



ADUR DISTRICT COUNCIL

22 November 2018

Adur Planning Committee

Date: 3 December 2018

Time: 7:00pm

Venue: Queen Elizabeth II Room, Shoreham Centre, Shoreham-by-Sea

Committee Membership: Councillors Carol Albury (Chairman), Pat Beresford (Vice-Chair), Les Alden, George Barton, Stephen Chipp, Brian Coomber, Lee Cowen, and Robin Monk.

NOTE:

Anyone wishing to speak at this meeting, on a planning application before the Committee, should register by telephone (01903 221006) or e-mail heather.kingston@adur-worthing.gov.uk before noon on Friday 30 November 2018.

Agenda

Part A

1. Substitute Members

Any substitute members should declare their substitution.

2. Declarations of Interest

Members and Officers must declare any disclosable pecuniary interests in relation to any business on the agenda. Declarations should also be made at any stage if such an interest becomes apparent during the meeting.

If in doubt contact the Legal or Democratic Services representative for this meeting. Members and Officers may seek advice upon any relevant interest from the Monitoring Officer prior to the meeting.

3. Confirmation of Minutes

To approve the minutes of the Planning Committee meeting held on 5 November 2018, which have been emailed to Members.

4. Items Raised Under Urgency Provisions

To consider any items the Chairman of the meeting considers to be urgent.

5. Planning Applications

To consider a report by the Director for the Economy, attached as Item 5.

6. Public Question Time

So as to provide the best opportunity for the Committee to provide the public with the fullest answer, questions from the public should be submitted by midday on Thursday 29 November 2018.

Where relevant notice of a question has not been given, the person presiding may either choose to give a response at the meeting or respond by undertaking to provide a written response within three working days.

Questions should be submitted to Democratic Services - democratic.services@adur-worthing.gov.uk

(Note: Public Question Time will last for a maximum of 30 minutes)

Part B - Not for publication - Exempt Information Reports

None.

Recording of this meeting

The Council will be voice recording the meeting, including public question time. The recording will be available on the Council's website as soon as practicable after the meeting. The Council will not be recording any discussions in Part B of the agenda (where the press and public have been excluded).

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| For Democratic Services enquiries relating to this meeting please contact: | For Legal Services enquiries relating to this meeting please contact: |
| Heather Kingston Democratic Services Officer 01903 221006 heather.kingston@adur-worthing.gov.uk | Sally Drury-Smith Lawyer 01903 221086 sally.drury.smith@adur-worthing.gov.uk |

Duration of the Meeting: Four hours after the commencement of the meeting the Chairperson will adjourn the meeting to consider if it wishes to continue. A vote will be taken and a simple majority in favour will be necessary for the meeting to continue.



**ADUR DISTRICT
COUNCIL**

**Planning Committee
3rd December 2018**

**Agenda Item 5
Ward: ALL**

Key Decision: Yes / No

Report by the Director for Economy

Planning Applications

1

**Application Number: AWDM/1688/18 Recommendation – Approve
subject to s106**

Site: Caxton House, Ham Road, Shoreham by Sea

**Proposal: Demolition of existing building (mixed use Office B1 and
general industrial B2) and construction of new building
providing 14 residential units comprising 1 no. 1 bedroom
flat; 12 no. two bedroom and 1 no. three bedroom flats with
undercroft parking. Parking for 5 vehicles and 16 cycles.**

2

Application Number: AWDM/0756/18 Recommendation – Approve

**Site: Land East of 24 to 30 Manor Close, Gardener Street,
Portslade**

**Proposal: Proposed 4no. three bedroom two storey detached dwellings
including new access from Gardener Street and alterations to
public footpath (Former Manor Hall Nursery).**

3

Application Number: AWDM/1590/18 Recommendation – Approve

Site: Land South of 14 Ring Road, Norbury Drive, Lancing

**Proposal: Variation of Conditions 11 and 17 of planning permission
AWDM/1272/15 to use garage at 27 Norbury Drive for parking
and ancillary storage, including change of single side door to
double glazed doors (retrospective)**

4

Application Number: AWDM/1469/18

Recommendation – Approve

Site: 19 Southwick Square, Southwick

Proposal: Change of Use from mixed use A1/A3 to A3 (cafe/restaurant) including installation of vent to rear of property.

Application Number: AWDM/1688/18

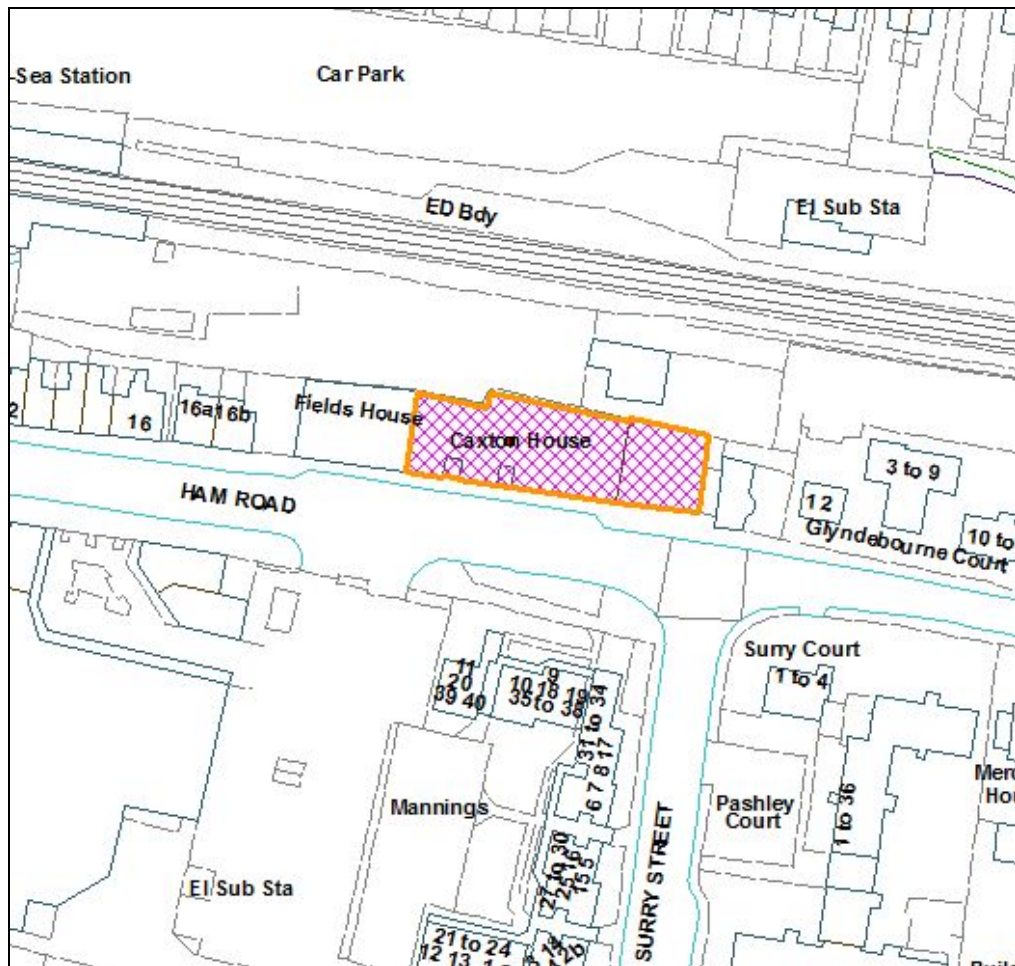
Recommendation – Approve
subject to s106

Site: Caxton House, Ham Road, Shoreham-By-Sea

Proposal: Demolition of existing building (mixed use Office B1 and general industrial B2) and construction of new building providing 14 residential units comprising 1 no. 1 bedroom flat; 12 no. two bedroom and 1 no. three bedroom flats with undercroft parking. Parking for 5 vehicles and 16 cycles.

Applicant: Mr Gary Cottle
Case Officer: Peter Barnett

Ward: St Mary's



Not to Scale

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Site and Surroundings

Caxton House comprises the eastern part of a larger, Victorian (1875) former school building and its own allied side yard in Shoreham town centre in a mixed commercial and residential area, close to the railway station, on the north side of Ham Road, within the Shoreham Conservation Area.

Field House (17 Ham Rd) comprises the western part of the old school building. Previously a second hand furniture business, tool hire shop and flat, planning permission was granted in 2015 under AWDM/0983/15 to alter, extend and convert the building to form 4 flats (1x one bed; 3 x two bed) and demolish some later additions to construct a new pair of semi-detached 3 bedroom houses in its western side yard.

To the west of Field House is an attractive short terrace of Victorian two storey cottages.

At the rear (north) is open land – a former goods yard to the adjacent railway – which sits on appreciably higher ground. The part of the former goods yard adjacent to the site is vacant and overgrown and is accessed from the east, adjacent to the former council car park but the gate is now locked. This land accommodates one building and has a history of open storage. Reportedly, it is owned by British Rail and was last used for a scaffolding business (under SU/98/05/TP/21906 Continued Use For Scaffolding And Board Storage And Retention Of Racking (Renewal Of SU/76/02) granted in 2005 for 5 year period with restrictions on use to 7am to 6pm M-F and 7am to 1pm Saturday) but this has lapsed and the site has been vacant in recent times.

Opposite the site is a late twentieth century shopping development anchored by The Co-Op and with large car park and similar period 4 storey residential block of flats.

To the east is the detached, Old School House, formerly part of the school site but long separated and in use as a community centre (Adur Voluntary Action) , a D1 use. This is an attractive two storey, period building, abutting the pavement, and notable for its eastern side turret. It sits off the common boundary by some 3 metres. Beyond this are flats.

Background and Proposal

Permission was granted in 2017 for the Change of Use of Office B1 and general industrial B2 to 14 residential units comprising 1 no. studio; 2 no. one bedroom; 10 no. two bedroom and 1 no. three bedroom flats, including alterations and extension to the existing building and demolition of garage area and erection of new structure to accommodate residential units (AWDM/1267/16). That permission involved selective demolition but would have seen the retention of the gothic gable at the eastern end of the building with its attractive flint and brick facing.

Permission was subsequently granted earlier this year (AWDM/0699/18) for minor material amendments to the design, predominantly consisting of changes to the size and position of windows at rear, the formation of a new rear balcony, the introduction of concrete panels to part of the rear elevation and the introduction of mezzanine floors in the rear extension. The amendments also included the reconfiguration of the internal layout to provide 14 flats across three floors comprising 1 x 1 bed flat, 12 x 2 bed flats and 1 x 3 bed flat. They are all market housing.

