower is prominent with its elevated setting.

Pumping Station

The pumping station was considered in connection with the New Monks Farm report. It is accepted that the size of the pumping station would represent a significant structure and a considerable change to the character of the river bank. Historic England raised similar concerns to that raised in connection with the commercial development in that it would sever the connection between the Old Shoreham Bridge and the airfield and would therefore affect the setting of both the Tollbridge and Old Shoreham Conservation Area.

Other Heritage Assets

The ES Heritage Chapter reviews other designated assets within the vicinity of the site and this includes The Amsterdam public house, the Red Lion public house, Tudor Cottage, a K6 telephone kiosk, the Old Schoolhouse, Connaught Avenue, Old Malt Cottage/Walnut Cottage, Old Shoreham Farmhouse and associated barn, Lancing College's Old Farmhouse together with a range of non-designated war time above and below ground war time defences including, pill boxes, gun emplacements and trenches. Your Officers accept the ES conclusion that any impact is slight.

Cumulative Impact

There is a need to consider the cumulative impact when assessing the level of harm to heritage assets and Historic England expresses concern about the cumulative impact on the landscape setting of heritage assets as the strategic gap is being squeezed by developments from both sides of the gap. The ES comments on this aspect and considers that,

When considered in combination with other nearby proposed developments, specifically the construction and operation of the adjacent New Monks Farm Development and the Shoreham Adur Tidal Walls Project, the significance of these operational effects is increased, although not universally.'

There is some recognition of cumulative impact but only to the effect that it would increase. It is considered that this underestimates the combined effects of developments on the sensitive landscape. The cumulative landscape effects identified by the Councils Landscape Consultant would also increase the cumulative impact of these nationally important heritage assets. These impacts in terms of increased built form, lighting, signage, parking and traffic would further impact on the sensitive landscape setting of the various heritage assets.

Proposed Mitigation Measures

It is important to assess whether the mitigation measures proposed would address the landscape and heritage impacts.

During the course of the application negotiations with the National Park Officers and the Council has sought to identify measures to help to mitigate the impact of the development. Without knowing the occupiers of any of the units, fixing any layout or detailed design measures has not been possible. However, as an outline application, with layout to be resolved as a reserved matter it is important to set out some clear design parameters to provide a framework for subsequent reserved matters applications to minimise some of the adverse impacts identified.

Given that the landscape character of the area is a flat coastal plain with the closely mown grass of the airport, the normal mitigation measures of screen planting would not be appropriate. There is scope, however, to screen the buildings from the north and east. The foot of the South Downs is characterised by woodland and as part of the discussions on mitigating the impact of the New Monks Farm development, there is scope to extend the planting along the access road to the Airport and along the north elevation of the commercial buildings. There is also a need to soften the impact of buildings along the eastern boundary and a 12 metre landscaping strip is proposed which will help to filter views to the buildings from the old Tollbridge and both banks of the River.

The height of the proposed buildings has been reduced from 14 metres to height zones across the site with the maximum height now being 13 metres (lower maximum building heights would be 9 and 10 metres). The applicant considers that any further reduction would not provide the flexibility required to find occupiers for the buildings. The Design Code would set this as a maximum height and there is scope for different roof designs and eaves heights to help further reduce the visual impact.



As the above illustration indicates the Design Code also suggests a 5 metre high earth bund to the south of the proposed commercial buildings to help screen the southern elevation. In addition, to try and contain development towards the northern eastern corner of the airport a 40 metre no build zone is proposed. This will assist in terms of retaining views across the Local Green Gap and views from the Tollbridge towards the airport terminal building.

The latest Design Code provides guidance on the possible layout options. These options highlight some of the difficulties of trying to mitigate the impact on heritage assets. By reducing the impact of the proposed commercial buildings on the Tollbridge and maintain views across Local Green Gap as envisaged by Policy 7 two of the layout options propose development on an east west axis as indicated below.

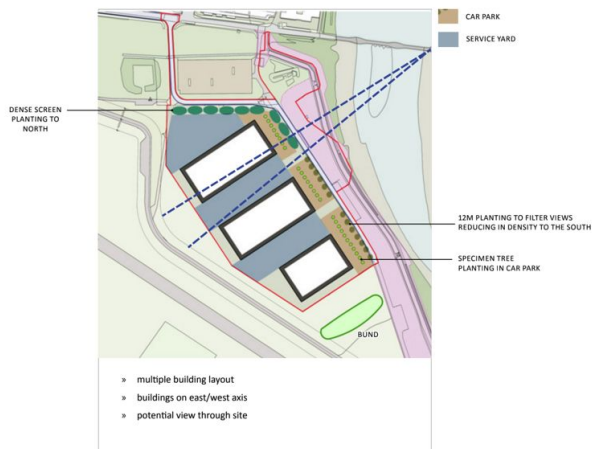


Fig. 8: Diagram - Multiple Building Layout : Three Buildings

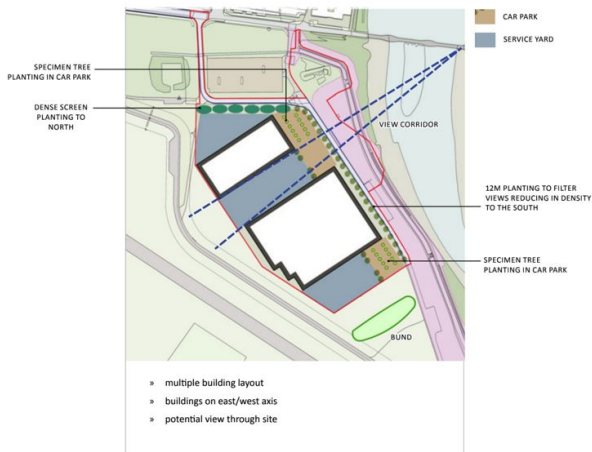


Fig. 7: Diagram - Multiple Building Layout : Two Buildings

This however, presents a long elevation to the south which is more likely to obscure views to Lancing Chapel. The above two options are preferable to the courtyard option below and the applicant has been requested to delete this option from the Design Code. The option of a single building on the site on a north south axis would allow for greater space round the building (particularly to the south and would present a narrow end elevation reducing the impact on views northwards to the Downs from the River bank footpath.

