



# ADUR DISTRICT COUNCIL

22 May 2019

## Adur Planning Committee

**Date:** 3 June 2019

**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, Stephen Chipp, Dave Collins, Brian Coomber, Lee Cowen and Paul Mansfield.

### NOTE:

Anyone wishing to speak at this meeting, on a planning application before the Committee, should register by telephone (01903 221006) or e-mail [democratic.services@adur-worthing.gov.uk](mailto:democratic.services@adur-worthing.gov.uk) before noon on Friday 31 May 2019.

## 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 13 May 2019, 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 4 April 2019.

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](mailto: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**Part B - Not for publication - Exempt Information Reports**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).

<b>For Democratic Services enquiries relating to this meeting please contact:</b>	<b>For Legal Services enquiries relating to this meeting please contact:</b>
Heather Kingston Democratic Services Officer 01903 221006 heather.kingston@adur-worthing.gov.uk	Louise Mathie Senior Lawyer 01903 221050 louise.mathie@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  
C O U N C I L**

**Planning Committee  
3 June 2019  
Agenda Item 5  
Ward: ALL**

**Key Decision: Yes / No**

**Report by the Director for Economy**

**Planning Applications**

**1**

**Application Number: AWDM/1811/18                      Recommendation – Approve**

**Site:                      82 High Street, Shoreham by Sea, BN43 5DB**

**Proposal: Conversion of rear part of ground floor shop unit and first floor storage area to 1no. two bedroom flat with Juliet balcony at first floor (rear). Retention of smaller shop unit at front (ground floor). Demolition of rear extension to enable formation of new ground floor patio. New entrance gates to front/side. Replacement of front bay window on ground floor with timber framed bay to match existing.**