Work has commenced on the demolition of those parts of the building previously agreed but it has been found that the front gable shown as being retained is not stable and that many of the internal walls previously assumed to be solid structures are in fact poorly constructed cavity walls. The applicant's structural engineer, construction consultant and health and safety advisor have advised that the front portion of the building is structurally unstable and is in danger of collapse and it will not be possible to guarantee the stability of the areas originally proposed for retention.

The structural engineer has advised that the existing walls will not be able to provide a reasonable degree of load-bearing capacity without a high level of risk and complex underpinning.

The health and safety advisor has considered the risk to the contractors working on the site and to passers-by. He has recommended that the building is demolished due to the risks of working on the existing structure.

The application therefore proposes to demolish all of the existing building and the construction of a replacement to replicate the form, bulk, massing and layout of the previous permission AWDM/0699/18. Existing materials will be salvaged and re-used as extensively as possible.

The application is supported by a Planning, Heritage and Design & Access Statement, a letter from the architects, a report from the applicant's health and safety adviser, a letter from the construction consultant and a report from the structural engineer.

Relevant Planning History

As outlined above.

Consultations

West Sussex County Council: To be reported

Adur & Worthing Councils: The **Conservation Architect** comments as follows:

"In regard to the first point, whether the building needs to be demolished, the applicant has submitted supporting information regarding demolition, and the Council's Building Control Manager has had a surveyor look at the building and reports it needs to be

supported following the removal of the roof covering. In the circumstances this part seems to be a planning consideration rather than a heritage one.

The applicant has informed us that they have thoroughly surveyed the brick and flint elevations using laser scans, backed up with a detailed photographic survey. These survey items should form part of the demolition application in my opinion. Due to the extensive demolition currently proposed compared to the smaller area that would require rebuilding in brick and flint work, the reuse of existing salvaged materials would certainly be feasible. The mortar mixes and the pointing finishes would need to be carefully controlled, and this could be achieved by the conditioning of sample panels, constructed on site and approved prior to complete demolition. Some of the aged patina of the materials will therefore be transferred to the new building and will be visible along the street elevation, and this will help to distract from the new nature of the build. On balance this should preserve the character of the Conservation Area.”

The **Adur Policy Manager** comments that, following the adoption of the Local Plan this application should be considered against the relevant Development Plan policies. The application should meet the requirement for 30% affordable housing and a justification for the loss of employment floorspace should be submitted. However, it is recognized that there is an extant permission and this has to be balanced against the new policy context (including the revised NPPF).

Environment Agency: To be reported

Southern Water Services: To be reported

Adur District Conservation Advisory Group: To be reported

Network Rail: To be reported

Representations

To be reported. The neighbour consultation period expires on the 30th November 2018.

Relevant Planning Policies and Guidance

Adur Local Plan 2017 Policies 1, 2, 3, 4, 11, 15, 16, 17, 18, 19, 20, 21, 25, 28, 34, 35
'Supplementary Planning Guidance' comprising: Development Management Standard No.1 'Space Around New Dwellings and Flats'
Shoreham by Sea Conservation Area Character Appraisal & Management Strategy (ADC 2008)
Planning Contributions for Infrastructure Provision (ADC 2013)
Proposed Submission Shoreham Harbour Joint Area Action Plan May 2018
West Sussex Parking Standards and Transport Contributions Methodology (WSCC 2003)

West Sussex 'Guidance for Parking in New Residential Developments' and 'Residential Parking Demand Calculator' (WSCC 2010)
National Planning Policy Framework (July 2018)
Technical Housing Standards – nationally described space standard (DCLG 2015)

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; and
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.

Planning Assessment

At the time the original application was considered, the Adur Local Plan had not been adopted and its policies did not have as much weight as now. As this is a new application, rather than an amendment to an existing permission, it would usually fall to be considered in the context of the adopted Plan and the NPPF 2018.

However, in this case, the existing extant permission is a material planning consideration. It has already established the principle of the loss of the former commercial use of the site and its redevelopment for residential purposes.

The applicant's Design and Access Statement makes the following assertion:

“Both of the previous permissions permitted the demolition of the former utilitarian extension to the east of the building and its replacement with a new part two storey/part three storey side extension, and the restoration of the eastern front gable (where a flat roofed extension had been added), along with substantial extensions and alterations to the rear of the building. As these elements have also been considered acceptable and have been subject of an extant planning permission, the principle of this extent of demolition and extension remains acceptable and complies with the adopted Development Plan.”

It goes on to state:

“In the course of structural investigation of the site in preparation for the permitted conversion and extension works, the front façade of the building was found to be severely unstable, and many of the internal walls of poor construction with inadequate foundations. As such, the building is at risk of collapse and consideration needs to be given to delivering the 14 units permitted in a different way, as conversion is no longer the preferred option.”

With this background in mind, it is necessary to reconsider the main considerations associated with this development below.

Principle of loss of business and provision of new residential development

The existing permission approves the loss of the business use of the premises. It is not a site allocated for business use in the Local Plan and therefore falls to be considered under Policy 25 which seeks to protect existing employment sites unless “*it can be satisfactorily demonstrated that the site or premises is/are genuinely redundant and that no effective demand exists or is likely to exist in the future to use the land or buildings for B class use.*”

The Council has recently prepared a draft supplementary planning document for consultation: “Demonstrating Genuine Redundancy of Employment Sites in Adur” but it currently has little weight. Nevertheless, the previous arguments for the loss of business use at this site need to be repeated here.

The Officer’s report for AWDM/1267/16 acknowledged that no marketing had been undertaken and, at that time, the building was occupied by Service Publications Ltd. The case for the loss of business use centred on the poor condition of the building with a layout, construction and design unsuited to modern business needs. The cost of repairing the building, let alone upgrading and repairing, would be prohibitive. The redevelopment of the site was seen as being critical to realising the business’s aspiration to relocate locally (it is understood that they have since found new premises in Burgess Hill).

At the time of the 2016 application it was concluded that the premises had very limited employment use prospects while the provision of 14 residential units in a highly sustainable location was seen as a benefit and, on balance, it was supported.

There is not considered to be any reason to reach a different conclusion, in principle, this time.

Affordable Housing

Policy 21 of the Local Plan states that on development sites of 11 dwellings or more (gross) a target of 30% affordable housing will be sought. The current proposal is for 14 units and, normally, 4 affordable units would be expected to be provided with this development. However, there is an existing permission on the site which did not seek any affordable housing because at the time it fell below the then threshold of 15 units, as specified in the previous Adur District Local Plan 1996. Arguably that permission has been implemented through the demolition of parts of the building and this fresh application has only been requested because it has been found that the building cannot be safely retained and converted. The extant permission is therefore a material consideration in the determination of this application.

The scheme finances are based on the approved scheme and the applicants have stated that the provision of affordable housing either on-site or via a contribution towards off-site provision is not viable, particularly given the increased costs arising from the delay to the development caused by the discovery of the structural instability of the building and the need to submit a fresh application with corresponding fee. There is also a requirement to pay £42,899 of contributions towards education, libraries and fire and rescue service.

The applicant's agent has expanded on this argument in a supplementary report in support of their case that no affordable housing should be required to be provided. He states that:

“requiring the applicant to provide affordable housing on site or a financial contribution to off-site provision will negatively affect the scheme viability. The Applicant purchased the site in good faith, with the expectation that the approved scheme would be delivered. The financing for the development was calculated and secured on the basis of those parts of the structure previously proposed to be retained being stable and structurally sound and the building capable of conversion as permitted.

The timescale for completion of the approved scheme was a factor in assessing the financing of the development, including loan repayments and cashflow. The delays caused by the structural issues discovered on site have already caused the completion date to be pushed back, reducing the scheme viability.

The structural issues discovered at the site will add to the development costs, in comparison to the permitted scheme of extension, alteration and conversion. The demolition/rebuild involves a greater amount of work and entails extensive materials reclamation, which adds further time to the process.

Although the applicant has explored the possibility of stabilising the building to implement the permitted scheme, this option has been discounted due to the safety implications, as well as the cost of works to stabilise the areas of the building which were previously shown for retention.

The cost of carrying out works to stabilise the building to allow the approved scheme to be delivered, coupled with the cost of on-going delays, will jeopardise the ability to deliver the scheme at all, and risks the site lying vacant while funds are raised to allow works to continue, or while a buyer prepared to take on this complex site is found.”

This is a difficult policy issue but it is considered that there are exceptional circumstances in this case to justify no provision of affordable housing within the development.

Impact on character and appearance of Conservation Area

The building is not listed but it is an historic building within the Conservation Area and can be treated as a heritage asset. The NPPF requires proposals affecting heritage assets and their setting to take account of:

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

Paragraph 195 states:

“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 total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a) the nature of the heritage asset prevents all reasonable uses of the site; and
- b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
- d) the harm or loss is outweighed by the benefit of bringing the site back into use.”

Paragraph 196 states that:

“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.”

Paragraph 200 states:

“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 the asset (or which better reveal its significance) should be treated favourably.”

Paragraph 201 states:

“Not all elements of a Conservation Area or World Heritage Site will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage

Site should be treated either as substantial harm under paragraph 195 or less than substantial harm under paragraph 196, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole.”

Permission has already been granted for selective demolition of the unsympathetic elements of the building. The approved alterations to the front were considered to be sympathetic to the period architecture including a new extension on the eastern end with a new gable to reflect the existing gothic gable. It was considered to preserve the appearance and character of the building as a heritage asset and the Conservation Area.

The current proposal is to demolish the entire building but to rebuild it to the same design as approved. Existing materials are to be re-used with flintwork replicating the existing flint panels. A condition can secure the construction of a sample panel on site to ensure that the quality of the flintwork and mortar mix matches that which exists. Brick work will also be re-used where possible or else a matching replacement brick will be used. Roof tiles cannot be salvaged due to their condition but the applicant intends to use a matching clay tile to that recently used at the adjoining Field House.

In support of the application, the D&A Statement states:

“In this case, the demolition is considered to amount to ‘less than substantial harm’ to the Conservation Area given that it is only a small part of the overall Conservation Area, and is on the periphery of the Conservation Area, away from the historic core of the town and opposite a number of unsympathetic buildings which are outside of the Conservation Area.

Most importantly, the scale of the harm is reduced to a virtually neutral effect by way of the replication of the permitted scheme in the redevelopment.

The public benefit of this development is the delivery of housing which is already a commitment in the Council’s housing trajectory. If these units were not delivered, an additional 14 dwellings would need to come forward elsewhere, and sites in Adur District are in very limited supply given the constraints provided by the SNDP to the north and the English Channel to the south. The benefit of delivering 14 dwellings here therefore clearly and demonstrably outweighs the virtually neutral impact on the heritage asset and is acceptable in accordance with paragraph 196 of the NPPF.