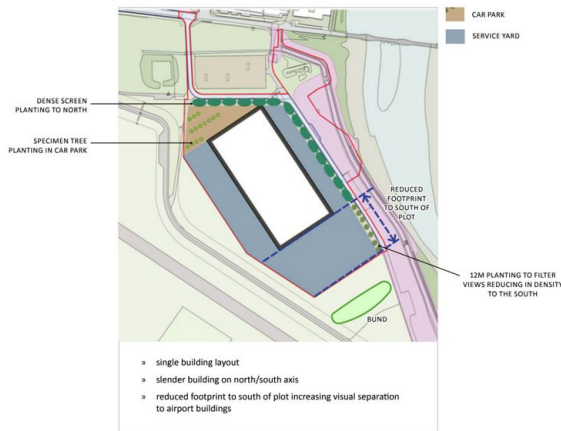


Fig. 6: Diagram - Single Building Layout

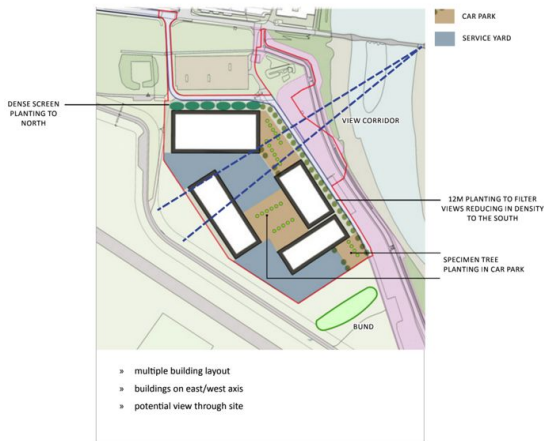


Fig. 9: Diagram - Multiple Building Layout - Four Buildings

There has been some criticism of the Design Code suggesting buildings of utilitarian appearance with simple form and materials. This is not unusual for industrial and warehouse buildings and this would be appropriate as with other hanger buildings and commercial buildings on the site. Nevertheless, as the SDNP suggests that there should still be some encouragement for natural materials which would help to soften and break up larger elevations.

To help reduce the impact on the National Park the latest Design Code seeks to avoid large glazed sections facing north and the use of external lighting solutions that would be controllable and utilise dark sky friendly luminaires and lighting techniques. The SDNP has suggested parameters for the colour of LED lights and this and other suggestions on the latest Design Code are being considered by the applicant and Members will be updated at the meeting.

A number of discussions with the SDNP have been about the colours of the building against the backdrop of the Downs. The Design Code includes a palette of colours to reflect the natural surroundings, to help blend the buildings into their setting, given the key views around the site. The avoidance of bright colours and reflective materials would be important. Whilst a number of larger buildings are designed with white and grey this often only works when seen against the sky but in this case the buildings will

be viewed against the backdrop of the Downs where a more muted natural colour would be more appropriate.

The SDNP latest consultation response notes that it is pleased to see that the applicant has sought to reduce the impact of the proposals on the character and visual setting of the National Park. However, whilst the mitigation proposed is generally sensitive to the location, the SDNP considers that the mitigation would not overcome the significant harm identified as a result of the scale of the proposed development. The Councils Landscape Consultant is also of the view that the mitigation measures put forward in the Design Code and LVIA '*offer a series of thoughtful and sensible design principles to minimise the predicted adverse landscape and visual effects, but such measures can only have a slight effect and cannot resolve the problems.*' She concludes that the development could only be justified on economic grounds as the adverse landscape and visual effects cannot be mitigated.

The mitigation measures also help to reduce some of the harmful effects on the setting of heritage assets. However, as with the landscape impact the harm remains albeit as indicated by Historic England the impacts are *less than substantial*. In view of the adverse impact on landscape and heritage assets the development would not comply with Local Plan policy 7. Other elements of Policy 7 are now considered.

Transport and Accessibility Issues

As stated previously, a joint access and drainage strategy has been submitted with the New Monks Farm development and the same issues and concerns raised with this application are relevant to this proposal. The scope to deliver the 4th arm to serve Coombes Road is dependent on an agreement between the applicant and Lancing College (as additional land is required) and on the National Park approving any subsequent planning application. In the meantime, the highway authorities (Highways England and WSCC) continue to support both applications as submitted and Highways England has confirmed that it would not agree to retaining Sussex Pad as a signalised crossing and allow right hand turning movements from Coombes Road.

Local Plan Policy 7 for the site does highlight the need for improved accessibility to and from the site and repeats wording in the policy for New Monks Farm about '*access across the A27 to the South Downs National Park for pedestrians, cyclists and equestrians must be retained, and where possible, enhanced.*' The loss of the Sussex Pad pedestrian cycle crossing has been very controversial locally despite its obvious restrictions in terms of footways north and south of the crossing. Notwithstanding, objections from many local cycle groups and equestrians the highway authorities maintain the 'at grade' crossing at the new roundabout and new pedestrian/cycle route under the A27 meets the policy requirements and would be an improvement compared to the existing crossing point at Sussex Pad.

