

**Minutes of a meeting of the  
Adur Planning Committee  
3 December 2018  
at 7.00**

Councillor Carol Albury (Chairman)  
Councillor Pat Beresford (Vice-Chairman)

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| Councillor Les Alden     | **Councillor George Barton |
| Councillor Stephen Chipp | Councillor Brian Coomber   |
| Councillor Lee Cowen     | **Councillor Robin Monk    |

\*\* Absent

**Officers:** Planning Services Manager, Solicitor and Democratic Services Officer

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**ADC-PC/044/18-19**

**Substitute Members**

Councillor David Simmons substituted for Councillor George Barton.

Cllr Clive Burghard substituted for Councillor Robin Monk.

**ADC-PC/045/18-19**

**Declarations of Interest**

Councillor Carol Albury declared an interest in item 5.3, AWDM/1590/18, Land south of 14 Ring Road, Norbury Drive, Lancing, as Ward Councillor, but advised she had not predetermined the application.

**ADC-PC/046/18-19**

**Minutes**

**RESOLVED**, that the minutes of the Planning Committee meeting held on 5 November 2018 be confirmed as a correct record and that they be signed by the Chairman.

**ADC-PC/047/18-19**

**Items Raised Under Urgency Provisions**

There were no items raised under urgency provisions.

**ADC-PC/048/18-19**

**Planning Applications**

The planning applications were considered, see attached appendix.

**ADC-PC/049/18-19**

**Public Question Time**

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

There were no public questions.

The Chairman closed the meeting at 8.16 pm it having commenced at 7.00 pm.

**Chairman**

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| Application Number: AWDM/1688/18 |  |
| Site:                            | <b>Caxton House, Ham Road, Shoreham-by-Sea</b>   |
| 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. |

The Planning Services Manager introduced the report and advised Members there had been no neighbourhood representations in respect of the application. However, there had been various comments from consultees since the agenda had been published.

The Adur District Conservation Advisory Group (ADCAG) had raised no objection to the application. The West Sussex County Council Lead Flood Authority had confirmed there was a low risk of flooding in terms of surface water; that the groundwater flood risk was moderate; and any potential for groundwater contamination should be considered by the Environment Agency (EA). There were no records of flooding within the general confines of the site.

The EA had confirmed they raised no objection to the application, subject to a condition requiring a remediation strategy for any contamination. Southern Water (SW) had raised no objection, subject to the addition of an informative regarding connection to the public sewerage system. However, the Officer advised the Councils' Drainage Engineer had recently submitted a holding objection as details had not been submitted to SW, although the Officer had since received confirmation from the applicant that they had already corresponded with SW and agreed the details in respect of surface water drainage. The Officer advised an extra condition could be added requiring the surface water to be disposed of in accordance with the details as agreed with SW.

An aerial photograph of the site was shown, and on subsequent photographs the Officer drew Members' attention to the front gable which was to be retained. However, the gable was now found to be structurally unstable and in danger of collapse. Therefore, the application proposed demolishing all of the existing building and constructing a replacement with some existing materials being salvaged and reused.

The Officer referred to the question of affordable housing provision, and stated that when permission was first granted for 14 units, it had been under the old Local Plan, when there had been no requirement for affordable housing provision. Since the approval of the first application, the new Local Plan had been adopted, and ordinarily an affordable housing contribution of 30% would have been required for developments of 11 units or more. However, the applicant felt the provision of affordable housing was not viable, particularly given the need to rebuild the building

and the increased costs arising from the delay to the development caused by the structural instability of the building.

The Officer advised the Committee there was still a requirement for the applicant to pay nearly £43,000 of contributions, subject to completion of a S106 agreement as outlined in the Officer's recommendation of the report. The recommendation would also include the additional condition requiring the surface water to be disposed of in accordance with the details as agreed with SW.

There were no further representations at the meeting.

The Members raised a number of queries with the Planning Services Manager which were answered in turn to the Members' satisfaction.

Some Members raised concerns at the lack of an affordable housing contribution however, following further debate, the Committee were in agreement the proposal would improve and enhance the street scene, particularly with the use of existing materials and also noted the safety aspects of the building as it currently is and voted unanimously to approve the application.