The proposal to replicate the building as permitted is a pragmatic response to the need to conserve and enhance the character and appearance of the Conservation Area, while delivering new housing to meet local need in a viable and safe way.”

The Council’s Conservation Architect considers that the building could be successfully reconstructed in brick and flint work, re-using salvaged materials. In this way, some of the aged patina of the materials will therefore be transferred to the new building and will be visible along the street elevation which will help to distract from the new nature

of the build. He considers that, on balance, this approach should preserve the character of the conservation area.

The rear of the building is a less sensitive elevation, only visible from the railway, and this elevation was already much altered by unsympathetic twentieth century additions. The proposed design includes a number of flat roofed elements, rear balconies and the introduction of concrete panels to part of the rear elevation in lieu of brick. The concrete panels contrast with the existing brick and provide a mix of 'old and new' materials which are considered to be acceptable in this location facing the railway line.

Residential amenity

The site is well separated from any existing residential dwellings (nearest flats are across the road) while to the rear the nearest dwellings in Gordon Road are separated by the railway line and station car park at a distance of over 70m.

The new flats would be exposed to noise from the railway; potential resumption of business use in the yard to the rear and activity in Ham Road but this may be addressed by noise insulation as previously requested by the Environmental Health Officer and secured by condition.

Internally they meet the nationally prescribed housing standards and have private amenity areas by way of patios, balconies or roof terraces. Overlooking between roof terraces/balconies/windows is to be safeguarded by privacy screens, secured by condition.

Construction/demolition arrangements and times permissible and dust emissions may be controlled by condition to protect neighbour amenity.

Accessibility and parking

The site is situated in a highly sustainable and accessible town centre location close to excellent public transport, shops and facilities.

The Highway Authority has previously accepted the parking and access arrangements and has no new comments to make on these amendments.

Development contributions

The approved application included a s106 Agreement to secure financial contributions towards education, libraries and the fire service. A Deed of Variation was subsequently agreed to ensure that the original legal Agreement was linked to the minor material amendment application. A further legal agreement will be required with this application.

Recommendation

On balance, subject to completion of a satisfactory section 106 Obligation undertaking to pay £42,899 of contributions comprising £16,119 towards primary education, £17,348 towards secondary education, £4,064 towards 6th form education, £4,963 towards libraries and £405 towards fire and rescue.

APPROVE:-

Subject to Conditions:-

1. Approved Plans
2. Implement within 3 years
3. Control architectural details, including sample panel to show mortar and pointing mix, communal arials facing materials & control meters, flues and cables and hard landscaping
4. No new windows in flank elevation of upper floors of new houses & Obscure glaze upper floors west flank window of western new house.
5. Provide flank privacy screening to rear terrace of unit 7 and details of boundary treatment/balconies/roof terraces screening generally.
6. Provide gardens, balconies and terraces prior to occupation.
7. Noise mitigation to be agreed and implemented prior to occupation to meet the recommended standards set out in table 4 of BS 8233:2014 and the night time LAmax level recommended in the WHO's Night Noise Guidelines for Europe (2009). Where, windows need to remain closed to meet this criteria Whole house ventilation is considered to ensure thermal comfort can be managed inside the dwellings during the summer months. The party wall be designed to achieve a minimum airborne sound insulation value of 48dB (DnTw+Ctr dB).
8. Construction and Demolition Method Statement to control construction/demolition arrangements and times permissible and dust emissions
9. Land contamination
10. Provide car parking, cycle storage and storage for domestic waste /recycling.
11. Reconfiguration of parking bays in Ham Road

Application Number: AWDM/0756/18

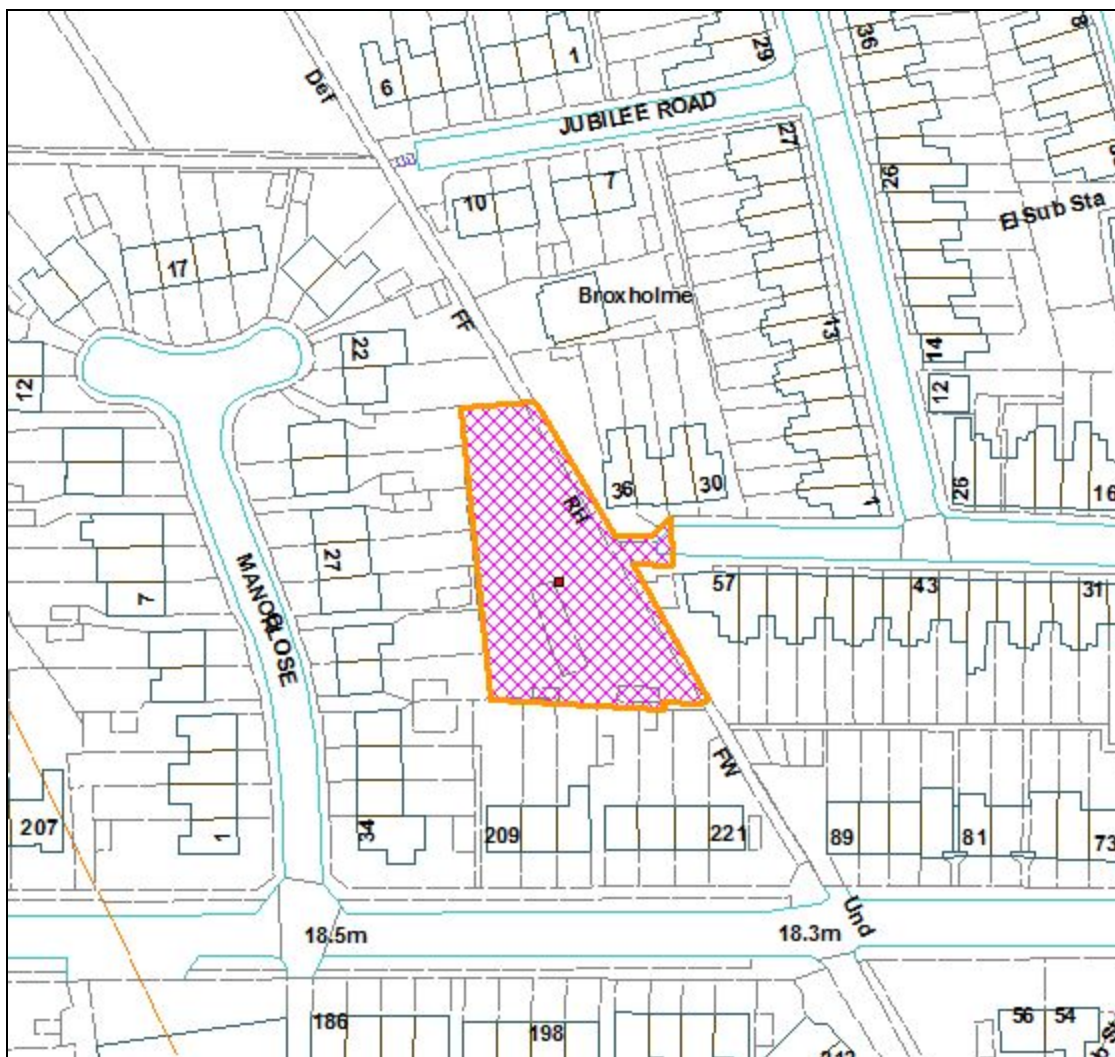
Recommendation – APPROVE

Site: Land East Of 24 To 30 Manor Close, Gardener Street, Portslade

Proposal: Proposed 4no. three bedroom two storey detached dwellings including new access from Gardener Street and alterations to public footpath (Former Manor Hall Nursery).

Applicant: Mr Andrew Maxwell
Case Officer: Peter Barnett

Ward: Eastbrook



Not to Scale

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Proposal, Site and Surroundings

The site is a triangular shaped parcel of land which is a former nursery (now overgrown and disused) to the rear of houses located at Manor Hall Road to the south, Manor Close to the west and north and adjacent to a public footpath which runs along the boundary with Brighton and Hove to the east. The surrounding area is predominantly residential and there is currently no vehicular access to the site.

The application proposes to erect 4no. detached two storey houses, each with three bedrooms. Three of the houses will be at the southern end of the site, which is wider than the northern end, and they will be in a staggered line. The fourth dwelling will be located at the northern end of the site. Each house will have two parking spaces.

Vehicular access is proposed to be created from Gardener Street to the east of the site, within Brighton and Hove. Gardener Street is at a significantly lower level than the site and is currently a cul de sac. There are steps leading up to the footpath and the proposal will involve re-grading the existing footpath and extending the road up and across the footpath into the site.

Relevant Planning History

SW/85/05/TP - 6 flats & one house with 9 parking spaces & turning area accessed off Gardener Street (Outline with Siting & Access Details) – refused for the following reasons:

1. The proposed access is inadequate to serve the proposed development by reason of its inadequate width and lack of suitable provision for pedestrians using the existing public right of way, and would lead to detriment to highway safety contrary to policies AT12 of the Adur District Local Plan and DEV4 of the West Sussex Structure Plan
2. The proposed block of flats, by reason of its size combined with the difference in ground levels, would be overbearing and detrimental to the residential amenities of the adjoining property to the east, thereby conflicting with policies AH2 of the Adur District Local Plan and DEV1 of the West Sussex Structure Plan.

Consultations

West Sussex County Council: The **Highways** Officer has made the following comments:

The site straddles the West Sussex/Brighton and Hove boundary. As a result, the internal arrangement (the dwellings, with associated parking and turning) and the public right of way 14So are entirely within West Sussex. Vehicular access is via Gardener Street which is within B&H. The vehicular access and proposed raised table is partly within both authorities. The majority of the access would though appear to be

in B&H. It's suggested that the views of B&H should take precedence in respects of the design.

For the purposes of this response, WSCC Highways can comment only on those aspects within the County boundary. The Local Planning Authority should consult separately Brighton and Hove (for highway matters) and the WSCC Rights of Way team (regarding the changes to the public right of way).

The application is supported by way of a transport report. This considers the anticipated highways and transport issues associated with the development.

With regards to the vehicular access, notwithstanding the above comments, the proposed speed hump would seemingly serve little purpose (it would also potential constitute a traffic calming feature and require advertising under the Road Hump Regulations) given the likely flow and speed of traffic. It's considered that this feature would be altered so as to create more of a ramp onto the shared surface rather than simply an isolated, singular feature. Inter-visibility between vehicles exiting the site and pedestrians using the public right of way would also need to be considered. This could simply involve the remove of the close board fence on the immediate approaches to the access.

In terms of the internal layout, the number of parking spaces has been designed to accord with the WSCC Parking Demand Calculator. No outputs from the PDC appear to be included in the application. It's recommended that these are forwarded and included as part of the application.