In view of the above your Officers do not consider that there are any objections to the combined access strategy with the New Monks Farm development. WSCC is looking at the scope for a bridge over the A27 as part of the Shoreham Area Sustainable

Transport Study but this is separate to the current planning applications. A study by Consultants WSP is looking at options but this work has not been completed. As yet there are no recommendations about where such a bridge could be constructed along this stretch of the A27, practicalities about accommodating such a structure or how it could be funded in the future.

In line with the policy requirement for the Airport employment site there is a need to contribute to mitigating the impact of additional traffic on the strategic road network. Whilst, the adopted policy refers to improvements to the A27/A2025 Grinstead Lane junction, these junction improvements are to be funded solely by contributions from the New Monks Farm development and therefore the £148,000 requested by WSCC would be used to help fund other junction improvements identified in the Adur Transport Study (eg Shoreham Beach/A259 junction). An additional £39,000 has been requested towards bus stop improvements at Old Shoreham Road (dropped kerbs and Real Time Passenger Information).

The Transport Study underpinning the Local Plan envisaged an unrestricted B1 development including offices (B1a) which would generate higher traffic movements than the other B 1 Use Classes (Research and Development and light Industrial). The application is for purely B1c (Light Industrial), B2 and B8 use classes. As such the traffic movements are less than envisaged and the level of financial contribution has been reduced accordingly. A condition is recommended to require a Travel Plan to be submitted prior to occupation of the units to encourage more sustainable transport and to seek to reduce vehicle movements to the site.

Ecology

Policy 7 is clear that mitigation measures would be required to ensure that new development at the Airport does not impact on the ecological value of the airport itself or the adjacent Adur Estuary SSSI. In addition, the policy seeks where possible, for ecological enhancements to be incorporated as an integral part of the development. The policy also requires a site wide landscape and ecological management plan to be drawn up (informed by up to date ecological information) and implemented to ensure the long-term maintenance of retained and newly created onsite habitats.

The ES Ecology chapter considers the impact of the development on designated sites (SSSI etc) on habitats, and protected species and considers that the majority of potential impacts are likely to arise during the construction period and are of a temporary nature. The site itself is regarded as poor semi-improved grassland of low ecological value. In terms of protected species, the ES identifies potential disturbance to bats foraging along land to the north of the site and measures to avoid disturbance during construction and once the buildings in use by careful use of lighting to avoid affecting bat flight corridors.

The ES identifies that the greatest impact of the development could be on the Adur Estuary SSSI as a result of the construction of the pumping station, particularly if this work is not undertaken at the same time as the flood defence works by the EA. Given

the time delays with determining this application and the proposal at New Monks Farm, it is likely that the works cannot be scheduled together and it has been agreed that the EA will stop the current works at the point where the pumping station will be constructed. The potential for additional noise and visual disturbance on overwintering birds could be problematic and further mitigation measures would be necessary similar to the measures adopted by the EA for the Tidal Wall scheme. The applicant has agreed conditions with Natural England to deal with any compensatory inter-tidal mud that is required if the proposed spillway in connection with the pumping station does not work as effectively as planned.

In terms of the impact on birds elsewhere on the airport, the ES does not anticipate any impact during the operational stage of the development. The overall scheme provides enhancement to the realigned ditches and suitable breeding and wintering habitat along the northern boundary. Whilst there is potential for disturbance from activity from the employment site the provision of buffer planting on the northern and eastern boundaries would help to reduce disturbance levels.

The Sussex Wildlife Trust (SWT) has expressed concern that the ES does not adequately address breeding birds as the two walkover surveys undertaken in October 2016 and February 2017 were out-of-season and therefore failed to record any breeding bird activity. SWT indicates that as it is widely recognised locally that the site is used by Lapwings and Skylarks that have historical use, and still do use this area of the airfield for feeding and nesting. Both of these species are of conservation concern and are listed on the UK Red List. In terms of Lapwings, given their tendency to be site faithful and long lived, SWT feels that the impact of developing this site on this species has not been properly considered.

The applicants Ecologist has been asked to comment on the SWT's concerns, and he states that,

We acknowledge that Lapwing flocks can temporarily roost within the curtilage of the Airport, but this would be mainly outside operational hours or during periods of low operational activity. Otherwise, Lapwing flocks are recognized as a hazard to plane operation and daily bird scaring tactics are carried out specifically to dissuade this behavior. During the summer breeding period, the Airport grassland is frequently mown specifically to ensure it is short and unsuitable for nesting birds. Therefore, any breeding success by Lapwing or Skylark is likely to be localized and limited in extent and we are not aware of any background surveys to quantify numbers.

In their planning response, Sussex Wildlife Trust have suggested non-conformity with the Adur Local Plan 2017 and in particular Policy 7. However, we suggest that their comments conflate this bird issue with a commitment to ensure that compatible landscape and ecology measures are incorporated with the Airport

Para. 2.86 of the Adur Local Plan 2017 states that 'The Airport is located adjacent to the Adur Estuary Site of Special Scientific Interest (SSSI) and the airport itself provides a supporting role in terms of wintering/wading birds including lapwings and skylarks. It is essential that any new development at the Airport does not impact on the SSSI and opportunities should be

taken to improve the SSSI where possible as well as biodiversity within the airport site itself. Ecological enhancements will be sought through all aspects of development on this site (for example green roofs etc.) to take into account visual sensitivities of the landscape and offer biodiversity opportunities'. This 'supporting role' refers to the Airport being infrequently available for roosting Lapwing, as well as for wintering/wading species displaced between high tides. The biodiversity enhancements being sought are to provide complimentary and buffering habitats for the adjacent Adur Estuary SSSI.

