



# ADUR DISTRICT COUNCIL

20 June 2019

## Adur Planning Committee

**Date:** 1 July 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 28 June 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 3 June 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 27 June 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**Part B - Not for publication - Exempt Information Reports**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  
1<sup>st</sup> July 2019  
Agenda Item 5**

**Ward: ALL**

**Key Decision: Yes / No**

**Report by the Director for Economy**

**Planning Applications**

**1**

**Application Number: AWDM/0078/19                      Recommendation – Approve**

**Site:                      Southwick Leisure Centre, Old Barn Way, Southwick**

**Proposal: Change of Use of Western tennis courts to 3G football pitches, with 4.2m high rebound fences (with net over football pitch), 8m high flood light posts to each corner of refurbished 3G football pitches, pitch markings and goals. Refurbishment of Eastern tennis courts with new surface, lines, nets and fencing. Acoustic fence to part North boundary to protect from noise generated on the football pitch.**

**2**

**Application Number: AWDM/0665/19                      Recommendation – Refuse**

**Site:                      80 Gordon Road, Shoreham by Sea**

**Proposal: Proposed pitched roof first floor rear extension.**

**3**

**Application Number: AWDM/0720/19                      Recommendation – Refuse**

**Site:                      29 Kings Walk, Shoreham by Sea**

**Proposal: Demolition of detached bungalow and erection of 1no. three bedroom detached dwelling and 1no. four bedroom detached dwelling, set over three floors with South facing balconies at first floor level (AMENDED PLAN received showing proposed houses moved closer to road)**

**4**

**Application Number: AWDM/0466/19**

**Recommendation – Approve**

**Site: 8 Shadwells Court, Shadwells Road, Lancing**

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

**5**

**Application Number: AWDM/0552/19**

**Recommendation – Approve**

**Site: 25 Manor Road, Lancing**

**Proposal: Provision of access ramp and handrails.**

Application Number: AWDM/0078/19

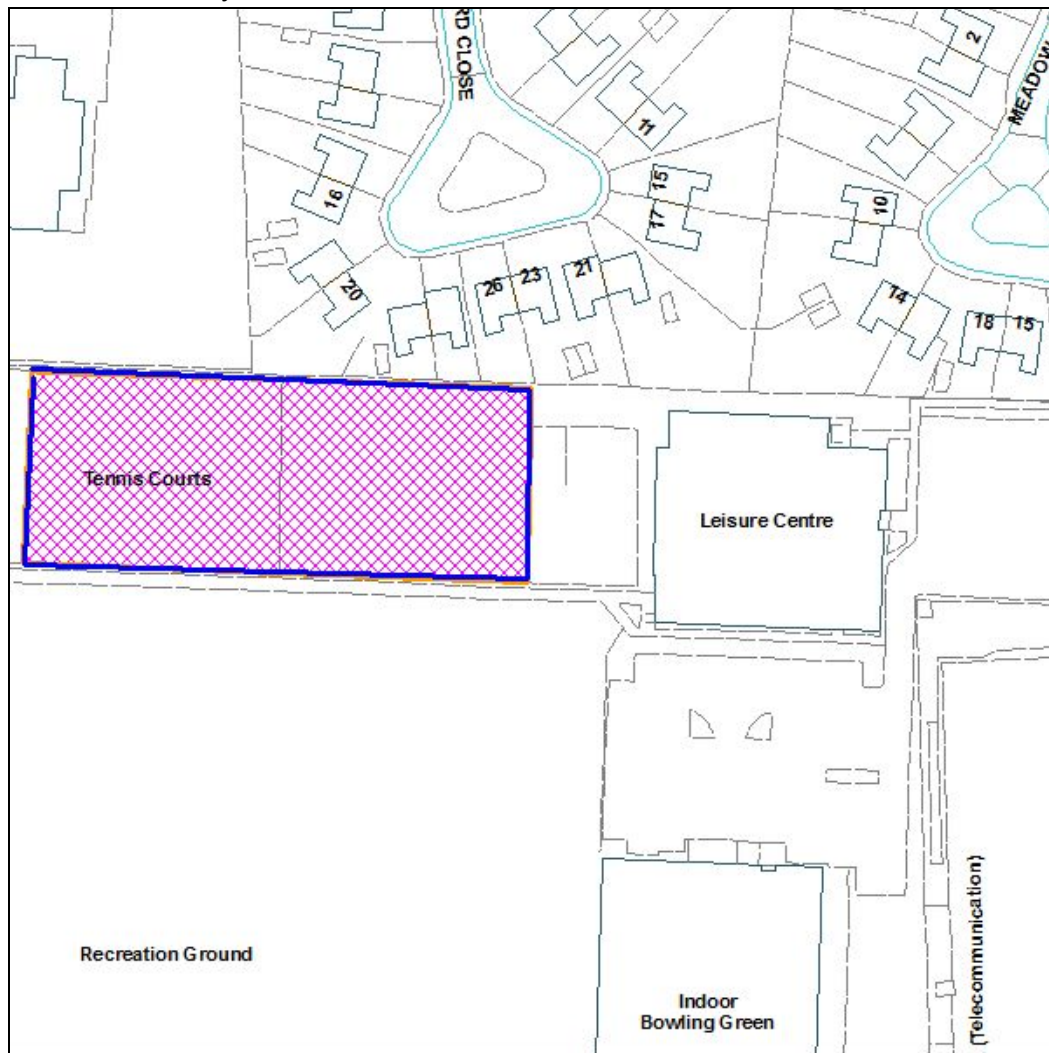
Recommendation: APPROVE

Site: Tennis Courts, Southwick Leisure Centre, Old Barn Way, Southwick

Proposal: Change of Use of Western tennis courts to 3G football pitches, with 4.2m high rebound fences (with net over football pitch), 8m high floodlight posts to each corner of refurbished 3G football pitches, pitch markings and goals. Refurbishment of Eastern tennis courts with new surface, lines, nets and fencing. Acoustic fence to part North boundary to protect from noise generated on the football pitch.