The layout incorporates a turning head. Gardener Road presently does not have such a facility. No indication is however given as to whether the turning head would be offered for adoption or retained privately. If the layout is kept private (which is assumed to be the case based upon the design of the proposed scheme), then turning head would have limited public benefit. Nevertheless, the swept path provided is for a 8.75 metre long refuse vehicle. Confirmation should be sought from B&H that this reflects the vehicle actually used. There is also the concern that the turning head may attract parking. Measures would be required to ensure this safeguarded for its intended purpose.

The **Public Rights of Way** Officer has made the following comments:

The existence of a Public Right of Way (PROW) is a material consideration. Should planning consent be granted, the impact of development upon the public use, enjoyment and amenity of the PROW must be considered by the planning authority.

Public Footpath 14So is recorded in West Sussex immediately adjacent to the boundary with Brighton & Hove City Council. This path runs within the applicant's site and, according to drawing 1216/02, is allowed for on its legally recorded alignment. Subject to the applicant not reducing the width from that currently available, it will not, therefore, be necessary to divert the footpath.

It is not clear exactly what works are intended to the footpath surface. The design and Access Statement refers to gradients being changed; this is detailed in the Transport Report, Appendix 5, which indicates gradients of 3% and 5% either side of the site access road. Appendix 5 also indicates tactile paving to be introduced to the path surface. The applicant must submit, to West Sussex County Council (WSSCC) as the highway authority, a drawing of all works intended to be undertaken on the footpath, including a specification of materials. No works to the footpath are permitted until consent is granted by WSSCC, which is in addition to any consent by the planning authority.

Additionally, drawing 1216/02 suggests a handrail is to be installed immediately adjacent to the western side of the footpath (one of the labels incorrectly, I believe, suggests a handrail to be within the path width). A drawing/ specification of this handrail should be submitted also to WSSCC.

Should the planning authority grant its consent for the proposal, the applicant should note the following in addition to the above:

1. Safe and convenient public access is to be available at all times across the full width of the PROW. Where it is necessary to undertake works within the legal width of a PROW, e.g. install utilities, the applicant must apply to WSSCC PROW Team for a temporary path closure. The applicant must be advised there is no guarantee an application will be approved and that a minimum of 8 weeks' is needed to consider an application.
2. Where the ground levels adjacent to the PROW are to be raised above existing ground levels, this could increase the potential to flood the path. A suitable drainage system must be installed adjacent to the path to a specification agreed with the WSSCC PROW Team prior to development commencing.
3. Any down pipes or soakaways associated with the development should discharge into an existing or new drainage system and away from the surface of the PROW. No drainage system is to be installed through the surface of the path without the prior consent of the WSSCC PROW Team.

The **Ecologist** comments that a Preliminary Ecological Appraisal (PEA) has been undertaken and a phase 2 reptile survey has been completed as recommended and a low population of slow worms has been recorded. The mitigation proposed includes translocation of the reptiles to a currently unknown location. Both the PEA and Reptile survey have undertaken following best practice guidelines. The PEA makes a number of recommendations for ecological enhancement.

There is no record of how the recommendations made in the ecological report will be taken forward and, as it stands, the development would result in loss of wildlife value at the site level. The lack of a reptile receptor site is an issue but not insurmountable. Accordingly, I recommend that minor pre-commencement conditions are sought seeking biodiversity improvements and a secured reptile receptor site.

Recommended conditions:

Ecological enhancement

Prior to the commencement of development or any preparatory works, an ecological enhancement scheme shall be submitted to the LPA for approval and will be based on the recommendations within the supporting Preliminary Ecological Appraisal. All approved details shall then be implemented in full and in accordance with the agreed timings and details.

Reptiles

Prior to the commencement of works on-site a suitable receptor site for slow worms will be secured and prepared. Evidence of its existence and state of readiness will be provided to the LPA and in accordance with the recommendations arising out of the Reptile Survey 2018. Following best practice guidelines, reptiles will be trapped and translocated from the development site under the supervision of a suitably experienced consultant ecologist. Receptor site treatment and all timings of works pertaining to the reptile mitigation shall be undertaken only in strict accordance with Reptile Mitigation Method Statement. A completion report shall be submitted to the LPA for approval.

Adur & Worthing Councils: The **Environmental Health** Officer advises that, given the size of the build and the proximity to the other property a construction management plan is required. This should cover, among other things, dust control, noise, deliveries, material storage, waste removal etc; during the construction phase of the development.

The **Waste Services** Officer comments that the developer is proposing that Brighton and Hove City Council make the collections from this address. Do we have confirmation that this is the case? I would like to know if there is a contractual obligation on their part and whether we would need to make some kind of recompense payment? It does seem to be a sensible approach so that we are not required to make a journey out of district just to service the bins, but I think it would need to be properly and legally binding so that our duty to collect waste is satisfied.

The **Engineer** advises that the site lies in flood zone 1 is unaffected by predicted surface water flooding and has no history of flooding.

The application states that the estate roads and parking areas will be block paved. This should be permeable, with a suitable drainage mattress beneath. The roof drainage is to be directed to soakaways.

Therefore the applicant needs to assess if the use of soakaways is viable on this site. The proposed location for the soakaways for the roofs and the roads / hardstanding's will need to be more than 5m from existing or new structures, and there will need to be a soakage test undertaken at that location to ascertain if a soakaway will adequately empty. There appears from the drawings to be sufficient area to adequately site soakaways.

Therefore in this instance the only comments we wish to make at this time relates to the disposal of the surface water.

In the absence of any ground investigation details or detailed drainage details in support of the application although the applicant appears to have indicated his intention to utilize soakaways we request that should approval for this new build be granted it be conditional such that 'no development approved by this permission shall commence until full details for the disposal of surface water has been approved by the Planning Authority'

Soakage tests in accordance with DG 365 (2016) would be required to be undertaken on the proposed site to provide the data to ascertain the size of the soakaway required for the impermeable areas.

Full design calculations should be provided for the soakaway soakage test result, and the ensuing soakaway and permeable paving designs, along with the rainfall calculations with the additional rainfall quantities appropriate for climate changes, as required under planning policy.

The **Planning Policy** Officer advises that the site lies within the defined Built Up Area Boundary where there is a presumption in favour of development.

The Adur Local Plan 2017 Policy 12: Southwick and Fishersgate requires proposed development to accord with the "Former Eastbrook Allotments Development Brief."

The Development Brief includes three sites and identifies potential alternative uses/development opportunities for each. For the Manor Hall Nursery site, it acknowledges that appropriate uses are limited as there is no vehicular access and proposes open space or a small scale community use. It did not preclude the suitability of the site for residential use.

The Adur Strategic Housing Land Availability Assessment has assessed the suitability of this site for residential development and concluded:

"it is considered that the site is suitable for residential development providing that a satisfactory access can be agreed with Brighton & Hove City Council and the conflict with users of the public footpath is overcome to the satisfaction of West Sussex County Council."

Although the proposed development is not strictly in accordance with the Development Brief, subject to the provision of a satisfactory vehicular access, the site is considered suitable for residential development and there is no policy objection to this application.

Brighton and Hove City Council (Highway Authority): Comments as follows:

Pedestrian and Vehicle Access

Access to the site is proposed via Gardener Street within Brighton & Hove. This would be extended into the site to serve proposed parking bays and create a turning head.

This would cross a Public Right of Way (PRoW) which runs north-south along the Brighton & Hove and Adur & Worthing boundary. However, it is within West Sussex and West Sussex County Council's (WSCC) PRoW team have provided a response to the application.

The applicant is proposing to lower the PRoW and create a crossing with tactile paving. Speed humps are also proposed to assist in lowering vehicle speeds on the approach to the footpath. There does however appear to be inconsistency between the submitted plans with Appendix 5 showing this as a single raised table level with the footway.

The design of any changes to the PRoW would need to be agreed with WSCC's PRoW team who it is noted have requested further details. However, the following observations are made by BHCC:

- As WSCC have pointed out, the proposal shown to locate speed humps on the public highway would require separate advertisement and permission. These are not considered necessary if the PRoW crossing is treated in such a way as to lower vehicle speeds.
- The footpath would have revised gradients of 1:30 (3%) on the southern side and 1:20 (5%) on the northern side whereas the footway from Gardener Street would have a gradient of 1:14 (7%). The applicant has clarified that this would be over a length of 13.5m which is greater than recommended in the Department for Transport's Inclusive Mobility. However, in this case it is recognised that the PRoW can currently only be accessed by a flight of steps and the creation of a ramp should therefore result in an overall improvement to accessibility.
- The PRoW is obscured from Gardener Street by vegetation and fencing on the northern and southern sides of Gardener Street. That to the south is within the applicant's ownership and could therefore be removed to address this issue. However, the fencing to the north is not and it is unclear how the applicant could provide adequate visibility for and of pedestrians using the PRoW. It is recommended that details of these works and their implementation be secured by condition.

The applicant has clarified that a segregated footway will be provided alongside the carriageway to connect with the PRoW. The proposed width of 1.5m is less than what the Highway Authority would typically seek; however, in this case it is recognised that it continues the existing footway on Gardener Street. Therefore, refusal on these grounds is not considered appropriate in this instance.

In order to provide inclusive access to the development, BHCC would prefer to see this footway extend into the site which there appears to be scope to do. However, this is not within the highway boundary or indeed within BHCC's boundary. Therefore, the design of this section should be subject to comments provided by WSCC.

The Transport Report indicates that the extended footway adjacent to number 57 would be offered for adoption by BHCC. This would be subject to further discussion should a satisfactory detailed design be achieved. However, the remainder of the site is not within Brighton & Hove and would not be adopted by BHCC.

Were the Local Planning Authority minded to approve the application, the Highway Authority would recommend that appropriate conditions are added to secure full details of the proposed highway design. It will also be necessary for this to include a scheme for the introduction of double yellow lines to ensure access to the site, including for refuse vehicles, is not obstructed (see servicing comments below). The double yellow lines would cover the western end of Gardener Street only where the site access is proposed.

Car Parking

Two car parking bays are provided for each of the proposed properties. It is noted that this is above the SPD14 maximum standard; however, it is not considered that it would result in a severe impact or warrant refusal under the NPPF in this instance. It is also noted that the site is within WSCC who have raised no objection on these grounds in their comments.

Any overspill parking demand would be on to streets for which BHCC is the Highway Authority. This area currently experiences high demand; however, it is considered that provision within the site will cater for expected additional demand and again not warrant refusal on these grounds. However, as noted in the delivery and servicing comments below, parking restrictions will be necessary to maintain access into the site.

Cycle Parking

The applicant is proposing sheds for each dwelling which would provide adequate cycle storage and meet the minimum required by SPD14. In the event that consent is granted, it is recommended that this be secured by condition.