**2**

**Application Number: AWDM/0428/19                      Recommendation – Approve**

**Site:                      12 Grand Avenue, Lancing, BN15 9PX**

**Proposal: Proposed single-storey rear extension.**

**3**

**Application Number: AWDM/0716/19                      Recommendation – Approve**

**Site:                      Flat 1 Pebble Lodge, 120 Beach Green, Shoreham by Sea  
BN43 5YA**

**Proposal: Provision of access ramp to south elevation.**

Application Number: AWDM/1811/18

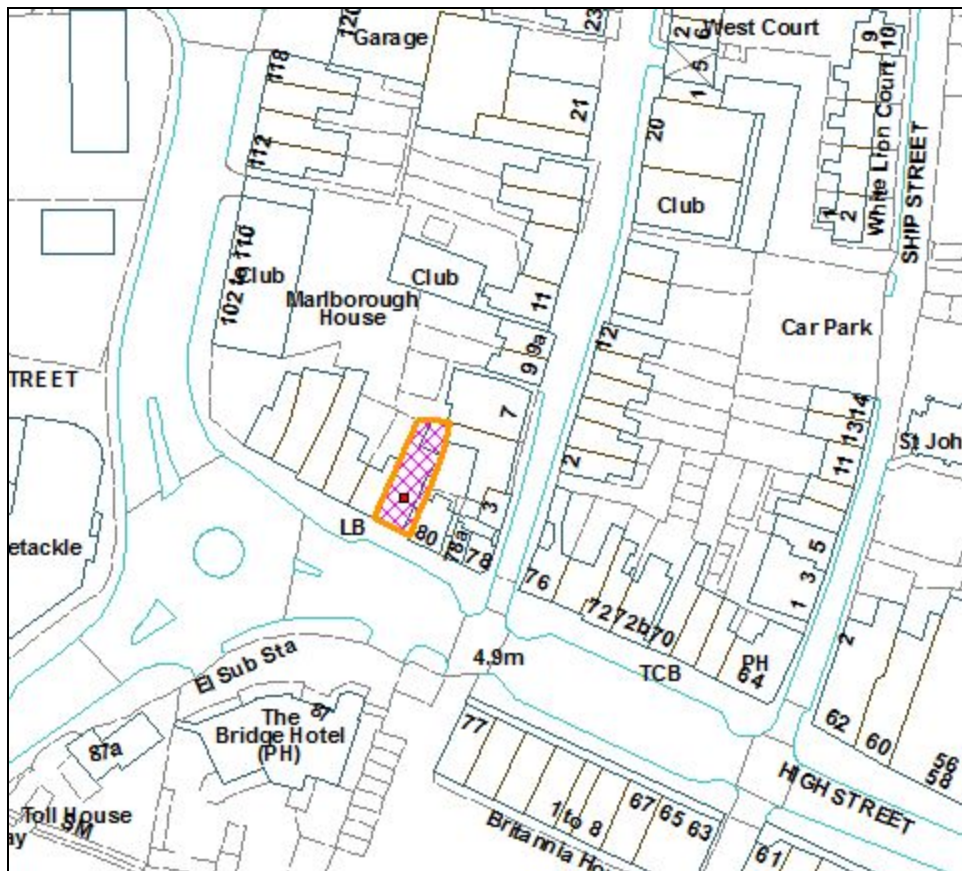
Recommendation – APPROVE

Site: 82 High Street, Shoreham-By-Sea

Proposal: Conversion of rear part of ground floor shop unit and first floor storage area to 1no. two bedroom flat with Juliet balcony at first floor (rear). Retention of smaller shop unit at front (ground floor). Demolition of rear extension to enable formation of new ground floor patio. New entrance gates to front/side. Replacement of front bay window on ground floor with timber framed bay to match existing

Applicant: Carewise Ltd  
Case Officer: Peter Barnett

Ward: St Mary's



Not to Scale

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This application has been called in to the committee by Councillor Arnold

## **Proposal, Site and Surroundings**

The application relates to a two storey building on the north side of the High Street, close to the roundabout junction at its western end. It was formerly a retail unit occupied by Showtec, who have since vacated the premises and moved to new premises in Old Shoreham Road. The building has a hipped roof with a single storey flat roofed rear extension. It is attached to the side of 84 High Street, a three storey commercial premises. Its upper floor is separated from the side of 80 High Street to the east, a two storey property, although it is attached at ground floor by way of a covered passageway which was used for storage. The site lies within the Shoreham Conservation Area.

The building was bought at auction last year by Carewise Ltd, a health care company. The application, as originally submitted, sought to change the use of the building to a B1 health care office on part of the ground floor at the front, with a new 1 bed flat at the rear of the ground floor. A second flat was to be provided on the first floor.

This proposal was not considered to be acceptable in planning terms because of the loss of the retail unit and its conflict with Policy 11 of the Adur Local Plan.

Amended plans have since been received which retain retail on the ground floor, albeit at a reduced area of 21.4sqm. The existing shopfront window is to be replaced with a timber framed window to match the existing. At the rear of the ground floor and on the first floor a 2 bedroom maisonette is proposed. At ground floor there will be a lounge and kitchen/dining room, with an existing rear extension part demolished to enable the provision of a small courtyard. At first floor, two bedrooms are proposed, the rear bedroom having a single opening onto a Juliet balcony.

The side storage area is to become a passageway containing bin and bike storage. New metal gates are proposed to access this area. Originally proposed external stairs to the first floor on the east side have been omitted, as has a first floor roof terrace.

## **Relevant Planning History**

AWDM/1040/16 - Removal of existing first-floor and addition of new first and second floor extension to provide two-bedroom maisonette. Single-storey extension to rear (north) elevation to provide studio flat with shop unit to be retained to front of premises on ground floor – approved but not implemented

## **Consultations**

**West Sussex County Council:** The **Highways** Officer advises that the site is not served with any existing off street car parking provision. It is not anticipated that the proposal will result in a material increase in vehicular activity associated with the site or result in a material increase in anticipated car parking demand.

The Local Highways Authority does not consider that the proposal would have and an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 109), and that there are no transport grounds to resist the proposal.

If achievable the flat should be provided a secure and covered cycle parking provision which can be secured with plans and details to be provided and approved by the Local Planning Authority.

**Adur and Worthing Councils:** The **Environmental Health (Private Sector Housing)** Officer requests usual informative plus asbestos informative.

The **Environmental Health** Officer commented on the original plans and advised that the area of development has been identified by DEFRA as an area severely affected by traffic noise and no scheme based on good acoustic evidence has been provided to protect the new residential dwelling from noise. The development site is also in an Air Quality Management Area.

ProPG: Planning and Noise, describes an acoustic design process which seeks to deliver the best acoustic design outcome for a particular site. Any future noise assessment for the site will have to follow the principles of this guidance and shall deliver the internal noise level guidelines set out in BS8233:2014.

The first floor bedroom overlooks the High Street and will be affected by both traffic noise and people noise as a consequence of the night time economy of the town. The downstairs bedroom only has glazed door for light, there is no fan light to open for ventilation at night. With this in mind, and also taking into consideration the AQMA, I would recommend that any acoustic scheme includes mechanical MVHR ventilation for the whole development. The air intake should be at the rear of the property so cleaner air is brought into the property.

I have no objections to the development in principle but I will have to object to the application as presented as no acoustic assessment or mitigation has been included in the scheme.