Therefore Policy 7 states 'Mitigation measures will be required to ensure that new development at the Airport does not impact on the ecological value of the airport itself or the adjacent Adur Estuary SSSI. Where possible ecological enhancement should be incorporated as an integral part of the development'. Again, more relating to habitat structure within the Airport. The text quoted by SWT has been edited and should read 'A site wide landscape and ecological management plan that is informed by up to date ecological information to be drawn up and implemented to the satisfaction of the local planning authority to ensure the long-term maintenance of retained and newly created on-site habitats. This confirms that the sought-after management plan has a broader remit to meet the Airport development.

We fully support the need to generate additional survey information of roosting/breeding birds within the Airport, and to feed this into a site wide landscape and ecology management plan. However, as roosting/breeding birds pose an operational threat to aircraft safety, it is unlikely the current status of these species will be significantly enhanced within the Airport.

Whilst the criticism of the ES regarding up to date surveys is accepted the response from the Ecologist does highlight the difficulty of any enhancement on the site itself that might attract birds given the safety issues with the airport. As indicated this does not mean that across the whole including the northern ditch line there are opportunities for new and enhanced habitats. The ES sets out a number of biodiversity enhancements that can be secured as part of the overall drainage and landscape strategy for the site and would be incorporated into the Landscape and Ecological Management Plan.

A number of the measures identified to reduce the impact on the landscape particularly the proposed controls on lighting and the new 12 metre landscape buffer proposed would help to mitigate disturbance to the SSSI.

Drainage

The joint drainage strategy has been agreed with all the key drainage authorities and it will be important that the s106 agreement for both developments ensures that there are appropriate maintenance and management provisions to secure that the pumping station is kept in a working order to protect the development and existing residents.

The Planning Balance - Other Material Considerations

The greatest impacts identified by the ES and by Historic England are on the reduction in size of the historic airfield and its relationship with its defensive perimeter and the impact on the setting of high grade designated heritage assets (Grade I and

II*), namely the Old Tollbridge, St Nicholas Church, and the complex of buildings at Lancing College. The development and the proposed pumping station would also have an adverse impact on the setting of the Old Shoreham Conservation Area. Historic England considers that this harm is at the top end of ‘*less than substantial*.’

As the setting of listed buildings of the highest significance (Grade I) would be adversely affected. As NPPF states therefore great weight has to be given to this impact. The Courts have had to consider a number of cases relating to the balancing act planning authorities have to undertake when considering the harm to listed buildings and their setting against other planning objectives (public benefits). The High Court has made it clear that it is not just a simple balancing act but whether there is justification for overriding the *presumption in favour of preservation*.

The NPPF advises that great weight should be given to the conservation of a designated heritage asset and that clear and convincing justification should be required for any harm or loss. The wording of the NPPF has not changed in relation to the consideration of ‘less than substantial’ harm as set out below,

“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, the harm should be weighed against the public benefits of the proposed building, where appropriate, securing its optimum viable use.”

Historic England maintains that the harm is at the top end of the scale of *less than substantial* which is at odds with a High Court Case (Shimbles R vs City of Bradford MBC) where the judge concluded that a sliding scale between less than substantial and substantial was not appropriate (relevant paragraph below),

That would mean subdividing less than substantial harm into sub-categories such as “slight less than substantial harm”, “quite serious less than substantial harm”, “really serious less than substantial harm”, and so forth. The exercise leads to over-refinement, while the approach ordained by the NPPF deliberately keeps the exercise relatively straightforward, avoiding unnecessary complexity.

Although not challenging this case HE does not agree that it is as simple as suggested by this case and maintain that a sliding scale does help to assess the level of harm being caused.

The key determining factor is whether there is sufficient justification for overriding the presumption in favour of preservation and the harm identified to the Local Green Gap and setting of the National Park.

Viability

As the Local Plan Inspector considered viability is a key factor. The allocation would have caused some harm but was justified because of the employment benefits and to

help secure the long-term future of the airport. However, if the development is unviable these benefits would not be secured.

The applicant has submitted two viability appraisals for a development of 15,000 and 25,000 sqm to demonstrate that the Local Plan strategic allocation is unviable. These are attached to the agenda as **Appendix I**. The appraisals conclude that for a development of 15,000 sqm the profit margin would be 5.74% (on cost) and 5.04% (on Gross Development Value GDV). For the proposed 25,000 sqm the profit margin would rise to 14.63% (on cost) and 11.87% (GDV).

As with the New Monks Farm development the Council employed Viability Consultants Gleeds to assess the submitted appraisals. The Consultants conclude that,

We consider the rental values applied to be above a reasonable level within this location. If the anticipated rental values are not realised, this would result in Tavis House Properties receiving a reduced level of profit. The figures used for the development costs are reasonable, we recommend that evidence is provided for the following items which could not be validated;

- *Evidence of achieve rental area summary*
- *Purchaser's Costs*
- *Site purchase cost*
- *Legal Fee, Town Planning and Survey costs associated with acquisition costs*
- *Airport road upgrade*

Following our review of the development costs, if VAT was applied to all professional fees then the profit levels would be adjusted as below: Shoreham

*Fifteen: the level of profit would be at **4.37%**.*

This is lower than a developer would expect for a project of this type.

*Shoreham Twenty-Five: the level of profit would be at **13.17%**.*

This is lower than a developer would expect for a project of this type.