Deliveries and Servicing

The applicant has submitted a vehicle swept path showing a refuse vehicle turning within the site. This appears to be constrained and would not be suitable were larger vehicles than 8.75m used. However, the applicant has stated that they have received confirmation that refuse will be collected by BHCC rather than Adur & Worthing and that this is the largest vehicle that would be used. It is recommended that this be clarified prior to determination.

Should this be acceptable, it is recommended that the proposed highway works include parking restrictions in the immediate vicinity of the proposed access. This

could be secured through a highway works condition in the event that approval is granted; however, as noted above, the Highway Authority would recommend that a plan be provided prior to determination.

Trip Generation

It is not considered that the development would lead to a significant uplift in trip generation over the permitted use or be of a level which could be deemed to amount to a severe impact in this instance. Therefore, refusal on these grounds would not be considered to be warranted under the NPPF.

The proposed development would provide the benefit of level access to the PRoW from Gardener Street and no further contribution would be requested in this instance.

Recommendation:

The Highway Authority recommends that a revised highway works plan showing double yellow lines in the immediate vicinity of the site access be submitted prior to determination.

It is recommended that, should consent be granted, the following conditions be attached:

Boundary Works

Prior to commencement of the development hereby permitted, a scheme to lower the fence and planting to the north east of the site and bounding number 36/36A Gardener Street shall have been submitted to and agreed in writing by the Local Planning Authority. The scheme shall include layout plans, elevations, visibility splays and evidence of the agreement with landowners. The agreed scheme shall be implemented in full prior to commencement of development.

Reason: To ensure that safe and unobstructed access is provided to and from the development and for passing pedestrians, and to comply with policies TR7 of the Brighton & Hove Local Plan and CP9 of the City Plan Part One. The pre-commencement condition is requested as the measures are essential to providing safe access to the site and the works will need to be agreed and implemented before construction can take place.

Off-site Highway Works

Prior to first occupation of the development hereby permitted, the proposed highway works to provide access to the site shall have been implemented. In addition, double yellow line restrictions at the end of the existing cul-de-sac on Gardener Street, to allow refuse vehicles to access the site unimpeded, shall have been installed.

Reason: To ensure that safe and unobstructed access is provided to and from the development, including for refuse vehicles, and to comply with policies TR7 of the Brighton & Hove Local Plan and CP9 of the City Plan Part One.

Off-site Highway Works Informative

The applicant is advised to contact the Council's Streetworks team (permit.admin@brightonhove.gov.uk 01273 290729) for necessary highway approval from the Highway Authority prior to any works commencing on the adopted highway to satisfy the requirements of condition XX. The applicant will be responsible for all costs including the cost of preparing and advertising the Traffic Regulation Order for the double yellow lines.

Cycle Parking Implementation

The development hereby permitted shall not be occupied until the cycle parking facilities shown on the approved plans have been fully implemented and made available for use. The cycle parking facilities shall thereafter be retained for use by the occupants of, and visitors to, the development at all times.

Reason: To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than private motor vehicles and to comply with policy CP9 of the City Plan Part One.

Southern Water: Requests informatives relating to sewer connections

Representations

Original Plans:

24 objections received from the occupiers of 215, 221 Manor Hall Road, 23, 25 Manor Close 11, 16, 18, 21, 23, 27, 32, 36, 41, 51 (2 letters), 55 Gardener Street, 17, 21, 25, 31 Wolseley Road plus 3 unspecified addresses:

- Increased traffic and parking demand from overspill parking
- Gardener Street is heavily parked on both sides, unsuitable for construction or emergency vehicles
- Could cause subsidence
- Highway safety risk
- Risk to children who currently play in the street as it is a cul-de-sac
- Increased pollution, dust and noise
- Adverse impact on existing residents, community and local environment
- Footpath is a safe route from Old Shoreham Road to Manor Hall Road
- Construction work introduces a risk to pedestrians using footpath
- Loss of open space/land that could be used as allotments/playground/community use
- Contrary to Former Eastbrook Allotments Development Brief
- Loss of trees
- Loss of biodiversity – need for assessment
- Overdevelopment
- Overlooking of existing houses
- Overbearing, too close to rear boundary with Manor Close
- Loss of light to garden

- Unfair to prioritise rights of proposed residents of Adur over existing ones in Brighton & Hove.

Letter of objection received from Councillor Les Hamilton (Councillor South Portslade)

- Gardener Street houses have no garages or opportunities for off-street parking
- Parking in the area is very difficult
- Increased parking problems
- Access will introduce highway crossing over footpath
- Pedestrian safety concerns
- Considerable change in levels
- Gardener Street is subject to a weight limit and cannot accommodate large vehicles
- How will building material be transported into the site?
- Similar application refused previously. What has changed?

Petition of objection received from residents of Barnes Road, Gardener Street and Wolseley Road (56 signatures):

- Footpath is used by school children and as a route to train station. Allowing cars to cross the footpath will be a danger.
- Closure of footpath during construction works would be a major inconvenience
- Additional cars will worsen congestion in Gardener Street and surrounding area
- Previous applications have been rejected
- Adverse impact on wildlife

Letter of objection from residents of 24, 25, 26, 27, 28, 29 Manor Close

- Landlocked site and open space should remain as is
- Adur Waste vehicles would have to access Brighton and Hove roads to service the site
- Slow worms on site
- Need for solid brick wall as new boundary feature
- Unsuitable access road

Amended Plans:

7 further letters of objection received from the occupiers of 27, 32 Gardener Street (2 letters), 215 Manor Hall Road, 25 Manor Close and one unspecified address:

- Reiterating original objections
- Overdevelopment
- Loss of wildlife
- Loss of privacy
- Increased noise and disruption
- Increased traffic and congestion
- Overbearing

Letter of objection from residents of 24, 25, 26, 27, 28, 29, 30 Manor Close expressing concern about boundary security and wish to have high wall.

Relevant Planning Policies and Guidance

Adur Local Plan 2017 policies 2, 3, 12, 15, 18, 20, 22, 28, 34, 34, 36

'Supplementary Planning Guidance' comprising: Development Management Standard No.1 'Space Around New Dwellings and Flats'

Eastbrook Allotments Development Brief (Oct 2015)

West Sussex Parking Standards and Transport Contributions Methodology (WSCC 2003)

West Sussex 'Guidance for Parking in New Residential Developments' and 'Residential Parking Demand Calculator' (WSCC 2010)

Brighton & Hove City Plan Part One (2016) Policy CP9 (sustainable transport)

Brighton and Hove Local Plan (2005) Policy TR7 (safe development)

National Planning Policy Framework (July 2018)

Technical Housing Standards – nationally described space standard (DCLG 2015)

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; and

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.

Planning Assessment

Principle

The application is proposing new housing within the built up area boundary and can be supported in principle. The main considerations are the impact on visual and residential amenities, vehicular access and the impact on the Public Right of Way.

The site is identified within the Eastbrook Allotments Development Brief for open space or small-scale community use. The Brief states:

"It is a former nursery (now overgrown and disused) to the rear of houses located at Manor Close and adjacent to a public footpath. The surrounding area is predominantly residential. There are structural remains of a greenhouse on site and there is evidence of fly tipping on the site, which has had a detrimental impact on the aesthetics of the surrounding area. There is no vehicular access to the site and its size will limit appropriate uses. However, there is an opportunity here to provide a small-scale community use which could serve development at both Site 1 and Site 2 and has therefore been included as part of the development brief. The site is privately owned and has been actively promoted by the owner.

A planning application was submitted in 2005 for six flats and one house (seven dwellings in total), but was refused at planning committee (reference: SW/85/05/TP/). Furthermore, the site has been considered as part of the Adur Strategic Housing Land Availability Assessment (SHLAA), however, it was rejected because the gross potential yield of the site was assessed to be below the study threshold of six dwellings (Reference ADC/071/13 – Manor Hall Nursery, Gardener Street, Portslade)."

The Brief did not consider that the site was suitable for housing primarily because it was not envisaged that vehicular access could be achieved. However, the site has come forward now because the applicant owns 57 Gardner Street and is therefore able to provide the land necessary to enable vehicular access.

The Planning Policy Officer has confirmed that, subject to the provision of a suitable vehicular access, the site is considered suitable for residential development and there is no objection to this application in principle.

Relevant Planning History

SW/85/05 - 6 Flats & One House with 9 Parking Spaces & Turning Area Accessed off Gardener Street (Outline with Siting & Access Details) – refused for the following reasons:

1. The proposed access is inadequate to serve the proposed development by reason of its inadequate width and lack of suitable provision for pedestrians, including for pedestrians using the existing public right of way, and would lead to detriment to highway safety contrary to policies AT12 of the Adur District Local Plan and DEV4 of the West Sussex Structure Plan.
2. The proposed block of flats, by reason of its size combined with the difference in ground levels, would be overbearing and detrimental to the residential amenities of the adjoining property to the east, thereby conflicting with policies AH2 of the Adur District Local Plan and DEV1 of the West Sussex Structure Plan.

Density, character and appearance

The site is irregularly shaped and the proposed layout would differ from that in the surrounding area, which predominantly consists of semi-detached or terraced houses. The site has an area of 1.1ha and the construction of 4 houses would be a low density development which arguably does not represent the most efficient use of land. However, because of the constrained nature of the site, narrowing in width at its northern end and being surrounded by existing housing, a higher density is not considered to be appropriate here.

The proposed houses have a simple design with pitched tiled roofs, gable ends and porch canopies. Plots 2 and 4 have two storey gable projections at the front while Plots 1 and 3 have Juliet balconies at the front. They are to be rendered with brickwork elements, such as on the front projections and above windows.

The existing housing in Manor Close and Manor Hall Road has hipped roofs and the roof form will differ therefore. However, it is considered that the houses could be viewed as a stand-alone development or more associated as an extension to Gardener Street, and will not necessarily be seen in context with those houses behind.

Residential amenity – for proposed dwellings

The houses have a floor area of 98sqm which meets the national minimum standard for a 3 bed 5 person 2 storey house. Externally, Plots 1-3 have rear garden depths in excess of 11m (between 11.2m and 12.6m) and areas of between 77 and 91sqm. Plot 4 has a shorter rear garden of 7.4m but an overall area of over 100sqm. The Council's Standard for 3 bedroom dwellings is 85sqm and it is considered that the slight shortfall for Plots 1 and 2 is not sufficiently serious to warrant refusal.

The dwellings will enjoy reasonable garden areas and a good standard of internal accommodation. However, in view of the garden depths and areas it is considered reasonable to remove permitted development rights for future extensions as a large ground floor extension or outbuilding would significantly reduce the size of the gardens and bring the development closer to neighbours.