**Amended Plans:** What is now proposed is ok and I am happy for acoustic mitigation to be secured by condition.

The **Waste** Officer has no objection

The **Engineer** has no objection

**Southern Water:** Requests usual informatives

## **Representations**

**Original Plans:** Objection received from the occupier of 5 West Street:

- Object to rear terrace which will overlook garden serving 5 and 5A West Street and 80 High Street
- Lack of screening at top of external stairs

**Amended Plans:** Objection received from the occupier of 80A High Street:

- Loss of daylight
- Loss of privacy
- Disruption during implementation of development

## **Relevant Planning Policies**

Adur Local Plan 2017 policies 11, 15, 17, 27

'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)

National Planning Policy Framework (February 2019)

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***

Policies 11 and 27 of the Adur Local Plan identify the site as falling within a secondary retail frontage where A1, A2, A3, A4 and D1 uses are generally acceptable. The application proposes to provide additional residential accommodation while retaining a shop element and is acceptable in principle subject to consideration of the impact on the character and appearance of the Conservation Area, the impact on residential amenity and consideration of the standard of accommodation to be provided.



There will be a reduction in the amount of retail floorspace but the proposal will not result in the loss of a shop unit. The front part will be retained as a shop with display window selling health care products such as mobility aids, toilet raisers and grab rails. The retail floor area to be provided will be slightly larger than that approved under AWDM/1040/16. The floor plan shows the provision of a small storage area and toilet for the shop and it is considered that it would continue to be a viable unit.

The Local Planning Authority cannot control the type of retail use which occupies a particular shop unit and this proposed retail use will add to the diversity of uses in the High Street. The previous retail use at the site was for the sale and hire of sound, lighting, visual and DJ equipment which was a specialised activity and equally diverse.

Furthermore, the Government is seeking a shift from the traditional retail focused activities of high streets and town centres to uses which enable greater social interaction. Changes to permitted development rights introduced at the end of May now also allow greater flexibility between uses.

### ***Visual amenity and impact on Conservation Area***

The building is not being extended and no significant changes are proposed which would impact on the Conservation Area. The shop window is to be replaced 'like-for-like' in timber and this together with other external alterations can be controlled by condition. First floor windows are already an unsympathetic UPVC and these are proposed to be replaced with new UPVC windows, with acoustic properties to protect future residents. An improvement in their appearance is desirable and can be secured by the submission of details reserved by condition.

The new gates to the side passageway will also be subject of further details.

### ***Residential amenity – effect on existing dwellings***

The application has been amended to safeguard residential amenity, removing the first floor terrace and side external stairs. Overlooking will be no worse than previously existed and no adverse impact on residential amenity is anticipated.

The proposal will have significantly less impact on neighbouring properties than the previously approved scheme.

### ***Residential amenity – proposed occupiers***

The proposed flat meets the National Space Standards. It will have a small rear courtyard of just under 10sqm which would not meet the Council's amenity space standards of 20sqm for a flat. However, in this town centre location, it is not considered that this is a significant omission as there are many other properties in town centres which do not enjoy outdoor space due to the constrained and high density nature of development in such areas. The living environment to be provided for the proposed flat is considered to be acceptable.

## **Accessibility and parking**

No parking is to be provided on the site, in common with many other properties in the High Street. The site is in a sustainable location with good access to public transport and public car parks. Secured cycle parking is to be provided within the side passageway. There is no highway objection to the proposal.

## **Recommendation**

### **APPROVE**

#### **Subject to Conditions:-**

1. Approved Plans
2. Standard 3 year time limit
3. Cycle parking in accordance with details to be provided
4. Refuse storage
5. Details of materials, including windows, doors and metal gates to be approved
6. Means of protecting flat from noise to include acoustic glazing and mechanical ventilation to be submitted and approved

3<sup>rd</sup> June 2019

Application Number: AWDM/0428/19

Recommendation – APPROVE

Site: 12 Grand Avenue, Lancing, BN15 9PX

Proposal: Proposed single storey rear extension

Applicant: Mrs Michelle Bayley  
Case Officer: Eve Hearsey

Ward: Mash Barn



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This application is presented to the Committee as it has been submitted by Adur District Council and it is subject to a Disabled Facility Grant.

**Proposal, Site and Surroundings:**

The proposal is for a large single storey, flat roof, rear extension, measuring some 6.3m in length x 3.7m in width and will have a height of approx. 2.4m.

The dwelling currently has a rear conservatory which is located close to the boundary with its neighbour no. 10, who themselves have a full width single storey rear extension, some 3m deep. The application property also has a rear dormer.