## **Decision**

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 Sixth Form education, £4,963 towards libraries and £405 towards fire and rescue, the application to be **APPROVED**, subject to the following conditions:-

1. Approved Plans
2. Implement within 3 years
3. Control architectural details, including sample panel to show mortar and pointing mix, communal aerials 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 L<sub>Amax</sub> 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 will 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
12. Surface water to be disposed of in accordance with the details as agreed with Southern Water

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| Application Number: AWDM/0756/18 |   |
| Site:                            | <b>Land East of 24 to 30 Manor Close, Gardener Street, Portslade</b>  |
| Proposal:                        | Proposed 4no. three bedroom two storey detached dwellings including new access from Gardener Street and alterations to public footpath (Former Manor Hall Nursery). |

The Committee were shown an aerial photograph of the site and the Officer indicated for Members the application site, a triangular shaped piece of land, and the public footpath which ran along the boundary with Brighton and Hove Council (B&H Council). The access was proposed from Gardener Street, to the east of the site, within B&H Council. Members were advised that B&H Council had made their own Highways comments within the report.

Members were shown a number of plans and photographs and the Officer outlined the application for their consideration. The Officer referred to the footway to the site which he stated was narrower than normally expected however, it was constrained by residential properties and allotments. He stated the site was overlooked by neighbouring properties, mostly two-storey but some with dormers in their rear roof space.

For the reasons set out in the report the application was recommended for approval.

There were no further representations at the meeting.

Members raised a number of queries with the Officer, which included:-

- the impact on visual and residential amenities;
- vehicle access, including emergency vehicles;
- Southern Water informatives; and
- the representations from neighbouring properties.

The queries were answered in turn by the Officer.

Following debate, the majority of Members agreed to defer the application whilst Officers sought clarification from the East Sussex Fire and Rescue Service as to whether emergency vehicle access could be adequately achieved and for all Members to visit the site.

## **Decision**

That the application be **DEFERRED**, to seek comments from the East Sussex Fire and Rescue Service to clarify whether emergency access can be adequately achieved and for members to visit the site (this site visit would not be organised, Members were to visit the site individually).

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| Application Number: AWDM/1590/18 |   |
| Site:                            | <b>Land South of 14 Ring Road, Norbury Drive, Lancing</b>   |
| 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). |

The Planning Services Manager advised there were no further representations to report however, since publication of the agenda, an amendment was proposed to two of the conditions.

Condition 2 - an amendment to the second sentence i.e. the deletion of the reference to a workshop. The amended sentence to read 'For the avoidance of doubt, it shall not be used for the purposes of primary living accommodation (bedroom, living room, dining room or kitchen).'

Condition 17 needed re-wording as it implied the garage building the subject of the application would have to be used in connection with the use of the new dwellings at the rear of 14 Ring Road. The amended condition should read 'the garage buildings to serve the new dwellings at the rear of 14 Ring Road hereby approved should be used only as private domestic garages for the parking of vehicles incidental to the use of those dwellings and for no other purposes'.

Members were shown an aerial photograph of the site, site plan, elevations, parking layout plan and photographs to assist Members in consideration of the application.

The Officer advised the recommendation was to grant permission, subject to amendments to conditions 2 and 17.

### **Decision**

*As this application sought 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.*

The Committee Members agreed to **GRANT** permission, subject to the amendment of condition 2 removing the restriction on workshop and the rewording of condition 17 to clarify that the condition related to garages serving the properties to the rear of 14 Ring Road, and the following 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)
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 to serve the new dwellings at the rear of 14 Ring Road hereby approved should be used only as private domestic garages for the parking of vehicles incidental to the use of those dwellings 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.

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| Application Number: AWDM/1469/18 |  |
| Site:                            | <b>19 Southwick Square, Southwick</b>  |
| Proposal:                        | Change of Use from mixed use A1/A3 to A3 (cafe/restaurant) including installation of vent to rear of property. |

The Planning Services Manager began his presentation by showing Members an aerial photograph of the site and a location plan. The application related to a mid-terraced shop on the south side of Southwick Square.

The Officer produced photographs of the existing building and advised the applicant had been granted a change of use from Shop - Class 1 to mixed A1/A3 Shop/Cafe/Restaurant earlier in the year. The proposal was for change of use from mixed use to cafe/restaurant.

The Officer referred to the visual appearance of the premises, and stated there would be little alteration apart from a vent to be added to the existing kitchen window at the rear of the building.

Officers felt the change of use was appropriate; would add to the vitality of the Square; and recommended approval.

Members voted unanimously in support of the application for the change of use.

### **Decision**

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

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