Residential amenity – effect on existing dwellings

The proposed dwellings have been laid out to minimise the impact on neighbouring occupiers. Plots 1-3 run along the southern end of the site and have a staggered layout reflecting the angle of the boundary with the rear of houses in Manor Hall Road. Distances from the rear of the proposed houses to the southern boundary vary from 11.26m to 12.62m with the distances to the rear of the houses in Manor Hall Road exceeding 22m, which is the usual minimum back-to-back distance sought between two storey houses. One of the dwellings in Manor Hall Road (213) has a rear dormer and separation distances will fall slightly short of the 28m specified in the Council's DM Standard for separation between 2 and 3 storey dwellings. However, the proposed houses will not directly face the rear of the houses in Manor Hall Road and the oblique angle of view will help to further mitigate any potential for overlooking.

To the west, dwellings in Manor Close will face onto the side of the development, specifically Plots 3 and 4. Plot 4 will be a distance of 23m from the rear of 25 Manor Close and 20m from the rear of No.26. These distances comfortably exceed the 14m rear to side measurement required by the DM Standard. The front of Plot 3 is angled to face across the rear gardens of the Manor Close properties but will not directly face towards the rear of those dwellings. There are no first floor windows in the west side elevation of Plot 3 and Plot 4 has two obscure glazed windows only.

The rear of Plot 4 will face across the rear garden of 23 Manor Close and will be only 7.4m from the boundary. There was some concern that this had the potential to be rather intrusive and the plans have subsequently been amended to remove all first floor windows from the rear elevation with the exception of an obscure glazed bathroom window.

The site is on higher ground than the houses in Gardener Street to the east but the site is separated by a public footpath and approximately 6m will separate Plot 1 from the side of the new dwelling under construction at the side of 57 Gardener Street. Plot 1 will not affect light or outlook from the new dwelling to the east, which will enjoy a southern aspect, and there are no side windows proposed for Plot 1.

Overall, the layout and design of the houses is considered to be acceptable in terms of the impact on existing residential occupiers.

Accessibility and parking

The application is supported by a Transport Report which sets out the access proposals. It states that the site is located at the end of Gardener Street, a Victorian terraced street which ends in a cul de sac. Gardener Street is at a lower level than the site (1.6m lower) and there is a public right of way (PROW) between the road and the site which forms the boundary between Brighton & Hove and Adur & Worthing Councils.

It is proposed to form a vehicular access by excavating material from the site and connecting it to the existing level of Gardener Street. The access will cut across the PROW which will itself be re-profiled. A new footway will be formed across the front of 57 Gardener Street (which is within the applicant's ownership) to connect with the PROW and which will replace the existing steps currently used to access the PROW. The access will have a gradient of 7% while the PROW will have gradients of 3% and 5% dropping down to the new crossover.

The new access has a deliberate pinch point and rumble strips to emphasise that the road serving the new housing is a shared space. There will be a turning space at the side of Plot 4 to enable refuse vehicles and emergency services vehicles to enter and turn within the site without having to reverse along Gardener Street.

Two parking spaces are to be provided for each dwelling which is considered to be acceptable. The site is in a sustainable location, being close to Fishersgate Railway Station. A secure bicycle store is proposed for each dwelling.

Following comments received from Brighton & Hove Council, a Supplementary Technical Note was submitted to address their concerns regarding highway safety. The Note explains that construction traffic can be regulated by a Construction Management Plan which will be secured by condition. On street parking in Gardener Street and other streets in the locality is not anticipated to increase as a result of this development because sufficient parking will be available on site. The turning head

within the development will improve safety and amenity by enabling large vehicles to turn rather than reverse along the street. Accessibility will be improved by replacing the steep steps with a ramped access. There is sufficient width available to accommodate a segregated footway.

For users of the footpath, a condition is to be imposed requiring full design details for the proposed lowering of the fence and hedge adjoining the lowered PROW to provide sufficient visibility. This will require the agreement of the adjoining landowner (36/36A Gardener Street).

Brighton & Hove Council has considered the application and is satisfied that there concerns have been addressed. They have recommended conditions to secure full details of the highway design.

West Sussex Rights of Way team also has no objection to the footpath works subject to details.

Ecology and biodiversity

The site consists of unmaintained grassland and a Preliminary Ecological Appraisal and Reptile Report have been submitted which confirm that slow worms are present. They will need to be translocated but a site has not been identified as yet. WSCC Ecologist has recommended that this be secured by condition.

Recommendation

APPROVE

Subject to Conditions:-

1. Approved Plans
2. Standard 3 year time limit
3. Prior to the commencement of development or any preparatory works, an ecological enhancement scheme shall be submitted to the LPA for approval and will be based on the recommendations within the supporting Preliminary Ecological Appraisal. All approved details shall then be implemented in full and in accordance with the agreed timings and details.
4. Prior to the commencement of works on-site a suitable receptor site for slow worms will be secured and prepared. Evidence of its existence and state of readiness will be provided to the LPA and in accordance with the recommendations arising out of the Reptile Survey 2018. Following best practice guidelines, reptiles will be trapped and translocated from the development site under the supervision of a suitably experienced consultant ecologist. Receptor site treatment and all timings of works pertaining to the reptile mitigation shall be undertaken only in strict accordance with Reptile Mitigation Method Statement. A completion report shall be submitted to the LPA for approval.

5. Prior to commencement of the development hereby permitted, a scheme to lower the fence and planting to the north east of the site and bounding number 36/36A Gardener Street shall have been submitted to and agreed in writing by the Local Planning Authority. The scheme shall include layout plans, elevations, visibility splays and evidence of the agreement with landowners. The agreed scheme shall be implemented in full prior to commencement of development.
6. Prior to first occupation of the development hereby permitted, the proposed highway works to provide access to the site shall have been implemented. In addition, double yellow line restrictions at the end of the existing cul-de-sac on Gardener Street, to allow refuse vehicles to access the site unimpeded, shall have been installed.
7. The development hereby permitted shall not be occupied until the cycle parking facilities shown on the approved plans have been fully implemented and made available for use. The cycle parking facilities shall thereafter be retained for use by the occupants of, and visitors to, the development at all times.
8. Prior to commencement of the development hereby permitted, details of all works intended to be undertaken on the footpath, including a specification of materials, shall be submitted and approved in writing by West Sussex County Council (WSSCC) as the highway authority. The development shall be carried out in accordance with the approved details.
9. Surface water drainage details to be submitted and approved, including details of drainage to prevent flooding of public right of way.
10. Construction Management Plan
11. Hours of construction
12. Materials
13. Hard and soft landscaping
14. Boundary treatment
15. Removal of PD
16. No additional windows in west elevation of Plot 4
17. Refuse storage to be provided in accordance with approved plans
18. Each dwelling shall be constructed and fitted out so that the potential consumption of wholesome water by persons occupying the dwelling will not exceed 110 litres per person per day.

Informatives:

1. The applicant is advised to contact the Council's Streetworks team (permit.admin@brightonhove.gov.uk 01273 290729) for necessary highway approval from the Highway Authority prior to any works commencing on the adopted highway to satisfy the requirements of condition XX. The applicant will be responsible for all costs including the cost of preparing and advertising the Traffic Regulation Order for the double yellow lines.
2. Safe and convenient public access shall be made available at all times across the full width of the PROW. Where it is necessary to undertake works within the legal width of the PROW, e.g. install utilities, the applicant must apply to WSSCC PROW Team for a temporary path closure. The applicant must be

advised there is no guarantee an application will be approved and that a minimum of 8 weeks' is needed to consider an application.

3. Where the ground levels adjacent to the PROW are to be raised above existing ground levels, this could increase the potential to flood the path. A suitable drainage system must be installed adjacent to the path to a specification agreed with the WSCC PROW Team prior to development commencing.
4. Any down pipes or soakaways associated with the development should discharge into an existing or new drainage system and away from the surface of the PROW. No drainage system is to be installed through the surface of the path without the prior consent of the WSCC PROW Team.
5. Southern Water
6. Southern Water

3rd December 2018

Application Number: AWDM/1590/18

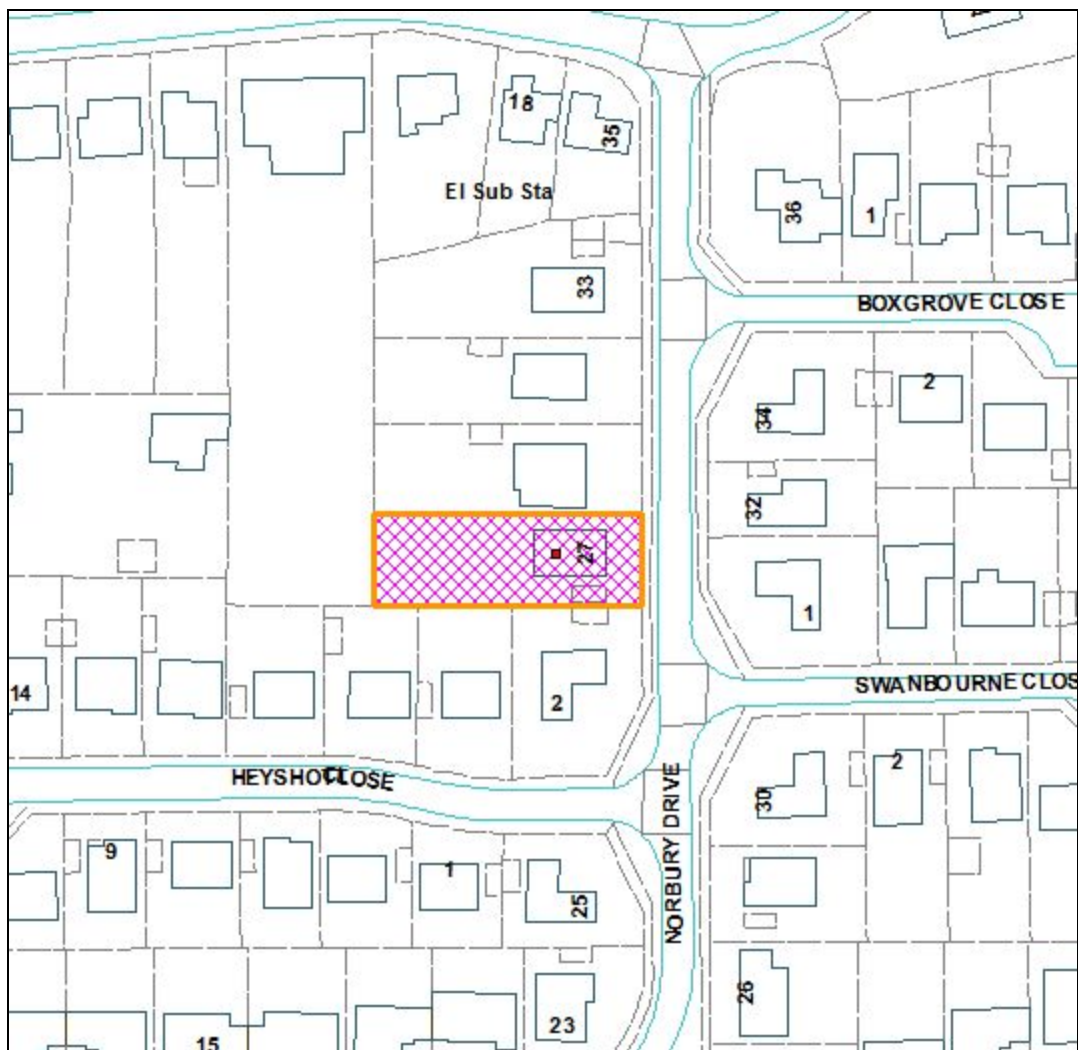
Recommendation – APPROVE

Site: Land South Of 14 Ring Road, Norbury Drive, Lancing

Proposal: Variation of Conditions 11 and 17 of planning permission AWDM/1272/15 to use garage at 27 Norbury Drive for parking and ancillary storage, including change of single side door to double glazed doors (retrospective)