The existing rear garden is some 20m in depth and 6m in width with fencing around.

The site comprises a two storey semi-detached dwelling situated on the east side of Grand Avenue. This section of the road comprises predominantly semi-detached dwellings and towards the north end of the road there are many terrace properties.

**Relevant Planning History:** None

**Consultations:** None undertaken

**Representations:** None received

### **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 2019

### **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:**

There is no objection in principle to the proposal which would extend the two storey dwelling. The key concerns are the effects on the residential and visual amenities on the neighbouring properties and the character of the locality.

## **Visual and residential amenities**

The dwelling is a two storey semi-detached property, the neighbouring property to the north has a contiguous boundary with the application site and there is a gap of approx. 1.3m between the two dwellings.

The proposed large extension will be single storey with a flat roof and will be positioned some 100mm from the neighbouring (no. 10) boundary, and approx. 2.5m to the boundary with no.14. The extension will be approx. 3.7m in width, being some 2m narrower than the full width of the dwelling, thereby allowing the back door of the property to remain.

The accommodation will provide a bedroom and en-suite and will have a door connecting to the main house and a further door to the rear garden, both wide enough to allow for wheelchair use.

At 6.3m in length, the extension will cover a large section of the rear garden, but will still retain over 13m of garden depth, which is considered acceptable.

No 10 have a 3m mono pitch rear extension, and therefore the proposal at no. 12 for a 6.3m extension will be some 3.3m longer, however this extension depth will maintain its acceptability as it is less than the 3.5m as referred to with the SPG regarding extensions and alterations to dwellings.

There is an existing approx. 2m high fence separating the two properties and the proposed extension will be 2.4m in height, making the extension some 400mm higher than the boundary. The extension will also be to the north of no. 10. Thereby it is not considered that the increase in height over the fence line will result in any material overshadowing onto no. 10. A condition attached to any permission to prevent windows being installed into this side elevation will also avoid any future overlooking issues.

The extension would be sited some 2.5m from the boundary with no. 14 which is considered a reasonable distance so as not to result in acceptable overshadowing to that property, and again overlooking would be diminished by reason of the existing approx. 1.8m high boundary fence to that property.

The resultant rear garden will be over 13m and backs onto a rear access way of some 5m which lies between the application site and properties is First Avenue therefore the extension will not result in any material harm to the properties in First Avenue.