If the Viability Assessments prepared were adjusted to reflect the above, this would result in the profit returns being at a level that is lower than a developer would expect to receive for a project of this type and could make the project unviable.'

The applicants provided reassurance on the points of clarification and Gleeds has confirmed that for both developments the profit margins are below what a developer would expect for a project of this type. The applicant was also asked to look at assessing whether a pre-let scheme would generate a greater profit return. This was again assessed by Gleeds but the level of profit would be only slightly improved for 15,000 at **4.74%**.

The revised NPPF encourages planning authorities to publish viability appraisals and the accompanying PPG provides greater guidance on the approach to be taken when assessing viability appraisals. The issue of an appropriate profit margin for developments has been the source of much debate. Latest guidance is that a return of 15 to 20 percent of gross development value (GDV) should be appropriate and this is lower than the 20% originally indicated in the draft NPPF (which had been the accepted level of return).

In this case, a return of **4.37%** (on cost) after adjustments for VAT would be well below the expected return. In the circumstances the Local Plan allocation would be unviable in relation to latest Government guidance. Gleeds has been asked to review its advice in relation to latest Government guidance but it has indicated that the figures would not change fundamentally and its conclusions would remain the same.

The revised guidance places far greater emphasis on viability at plan-making stage but in this case the applicants for New Monks Farm and the Airport development have argued that both Local Plan allocations are not viable in view of the significant infrastructure costs necessary to address drainage, transport and other issues.

The PPG does refer to the fact that where there is an up to date Plan (as in this case) the applicant should refer back to the viability assessment carried out at the time and identify what has changed since then. In this case, the Whole Plan viability did indicate that commercial development would provide only 5% return (GDV) clearly a very low return and this did not factor in any contribution towards the construction of the new roundabout or drainage solution for the site.

As the New Monks Farm development is proposing a joint access and drainage strategy with the Airport (to help unlock the commercial development) it is relevant to assess the overall infrastructure costs and compare this with the Whole Plan Viability assumed costs. Your Officers have undertaken this review and it does demonstrate that the overall costs are significantly higher than envisaged at the Local Plan stage. The overall costs for the drainage and access strategy were, for instance underestimated. Nevertheless, the Whole Plan Viability report identified that the scheme would not be able to deliver any Community Infrastructure Levy (CIL) and stated that,

'The New Monks Farm site which has very significant abnormal costs and planning obligation requirements demonstrated negative viability of - £4.5 Million. However, in the context of a £150 Million development project this is not considered a significant threat to overall delivery of the scheme.'

The evidence underpinning the Adur Local Plan, therefore, identified that there was only marginal viability for both the New Monks Farm application and Shoreham Airport developments and this is reflected in the Inspectors decision letter on the Plan. Since that time, the NMF developers have been able to demonstrate that infrastructure costs are much higher than originally envisaged and it has been accepted by your Officers that the NMF development even with a threefold increase in

floorspace (proposed IKEA), viability is very marginal even with the public subsidy secured through the Local Growth Fund bid.

In pure viability terms, there is a justification for the increase in the site area and quantum of development proposed. Even with an additional 10,000 sqm the development would generate a return of less than 12% profit (on GDV) based on the applicant's appraisal (Gleeds predict a lower return after VAT adjustments). However, given the impact on this sensitive Landscape and Heritage assets, even with the proposed mitigation measures proposed, the development would be contrary to the adopted Local Plan.

Other Material Planning Considerations including Public Benefits

The employment benefit of the development was identified and the justification for the original Local Plan allocation was clear. The difficulty Members have is that having made this decision, the current application demonstrates that the allocation is not commercially viable and the clear objectives set out in the plan cannot be met. The two key public benefits relate to the delivery of jobs and to support the long-term future of the airport and these accepted benefits are discussed below.

Employment Provision

Shoreham Airport has been an attractive location for business and there has been considerable pressure to convert hanger space for alternative commercial uses for a number of years. The adopted Local Plan now provides for some greater flexibility provided that airside hangars are protected for aviation use and any alternative use does not impact on the viability of the airport. The lack of land availability within the District also meant that the Local Plan could not meet the assessed employment needs identified in the Employment Land Review.

The revised NPPF places significant weight on the need to support economic growth and productivity, taking into account local business needs and wider opportunities for development. There has also been an acceptance of the importance of the airport as an employment destination in a number of Regional and Sub Regional plans.

The South-East Plan 2009 identified the Airport as a site where there was an opportunity to deliver economic and social regeneration. More recently the Coast to Capital Economic Plan (2014) identified Shoreham Airport as one of nine strategic site locations for to deliver new employment floorspace and that Shoreham Airport and Harbour could deliver 4,450 new jobs. The Airport has also been identified as a centre of excellence for eco-tech industries in the Greater Brighton City Deal and the Greater Brighton Devolution Prospectus (2015) delivering an estimate of 340 net new jobs and an annual GVA impact of around £15 million. The Coastal West Sussex Economic Plan (2016-2020) the Economic Plan identifies Shoreham Airport as a key strategic development priority that will help to diversify and strengthen the local economy.

The Socio-Economic chapter of the ES sets out the economic and social benefits of the development and in particular highlights the main features of deprivation within Adur relating to Education, Skills and Training, particularly the sub-domain relating to children and young people, income and employment. Across Adur as a whole, there are nine Lower Level Super Output Areas (LSOAs) that are amongst the top 10% most deprived in the Children and Young People sub-domain of the Education, Skills and Training deprivation domain. The ES also highlights that in Adur the number of jobs is well below the number of working age residents (just 25,000 jobs in Adur – around 0.66 jobs for each 16 – 64 year-old resident). Large numbers of working residents in Adur have to commute out to find employment. In Adur's case, Brighton & Hove and, to a lesser extent, Worthing, are major sources of local employment for the District's residents.