Applicant: Mr Ivan Farrow
Case Officer: Peter Barnett

Ward: Manor



Not to Scale

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Proposal, Site and Surroundings

Planning permission was granted in 2016 for the construction of 2 no. detached two storey dwellings at the rear of 14 Ring Road, with new vehicular access formed from Norbury Drive (AWDM/1272/15). In order to gain access, the existing garage on the south side of 27 Norbury Drive was to be demolished and a new garage constructed within the rear garden of 27 Norbury Drive adjacent to the northern boundary. The new garage was subject to Condition 11 which states:

“The dwellings shall not be occupied until the garages, parking spaces, turning space and access facilities (including the vehicular access and replacement garage for 27 Norbury Drive) shown on the submitted plans have been provided in accordance with construction details to be submitted to and approved in writing by the Local Planning Authority. The areas of land so provided shall not thereafter be used for any purpose other than access, parking and turning of vehicles incidental to the use of the proposed dwellings.”

It is also covered by Condition 17 which states:

“The garage buildings hereby approved shall be used only as private domestic garages for the parking of vehicles incidental to the use of the properties as dwellings and for no other purposes.”

The garage has been constructed but the applicant wishes to use the garage for other uses in addition to using it for the parking of a vehicle. Alterations to the external appearance of the garage have also taken place from those shown on the originally approved plans, namely the addition of French doors on the south elevation.

The applicant has advised that the glazed doors on the south side give access to the garden and enable garden furniture and equipment to be more easily carried in and out when the main garage door is blocked by a motor vehicle. They also provide daylight to an otherwise windowless building. It will not be used for commercial purposes or for sleeping in.

The applicant does not consider that the condition requiring the garage to be used for parking only (Condition 17) should have been applied to 27 Norbury Drive as it relates to the new dwellings at the rear of 14 Ring Road only. However, Condition 11 does explicitly refer to 27 Norbury Drive and it is clear that the garage in question is currently restricted to use for the parking of vehicles only.

Relevant Planning History

AWDM/1272/15 - 2 no. detached two storey dwellings with new vehicular access formed from Norbury Drive – approved

AWDM/0915/17 - Non material amendment to approved AWDM/1272/15 for relocation of garage serving No.27 Norbury Drive - approved

Consultations

West Sussex County Council: The **Highways** Officer has no objection. He advises that in highway comments in relation to AWDM/1272/15 dated 21/10/2015 the Local Highways Authority advised individual conditions to secure the following matters:

- Garages (Proposed Dwellings Only)
- Parking & Turning Spaces (Both for the Existing and Proposed Dwellings)
- Access Works (To Serve Replacement Parking)
- Access Works (To Serve Proposed Dwellings)

The wording of condition 11 applied specifically states that “The area of land provided shall not thereafter be used for any purpose other than access, parking, and turning of vehicles incidental to the use of the proposed dwellings”. This may lead to some confusion that the replacement garage for 27 and parking area is to be used by residents of the proposed dwellings only.

Providing the access works (to serve 27 Norbury Drive), access works (to serve proposed dwellings), Parking & Turning Spaces (Proposed Dwellings), Parking (27 Norbury Drive) and Garages (Proposed Dwellings Only) are secured the Local Highways Authority has no concerns with the wording of this condition being varied to clarify matters.

In respect of Condition 17, in highway comments in relation to AWDM/1272/15 dated 21/10/2015 the Local Highways Authority advised a similarly worded condition and requested it be applied only for garaged used by the proposed dwellings. As such the Local Highways Authority has no concerns with the wording of this condition being varied to reflect that.

Lancing Parish Council: No objection

Representations

10 letters of objection received from the occupiers of 28, 29, 32 Norbury Drive, 25 Ring Road, 46 Mill Road, 4 Heyshott Close, 5 Boxgrove Close, 1 Swanbourne Close and 2 unspecified addresses:

- Does not comply with previously approved plans
- Disregards condition that it should be used for parking of vehicles only
- Conditions should be respected and upheld
- Will result in more parking problems with more cars on road
- Is now more of a summerhouse
- Could set a precedent for change of use of garages of the two new houses

- Glazed doors enable overlooking of properties in Heyshott Close since removal of trees along boundary
- Garage has been moved further back into the site than originally approved
- Concerned that the multiple plug sockets in the building will lead to power tools being used causing noise and disturbance
- Applicant is keen on renovating old machinery

1 letter of support received from the co-owner of the development site to the rear:

- Does not feel that the restriction was necessary for the replacement garage at 27 Norbury Drive.
- There will be no adverse impact on the street parking situation
- More parking now available to 27 Norbury Drive than before, with the use of the drive
- Double doors do not cause harm

Letters received from the applicant in response to objections received:

- It is possible to park a car plus along with 4 bikes, lawnmower, garden furniture, work-bench, garden tools etc.
- There will be no overlooking of neighbouring properties from the double doors when the required fences are erected and no one will be able to see the doors unless they are in the back garden of 27 Norbury Drive.
- The drawings of the garage were commissioned by the developer and completed by their architect without reference to me. I understood from initial discussions that a double window and glazed door would be incorporated but this obviously got lost in the translation into a drawing. The application to move the garage and change the dimensions (AWDM/0915/17) were also their responsibility. I was not aware at this point that the conditions for the garages of the new buildings had been applied to the garage at 27 Norbury Drive. I assumed that as a replacement garage it automatically could be used in the same way as the original garage and saw no need to scrutinise the conditions.

Relevant Planning Policies and Guidance

Adur Local Plan 2017 Policy 15

'Supplementary Planning Guidance' comprising: Development Management Standard No.2 'Extensions and Alterations to Dwellings'

National Planning Policy Framework (July 2018)

Relevant Legislation

The Committee may grant planning permission for development carried out before the date of the application in accordance with Section 73A of the Town and Country Planning Act 1990 (as amended).

Save that the development will have already commenced, this is a conventional planning application, and the Committee should consider the planning circumstances existing at the time of the decision 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; and

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.

Planning Assessment

Principle

The application is for alterations to a domestic garage building located within the built up area and can be supported in principle. The relevant issues are the effects on the amenities of neighbouring residential occupiers, the effect on the character and appearance of the building and its surroundings and the impact on highway safety.

The works have been carried out contrary to planning conditions imposed on an earlier permission but this is not reason in itself to refuse the application. The merits of the application must be given due consideration as is the case for any other application, as explained in the Relevant Legislation section above.

Visual amenity

The external alterations to the garage comprise the insertion of glazed doors on the south elevation. These doors are not visible from the street and the garage itself is set back behind the rear wall of 27 Norbury Drive and is not prominent in the street scene. When the side gates on the driveway of the property are closed, the garage is almost entirely screened from view.

The works do not therefore have any adverse visual impact.

Residential amenity

The main objections received in connection with this application relate to the fact that work has been carried out in breach of the original planning conditions. However, as explained above, this must be considered as a conventional planning application and should not therefore be dismissed without careful deliberation.

The use of the building for other purposes in addition to the parking of vehicles has caused concern with local residents who are worried about noise disturbance. The main concerns appear to relate to the possible use of the building as living accommodation or as a workshop, with fear that noise from power tools is likely to

cause disturbance in particular to the occupier of the bungalow to the north (No. 29). The building is located immediately on the boundary and has been resited further into the rear garden than originally approved (the re-siting was permitted by way of a previous application for a non-material amendment). Consequently, it does have the potential to cause disturbance if used for purposes other than parking and storage and it is recommended therefore that a condition is imposed to restrict its use to parking and storage only with no use as living accommodation or as a workshop. The applicant wishes to renovate antique lawnmowers but 27 Norbury Drive is not his main residence and it is understood that it will be occupied by his daughter. It is considered reasonable therefore that the applicant uses his own property for workshop-related activities.

The glass doors face towards the rear of 4 Heyshott Close to the south and, being on higher ground, views of the rear windows of that property are currently visible from a distance of approximately 18m to the conservatory and 21m to the house itself. Some loss of privacy has occurred but it should be noted that the same views are possible from within the garden of 27 Norbury Drive. It is not considered therefore that sufficient harm or loss of privacy has occurred to warrant refusal on this ground alone. A new 1.8m high wall is proposed along the boundary with Heyshott Close as part of the permission for the new dwellings which should also help mitigate any privacy issues.

Accessibility and parking

Objections have been raised to the loss of parking and possible increased congestion on Norbury Drive that could result if the garage was not to be used for parking vehicles. However, West Sussex Highways have confirmed that they have no objection to the application as the existing driveway provides tandem parking for five vehicles which is sufficient to enable cars to be parked off street.

The applicant has confirmed that the garage will be used to park a vehicle. However, even if the garage was to be used solely for storage purposes, it is not considered that any harm to highway safety or to residential amenity would occur.

Recommendation

As this application seeks to vary conditions imposed on the permission to construct two houses on land at the rear of 14 Ring Road (AWDM/1272/15), the original conditions must be re-imposed, but varied to take account of those details which have already been approved by way of an earlier application to approve details reserved by condition.