## **Recommendation**

**APPROVE**

### **Subject to Conditions:-**

1. Approved Plans
2. Standard time limit
3. Materials to match existing
4. No windows in south side elevation

3<sup>rd</sup> June 2019

Application Number: AWDM/0716/19

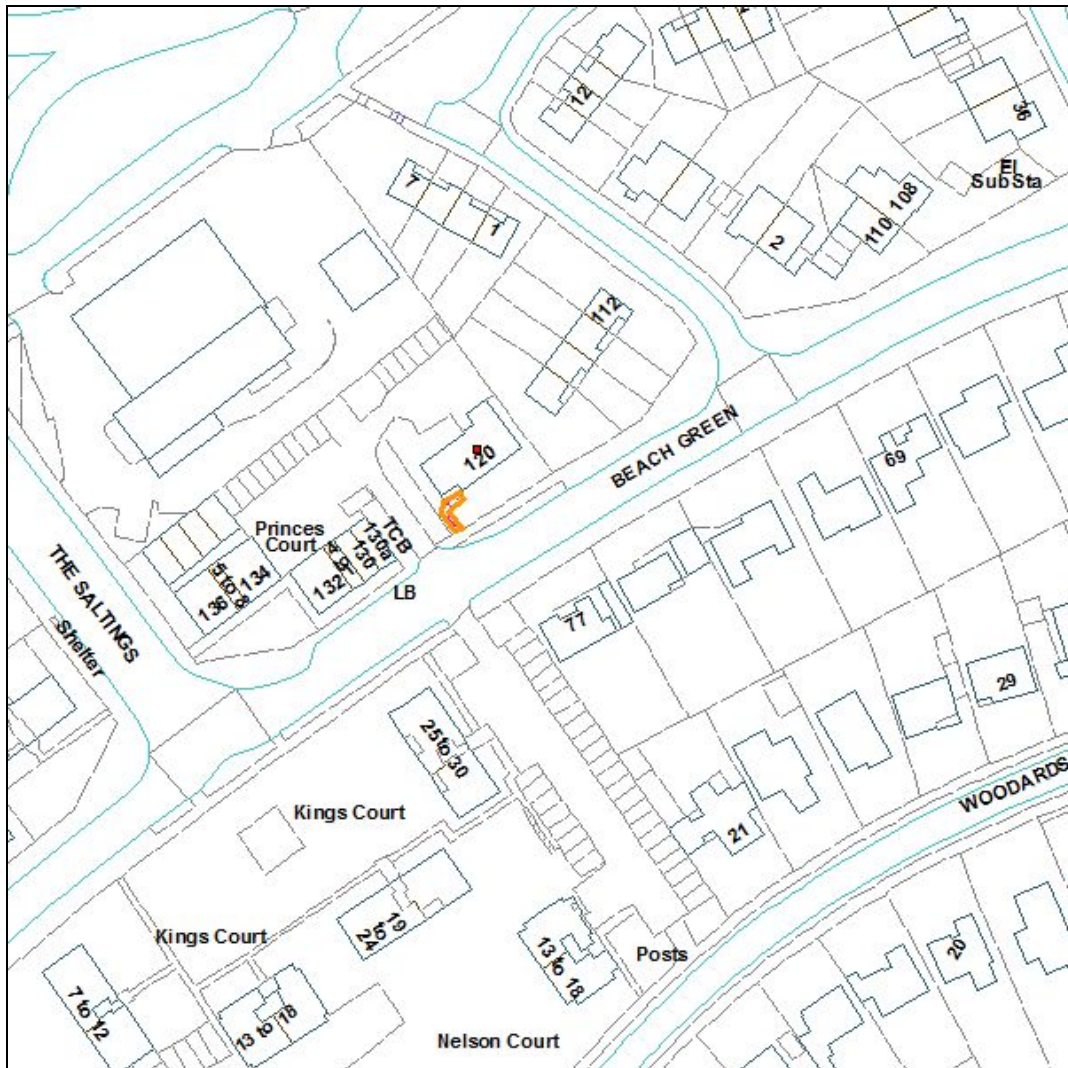
Recommendation – APPROVE

Site: Flat 1, Pebble Lodge, 120 Beach Green, Shoreham-by-Sea, BN43 5YA

Proposal: Provision of access ramp to south elevation

Applicant: Mrs Julie Watson  
Case Officer: Eve Hearsey

Ward: Marine



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This application is presented to the Committee as it has been submitted by Adur District Council with regard to a Home Improvement Assistance Grant.

## **Proposal, Site and Surroundings:**

The proposal seeks permission to provide a low ramp, including a flat platform area, from the front of existing patio doors relating to the applicants flat within the block of flats, across the site frontage of the existing amenity area of the applicants flat, and then down to the pavement area. The raised area will be approx. 150mm in height at the existing step to the building and then slowly reduce until it meets the pavement area. The ramp will be positioned within the confines of the existing block of flats.

The application site relates to a three storey block of flats on the Shoreham Beach, located on the north side of Beach Green. The area comprises a mix of housing types.

**Relevant Planning History:** None

**Consultations:** None undertaken

**Representations:** To be reported

## **Relevant Planning Policies and Guidance**

Adur Local Plan 2017 Policy 15  
'Supplementary Planning Guidance' No.2 'Extensions and Alterations to Dwellings'  
National Planning Policy Framework (2019)

## **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 relevant issues are the effects on the amenities of neighbouring residential occupiers and the effect on the character and appearance of the flats and its surroundings.



### ***Visual amenity***

The proposed ramp from the patio doors to the pavement area will be very shallow, only approx. 150mm at its highest point and it would be to purely to provide an incline to combat the step up to the specific flat, for ease of access for wheelchair use. An opening will be formed in the existing low front wall.

The ramp will be within the curtilage of the existing block of flats next to the applicants flat and will not compromise the visual amenities of the locality. It will be screened from the west by an existing hedge.

### ***Residential amenity***

It is not considered that the access ramp will have any material effect on the residential amenities of neighbouring properties.

### **Recommendation**

To delegate the application to officers to **GRANT** permission subject there being no adverse comments received by the expiry of the consultation period on 7 June.

### **Subject to Conditions:-**

1. Approved Plans
2. Standard 3 year time limit

3<sup>rd</sup> June 2019

### **Local Government Act 1972**

#### **Background Papers:**

As referred to in individual application reports

#### **Contact Officers:**

Peter Barnett  
Principal Planning Officer (Development Management)  
Portland House  
01903 221310  
[peter.barnett@adur-worthing.gov.uk](mailto:peter.barnett@adur-worthing.gov.uk)

Eve Hearsey  
Planning Officer  
Portland House  
01903 221233  
[eve.hearsey@adur-worthing.gov.uk](mailto:eve.hearsey@adur-worthing.gov.uk)

## **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.