Whilst the ES recognises that Adur's economy is improving average wages are still low (5% below the national average) and Gross Value Added (GVA) per worker remains low. Against this background, the long-term commercial sustainability of Shoreham Airport is a key local priority. The Airport is an important focal point for local aviation related businesses and training opportunities (Northbrook College and flying schools) and there are currently around 50 businesses operating at the Airport.

There are significant employment benefits with the development and these would deliver both economic and social benefits that have to be weighed against the harm identified. The lack of employment floorspace is having a severe impact on existing businesses, at the present time there are only two vacant units available across Adur and Worthing and the Head of Place and Economy has a long list of businesses in desperate need to expand and or relocate as they have out grown their existing premises. The initial marketing of the site has shown considerable interest from a number of high profile local employers reflecting the demand for B1 light industrial units and B8 Storage and Distribution uses.

In terms of job creation this would vary depending on the uses that take on the proposed units. The ES includes the following tables that compare the economic impact of either all B1 (option 1) or B8 occupation (Option2). The reality is that there are likely to be all three use classes occupying the units unless a single occupier is found.

| Impacts - Adur | Jobs | GVA | | |
|---|----------------|-------------------------------------|---------------------|--------------------|
| | 100% occupancy | GVA per job – Manufacturing £67,500 | Over Ten Years | Annual Average |
| Gross Impacts | 452 | £30,578,298 | £263,217,988 | £26,321,799 |
| Less 50% Leakage | (226) | (15,289,149) | (£131,608,994) | (£13,160,899) |
| Less 25% displacement | (57) | (3,822,287) | (£32,902,249) | (£3,290,225) |
| TOTAL DIRECT NET | 170 | £11,466,862 | £98,706,746 | £9,870,675 |
| Indirect and Induced Impacts X 0.29 & GVA £55,500 per job | 49 | £2,728,873 | £23,490,139 | £2,349,014 |
| TOTAL NET Impacts | 219 | £14,195,735 | £122,196,884 | £12,219,688 |
| Other Impacts | Jobs | Year 1 | Ten Year | Annual Average |
| Construction Job Years | 525 | n/a | n/a | n/a |
| Business Rate Income | n/a | £682,082 | £5,871,363 | £587,136 |

Table 6-6 Estimated Employment and Economic Impacts – Option 1

| Impacts - Adur | Jobs | GVA | | |
|---|----------------|--------------------------------------|--------------------|-------------------|
| | 100% occupancy | GVA per job – Warehousing at £65,000 | Over Ten Years | Annual Average |
| Gross Impacts | 276 | £18,664,675 | £160,665,525 | £16,066,553 |
| Less 50% Leakage | (138) | (9,332,338) | (£80,332,763) | (£8,033,276) |
| Less 25% displacement | (34) | (2,333,084) | (£20,083,191) | (£2,008,319) |
| TOTAL DIRECT NET | 103 | £6,999,253 | £60,249,572 | £6,024,957 |
| Indirect and Induced Impacts X 0.29 & GVA £55,500 per job | 30 | £1,665,676 | £14,338,137 | £1,433,814 |
| TOTAL NET Impacts | 134 | £8,664,929 | £74,587,709 | £7,458,771 |
| Other Impacts | Jobs | Year 1 | Ten Year | Annual Average |
| Construction Job Years | 525 | n/a | n/a | n/a |
| Business Rate Income | n/a | £682,082 | £5,871,363 | £587,136 |

Table 6-7 Estimated Employment and Economic Impacts – Option 2

Overall the development could generate between 276 and 452 gross jobs created (133 – 219 direct new jobs + indirect/induced jobs). The ES indicates that over a 10 year period this would equate to a between £74.5 m and £122 million. The ES submits that the economic benefits could be higher at a Greater Brighton level largely because of lower levels of leakage over a wider geographical area. It is also submitted that the development would employ over 525 years of temporary construction employment with the total build cost exceeding £31 million.

The proposed development would also help to attract further investment to the other industrial and aviation buildings on the site increasing demand and income to help ensure a thriving and viable airport.

Local Labour Force and Training Opportunities

The applicant recognises that both the construction and the operational phase of the development have the potential to provide some positive education and training impacts to benefit the local area particularly given the lack of employment/training opportunities identified in the District. It would be important to capture these local opportunities at the construction stage through encouraging the use of apprentices and ideally for the developer to use local labour and sourcing of materials this can be secured through a s106 agreement. The scope for apprentice's post construction will be depend on the nature of the jobs created and businesses occupying the units. The applicant has committed to:

- Work with Adur District Council to develop and implement a local employment and skills strategy in line with the CITB's 'Client Based Approach to Developing and Implementing an Employment and Skills Strategy on Construction Projects Through On-Site Training (2012) during the operational phase of the development; and,
- Work with Adur District Council and local learning providers, including Northbrook College and local schools to develop a programme of training and curriculum support activity by occupying businesses, during the operational phase of the development. This could include supporting the work of the Enterprise Adviser Network, delivered through the Coast to Capital Local Enterprise Partnership and actively participating in the work of the Coastal West Sussex Partnership's Enterprise and Skills Group.

Future funding for the Airport

As the Heritage Section of the report highlights the setting of the Grade II* listed terminal and other important heritage benefits rely heavily on the continued operation of the Airport. The historical significance of the Airport and its relationship to other important assets including the Dome trainer a scheduled monument and the many wartime historic and archaeological features are enhanced by the continued operation of the Airport.