APPROVE

Subject to Conditions:-

01. Approved Plans

02. The garage building at 27 Norbury Drive hereby approved shall be used only for the parking of vehicles and for domestic storage incidental to the use of that property as a dwelling and for no other purposes. For the avoidance of doubt, it shall not be used for the purposes of primary living accommodation (bedroom, living room, dining room or kitchen) or as a workshop (no power tools shall be operated from the building at any time).
03. Materials to accord with previously approved details
04. Louvres to accord with previously approved details
05. The window in the west side elevation of the proposed west house shall at all times be glazed with obscured glass
06. Privacy screens to accord with previously approved details
07. No part of the development shall be first occupied until such time as the vehicular access and access road to serve the proposed dwellings has been constructed in accordance with plans and details to be submitted to and approved in writing by the Local Planning Authority.
08. The development hereby permitted shall not be occupied until 27 Norbury Drive has been protected from road traffic noise specifically by replacing existing windows of habitable rooms facing the access road with acoustic double glazing in accordance with previously approved details
09. The proposed wall on the southern boundary shall be constructed and completed in accordance with the previously approved details before any other ground works are commenced on site.
10. The buildings shall not be occupied until boundary walls and/or fences have been erected in accordance with previously approved details and they shall thereafter be retained permanently.
11. The dwellings shall not be occupied until the garages, parking spaces, turning space and access facilities shown on the submitted plans have been provided in accordance with the previously approved details. The areas of land so provided shall not thereafter be used for any purpose other than access, parking and turning of vehicles incidental to the use of the proposed dwellings.
12. Work to be carried out in accordance with the previously approved Construction Management Plan
13. No construction work shall take place on site other than between the hours of 8am and 6pm Monday to Friday and 8.30am and 1pm on Saturdays. There shall be no working on Sundays and Public Holidays.
14. Surface water drainage works to be completed in accordance with approved details
15. The proposed gates on the access road hereby approved must be inward opening and be constructed in accordance with previously approved details
16. Landscaping to be carried out in accordance with previously approved details
17. The garage buildings hereby approved shall be used only as private domestic garages for the parking of vehicles incidental to the use of the new dwellings at the rear of 14 Ring Road and for no other purposes.
18. No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with the approved plans.

Application Number: AWDM/1469/18

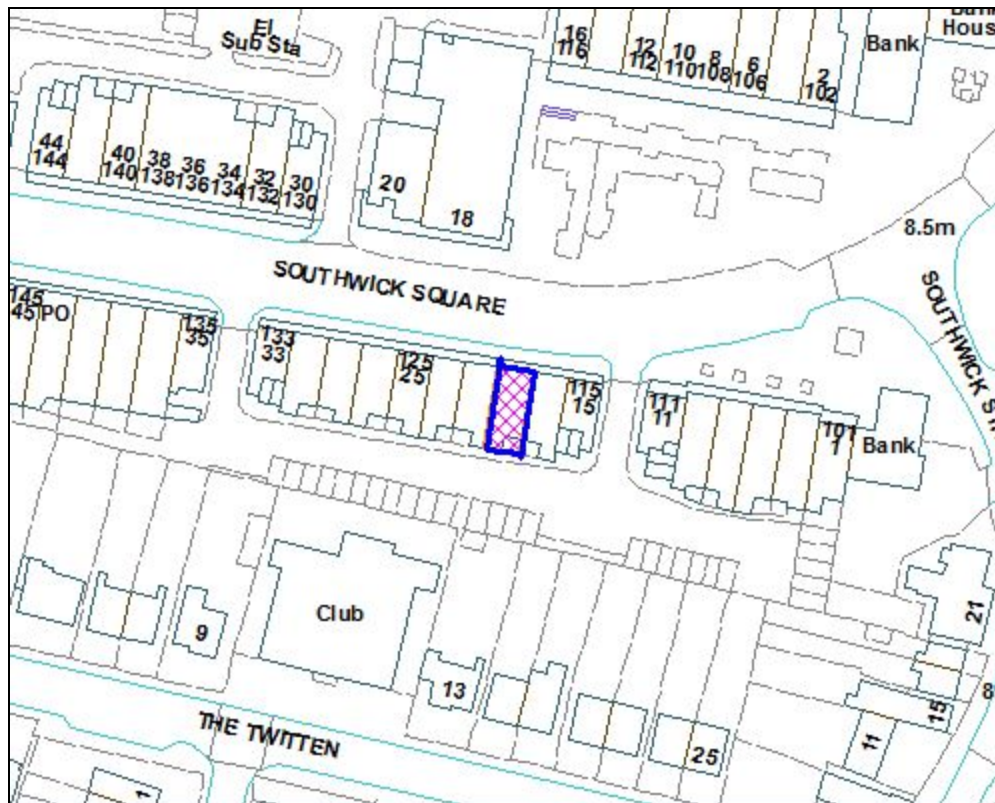
Recommendation – APPROVE

Site: 19 Southwick Square, Southwick

Proposal: Change of use from mixed use A1/A3 to A3 (café/restaurant) including installation of vent to rear of property.

Applicant: Mrs E Lewis
Case Officer: M. O'Keeffe

Ward: Southwick Green



Not to Scale

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Proposal, Site and Surroundings

This application relates to a mid-terraced shop on the south side of Southwick Square in the heart of Southwick Town Centre. It has two floors of residential above, accessed from the rear. On one side it has a Newsagents and on the other a hairdressers. Southwick Square is owned and managed by Adur Council.

It is not in a conservation area and is not a listed building.

The site has a mixed A1/A3 use and a condition which prevents primary cooking on site. The current occupiers, Drury Tea and Coffee wish to cook hot food on the premises and thus are seeking a full A3 permission.

Relevant Planning History

NOTICE/0018/17 - Application for permitted development for prior approval for change of use from Shop (Class A1) to mixed A1/A3 Shop/Cafe/Restaurant . Approval required and granted 2.1.18

SW/14/02 – Replacement shopfront – Granted 22.7.02

SW/98/81- Regulation 4 application for new office front. Granted 24.11.81

81/62 – Change of use from shop to Local Authority cash office and Housing sub office. (Reg 4) Granted 14.7.81

Extract from Supporting Statement

Proposed Development

This application seeks permission to convert the existing A1/A3 retail/café to a A3 café/restaurant use to enable the small scale cooking of hot food on the premises. The application also seeks permission to install a small vent on the rear of the premises to ventilate the kitchen. This will enable the use of a small oven and grill to prepare food onsite. The applicant does not wish to install any industrial equipment associated with large scale hot food preparation such as deep fat fryers. This would not include the sale of alcoholic beverage and Drury Coffee Ltd. is primarily a coffee shop serving a limited menu of lunch options and desserts (cakes etc.).

Case for Permission

The shop would retain a very similar usage to the previous occupier, serving hot/cold drink and consumables to customers during the day time. The application simply seeks to expand the use of the café to enable the occupier to prepare hot food on the premises to serve customers. This would be limited to baked goods and the cooking of meat products for sandwiches (or similar). Drury Tea and Coffee Ltd are an up market coffee shop and use of the café would not expand into an A3 (restaurant) use with a low number of covers expected. The approved use of the site restricts primary cooking on site under the existing A1/A3 use class. However, we consider there are no planning or environmental reasons why this use should not be expanded, subject to adequate controls via planning condition.

Design & Access Considerations

The only external alterations to the unit would be the installation of a small (160x160mm) manual vent on the rear of the premises. This discreet vent would assist

with the air conditioning of the kitchen. External alterations to the shop front have already been completed.

This proposal also seeks retrospective permission for three tables and six chairs on the public highway outside the shop.

Conclusion

This proposal would vitalise this area of Southwick Square and would not harm the character of the shopping area. This proposal would result in no adverse harm to any nearby residential occupiers and is considered to be an appropriate use for this area.

The discreet vent to be installed on the rear of the shop would provide efficient air conditioning to the kitchen of the shop. The scale of the cooking undertaken in the kitchen is only very small. This would not require the installation of more substantial mechanical ventilation as required in an industrial kitchen or a hot food takeaway use.

In conclusion, the proposal would comply with the relevant paragraphs of the NPPF and the adopted Adur Local Plan.'

Consultations

Environmental Health: No objection.

Representations

None received.

Relevant Planning Policies and Guidance

Adur Local Plan 2017 Policies 1, 2, 12, 15, 27
National Planning Policy Framework (CLG 2018)
Planning Practice Guidance (CLG 2014)

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.

Planning Assessment

The main considerations with this application are the acceptability of an A3 use in this location in terms of vitality and viability of the centre and impacts for neighbours above.

The site lies within Southwick Town Centre within the primary retail frontage.

Adopted Adur Local Plan policy 12 states:

Within the primary frontage of Southwick town centre (as shown on the Policies Map), A1 (shop) uses will be supported. A2 (financial and professional services), A3 (food and drink), A4 (drinking establishments), A5 (hot food takeaways) and appropriate D1 (non-residential institutions) uses will also be permitted where they would not have an adverse impact on the vitality and viability of the town centre.

The existing unit has a mixed A1/A3 use achieved through the Prior Approval route in January 2017. The then occupier did not wish to carry out any primary cooking on site or to install equipment which required external ventilation. 'Cooking' was limited to the use of a microwave to reheat pre-cooked delivered foods, bacon etc. Hours of use were limited with 7.30am the earliest start and 5pm the latest finish. 18 indoor seats and 6 external seats were agreed. The applicant, at the time, maintained her business was still largely a coffee shop with take away sandwiches/coffees as her main business.

The lease changed hands recently. The new occupier is also a coffee shop but would like to install a small oven and grill to enable small scale cooking on site. No industrial cooking equipment is required or proposed and thus the only ventilation equipment proposed is a vent, 160mm x 160mm, to be added to the existing kitchen window at the rear. Hours of use are again day time only.

Given the low level of cooking and the proposed hours of use it is not considered that this A3 use will be harmful to neighbour amenity. Restricting the hours of use to daytime only will minimize intrusion to neighbours above. Environmental Health is satisfied with the ventilation proposed for the level of cooking. More intensive cooking will require further extraction equipment which will require planning permission and is reserved by condition.

Southwick Square is thriving and has a very good provision of retail uses including Co-op food store, WH Smith, chemist, butchers, greengrocers, hairdressers, chocolate shop, hardware, Chinese food store and other supporting uses such as betting office, optometrist, charity shops etc. The proposed A3 use will not undermine the sustainability of the Southwick Square shopping offer.

Recommendation

To **GRANT** permission

1. Approved plans
2. 3 years.
3. This permission is for an A3 use with only low scale primary cooking. No industrial ovens and/or ventilation/extraction equipment shall be installed without the prior written agreement of the Local Planning Authority obtained through the submission of a planning application.
4. No working, trade or business whatsoever (including arrival, reception or dispatch of deliveries) shall take place on the premises except between the hours of:-
 - 7.00 am and 4.30 pm on Mondays to Fridays inclusive
 - 8.30 am and 3.30 pm on Saturdays and
 - 9.00 am to 4.00 pm on Sundays and Public Holiday

3rd December 2018

Local Government Act 1972

Background Papers:

As referred to in individual application reports

Contact Officers:

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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.