The Airport has suffered a lack of investment for some years and the leaseholder had failed to meet its lease obligations to undertake essential repairs to the Terminal building and adjacent municipal hanger. Unfortunately, water penetration, through lack of repair, had caused significant internal damage to this important listed building until urgent repairs were funded.

The Airport is currently in administration and there is considerable concern that the Bank, currently working with the Administrator, will withdraw funding (which has secured investment into the Airport and allowed BCAL to continue airport operations). The investment provided has also ensured further repairs to the listed Terminal building although further works are required. As the Head Major Projects and Investment states Worthing B.C and Brighton and Hove CC the Freehold Owners of

the Airport are currently negotiating a new longer lease to give greater long term security for the Airport.

The applicants have demonstrated that the additional floorspace is essential to deliver a viable commercial development and have demonstrated that this is essential to ensure the long-term viability of the Airport.

The ES argues that the proposed development would help to cross subsidise airport operations. It is essential that further repairs are carried out to the Grade II listed terminal building and hanger building and for these buildings to continue to serve a fully operational airport. As stated previously, the continued function of the airport is important to the setting of the principal building and the setting of the other heritage assets that look across the coastal plain

S106

If Members consider the development can be justified then there would be a need for a legal agreement to secure transport and air quality mitigation contributions.

There would also be a need to vary the original s106 agreement which prevents any development pitside of the terminal buildings. The variation would only allow the current application site area.

Conclusion and Recommendation

This is a controversial proposal given the very prominent nature of the site in both landscape and heritage terms. The applicant has worked closely with Officers and the SDNP to increase the level of mitigation and the Design Code is to be amended to reflect the further comments of the SDNP and your Officers. However, the proposed mitigation would not overcome the harmful impacts of the development on both the landscape and heritage assets. The harm has been identified as 'less than substantial' nevertheless, clear and convincing arguments for justifying this harm have to be demonstrated. The public benefits are economic and social and are compelling given the lack of employment floorspace and the need to improve the economic performance of the District and the Airport itself.

The public benefits are also related to protecting the long term future of the airport. Continued investment into the airport is dependent on the approval of the new commercial floorspace. As the airport directly benefits the setting of its assets and is historically important thus an important material consideration.

On balance, it is recommended that outline planning permission be granted subject to the receipt of an amended Design Code, a s106 agreement securing

necessary development contributions, a variation of the original s52 Agreement, the Secretary of State confirming that he does not wish to call in the application for his determination and the following conditions: -

General

1. The development for which outline planning permission is hereby granted shall be commenced before the expiration of five years from the date of this permission or three years from approval of the last Reserved Matter, whichever is later.
2. The detailed design of the development proposed through Reserved Matters applications pursuant to the outline planning permission shall have regard to, and broadly accord with, the principles set out on the following parameter plans and supporting documents:

| Description | Drawing Number | Date Received |
|-------------|----------------|---------------|
| | | |

3. Details of the Reserved Matters associated with the outline approval shall be submitted to the Local Planning Authority within five years from the date of this permission to include:
 - (i) Scale
 - (ii) Appearance
 - (iii) Layout
 - (iv) Landscaping

Approval of all these Reserved Matters shall be obtained from the Local Planning Authority prior to the commencement of the development.

4. The reserved matters applications, submitted pursuant to Condition 3 above, shall be based upon and be in accordance with the general principles set out in the Design and Access Statement and the Design Code document dated XXX 2018.
5. No development of the pumping station or associated works below mean high water mark approved by this permission shall take place until a scheme for the provision and management of at least 840m² compensatory intertidal habitat creation, in accordance with Flood Risk Assessment (FRA) Addendum ((CEP v1.3, dated December 2017) and drawing ref. 6-301, has been submitted to and agreed in writing by the local planning authority. The scheme shall include:
 - Scaled plans showing the exact areas of intertidal habitat lost and gained
 - Methods for implementing and maintaining the compensatory habitat, including how any environmental risks will be mitigated
 - Timings of the work

Thereafter the development shall be implemented in accordance with the approved scheme.

Pre Commencement

6. No development shall commence until full details of the existing and proposed land levels of the development in relation to Ordnance Datum and to surrounding properties have been submitted to and agreed in writing by the Local Planning Authority.
7. Prior to the commencement of the development, an Ecological Mitigation and Management Plan (EMMP) shall be submitted to and approved in writing by the Local Planning Authority. The EMMP shall incorporate the recommendations of Chapter 11 of the Environmental Statement dated June 2016 and its appendices, and Chapter 11 of the Further Information to the Environmental Statement dated December 2017 and its appendices.
8. Piling or any other foundation designs using penetrative methods associated with the development for which planning permission has been granted shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.
9. No development shall take place 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 addressing (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.
10. No development shall take place unless and until a scheme for the provision of foul and surface water drainage has been submitted to and approved in writing by the Local Planning Authority. This should broadly be in accordance with the Flood Risk Assessment and appendices dated June 2017 and addendum Flood Risk Assessment and appendices dated December 2017.
11. No development above floor plate level shall take place until a schedule of materials has been submitted to and approved in writing by the Local Planning Authority.
12. No development above floor plate level shall take place until a schedule of details of hard and soft landscaping, has been submitted to and approved in writing by the Local Planning Authority.

13. No development above floor plate level shall take place until details of any means of enclosure or boundary treatments, have been submitted to and approved in writing by the Local Planning Authority.
14. Details of any external lighting on site shall be submitted to and approved in writing by the Local Planning Authority prior to installation of any lighting on site. This information shall include a layout plan with beam orientation and schedule of equipment proposed in the design (luminaire type, mounting height, aiming angles and luminaire profiles). The lighting shall be installed, maintained and operated in accordance with the approved details unless the Local Planning Authority gives its written consent or variation.
15. The commercial floorspace hereby approved shall achieve a BREEAM "Very Good" standard as a minimum. Prior to commencement a BREEAM design stage assessment report shall be submitted to the Local Planning Authority confirming that this standard will be achieved. The required BREEAM assessment shall be prepared, and any proposed design changes approved by a licensed BREEAM assessor prior to commencement of the development. A post completion BREEAM report shall be submitted to the Local Planning Authority within 6 months of the substantial completion of the development hereby approved.

Prior to Occupation

16. The commercial floorspace hereby approved shall not be occupied until the A27 access roundabout shown on drawing VN40408_PL-015-J has been completed to the satisfaction of Highways England and West Sussex County Council as local highway authority.
17. *Prior to bringing any part of the floor space into use of the development hereby permitted in conjunction with Conditions 1 or 2, the shared footway improvements on the northern side of the A27 Old Shoreham Road and to the east of Coombes Road shall be provided in accordance with Vectos Drawing No. VD14260-SK-0101 Rev C (GENERAL ARRANGEMENT OPTION A 2.5m FOOTWAY/CYCLEWAY) and HED Drawing No. HED-1172-LA-601 Rev 01 (River Adur to Coombes Road NMU Link — Master Plan and Elevation) and opened for use by the public.*
18. No part of the development shall be first occupied until such time as the vehicular access has been constructed in accordance with the approved plans and details submitted to and approved in writing by the Local Planning Authority.
19. The commercial floorspace hereby permitted shall not be occupied until the approved Pumping Station on the bank of the River Adur has been completed and brought into operation to the satisfaction of the Local Planning Authority.
20. No unit of commercial floorspace shall be occupied until the car parking and covered and secure cycle parking serving that unit have been provided in accordance with plans and details submitted to and approved by the Local Planning Authority.
21. No unit of commercial floorspace shall be occupied until a Travel Plan, which shall include modal shift targets and a programme of implementation,

monitoring and review, has been submitted to an approved in writing by the Local Planning Authority.

22. The proposed footways/footpaths shall be constructed in such a manner as to ensure that each unit, before it is occupied or brought into use, shall be served by a properly consolidated and surfaced footway/footpath between the development and highway.
23. Prior to the first occupation of any unit, a suitable waste storage/collection area shall be provided in accordance with the approved plan/details that shall have been submitted and approved by the Local Planning Authority, that allows for the convenient storage of waste and unrestricted access at all times.
24. No development shall take place until plans showing provision for the loading and unloading of goods and an associated turning area have been submitted to and approved in writing by the Local Planning Authority. These shall be constructed to the satisfaction of the Local Planning Authority prior to the occupation or use of the development. Any provision shall thereafter be retained for such purposes.

Regulatory

25. No more than 25,000 m² of commercial floorspace shall be provided within the site.
26. No goods, plant, machinery or materials shall be deposited or stored, or articles displayed, or processes undertaken, outside any building(s) on the site unless otherwise agreed in writing with the Local Planning Authority.
27. Notwithstanding the Use Classes Order the industrial units hereby approved shall only be occupied as Use Class BI (c), B2 and B8 and for no other Use Class unless otherwise approved in writing with the LPA.

Local Government Act 1972
Background Papers:

As referred to in individual application reports

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Schedule of other matters

1.0 Council Priority

- 1.1 As referred to in individual application reports, the priorities being:-
- to protect front line services
 - to promote a clean, green and sustainable environment
 - to support and improve the local economy
 - to work in partnerships to promote health and wellbeing in our communities
 - to ensure value for money and low Council Tax

2.0 Specific Action Plans

- 2.1 As referred to in individual application reports.

3.0 Sustainability Issues

- 3.1 As referred to in individual application reports.

4.0 Equality Issues

- 4.1 As referred to in individual application reports.

5.0 Community Safety Issues (Section 17)

- 5.1 As referred to in individual application reports.

6.0 Human Rights Issues

- 6.1 Article 8 of the European Convention safeguards respect for family life and home, whilst Article 1 of the First Protocol concerns non-interference with peaceful enjoyment of private property. Both rights are not absolute and interference may be permitted if the need to do so is proportionate, having regard to public interests. The interests of those affected by proposed developments and the relevant considerations which may justify interference with human rights have been considered in the planning assessments contained in individual application reports.

7.0 Reputation

- 7.1 Decisions are required to be made in accordance with the Town & Country Planning Act 1990 and associated legislation and subordinate legislation taking into account Government policy and guidance (and see 6.1 above and 14.1 below).

8.0 Consultations

- 8.1 As referred to in individual application reports, comprising both statutory and non-statutory consultees.

9.0 Risk Assessment

9.1 As referred to in individual application reports.

10.0 Health & Safety Issues

10.1 As referred to in individual application reports.

11.0 Procurement Strategy

11.1 Matter considered and no issues identified.

12.0 Partnership Working

12.1 Matter considered and no issues identified.

13.0 Legal

13.1 Powers and duties contained in the Town and Country Planning Act 1990 (as amended) and associated legislation and statutory instruments.

14.0 Financial implications

14.1 Decisions made (or conditions imposed) which cannot be substantiated or which are otherwise unreasonable having regard to valid planning considerations can result in an award of costs against the Council if the applicant is aggrieved and lodges an appeal. Decisions made which fail to take into account relevant planning considerations or which are partly based on irrelevant considerations can be subject to judicial review in the High Court with resultant costs implications.