Applicant: Adur District Council  
Case Officer: Gary Peck

Ward: Eastbrook



Not to Scale

## **Proposal**

This application, submitted by the Council, relates to an area of disused tennis courts on the northern side of Southwick Recreation Ground.

To the western portion of tennis courts, permission is sought for change of use of to 3G football pitches, with 4.2m high rebound fences with a net over the pitch and 4 x 8m high floodlight posts to each corner of the pitches.

To the western portion of the tennis courts with it is proposed to replace the tennis courts with new surfacing, lines, nets and fencing. An acoustic fence to part of the northern boundary (which has been increased in length during the determination of the application) will also be installed to protect the residents in Orchard Close from any noise generated on the 3g football pitch to the west.

## **Site & Surroundings**

The application site consists of disused tennis courts on the northern side of Southwick Recreation Ground. To the east are some cricket nets and Southwick Leisure Centre. To the west is a multi-use games area and playground. To the north, the western part of the site is bordered by the currently disused grounds of the former Eastbrook School while the eastern part of the site is bordered on its northern side by residential properties in Orchard Close. These are 2 storey semi-detached houses with the first floor windows clearly visible from the eastern side of the application site, visibility is reduced from the western side of the application site by a screening on the boundary with the former school site.

## **Relevant Planning History**

None relevant to the determination of the application

## **Consultations**

### **Environmental Health – initial comments**

It is not clear from the light assessment what the Lux levels will be in neighbouring gardens. Would it be possible to get a lux plan to scale so this can be determined.

I would recommend an acoustic assessment is submitted, before the application is decided, to ensure that the acoustic mitigation is effective.

Any permission should have hours of use agreed. I would also recommend that a Noise Management Plan is provided covering issues such as community liaison, complaints procedures, student briefings and preventing unauthorised use. Finally, I would recommend a condition for construction hours.



*Following the submission of further information and amended plans, the Environmental Health Officer commented:*

I have had a look at all of the additional information and would make the following comments.

I am not a lighting engineer, so will take [the applicant's] advice on this that when you include the shadow provided by the existing hedge line and acoustic fence the lighting scheme will not adversely impact on the neighbouring gardens.

We discussed and agreed that the acoustic fence be extended by 10m in the West direction. The acoustic fence will be screened by the existing vegetation in this area and will not be seen by the neighbours behind.

If this is acceptable then I am satisfied that noise from the facility will be adequately controlled.

### **Sport England – initial comments**

Thank you for consulting Sport England on the above planning application. The site is considered to constitute playing field, or land last used as playing field, as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2015 (Statutory Instrument 2015 No. 595). As such Sport England is a statutory consultee.

Sport England has sought to consider the application in light of the National Planning Policy Framework (particularly Para. 97) and against its own playing fields policy. Unfortunately there is insufficient information to enable Sport England to adequately assess the proposal or to make a substantive response. Please therefore could the following information be provided as soon as possible:

1. Please provide a detailed design of the proposed 3G pitch including, at a minimum, the dimensions including proposed safety run-offs/any recessed goal areas etc.
2. Please provide details of an acoustic assessment – while I note the provision of acoustic fencing, the proximity of the closest houses is a concern with regard to the sustainability of this proposal

Sport England's Playing Fields Policy and Guidance document, which includes the type of information required in order for us to evaluate a planning application against our policy, can be viewed via the below link:

[www.sportengland.org/playingfieldspolicy](http://www.sportengland.org/playingfieldspolicy) (see Annex B)

Sport England's interim position on this proposal is to submit a *holding objection*. However we will happily review our position following the receipt of all the further information requested above. As I am currently unable to make a substantive response, in accordance with the Order referred to above, the 21 days for formally

responding to the consultation will not commence until I have received all the information requested above.

*Following the receipt of further information, Sport England further commented:*

It would be our preference to have testing to ensure that the acoustic fence is sufficient – however, given that residential amenity is a matter for the local authority planners, we will not object solely on this basis despite the fact that this aspect remains a concern.

### **West Sussex Highways**

The highway authority has no objection to the application, providing that a condition is added to any consent requiring a wheel-washing facility during refurbishment.

### **Representations**

1 letter raising concerns regarding operating times, the floodlighting not lighting up adjoining gardens and whether the facility will be locked at night.

1 letter of support stating this is a much needed facility for the young people of Adur and will regenerate a disused area.

### **Relevant Planning Policies and Guidance**

Adur Local Plan 2017:

Policies 12 (Southwick and Fishersgate), 15 (Quality of the Built Environment and Public Realm Policy) and 32 (Open Space, Recreation and Leisure)

National Planning Policy Framework (CLG 2019)

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 issue in the determination of the application is the impact of the proposal upon the visual character of the area and the amenities of neighbouring residential properties.

Policy 32 of the Adur Local Plan supports the provision of new sports facilities and resists the loss of existing provision. The application site consists of tennis courts which have long been disused and accordingly there is no policy objection to their renewal on the eastern side and the provision of a 3G football pitch on the western side.

In visual terms, the case appears straightforward as the current appearance of the site detracts from the rest of the generally well kept recreation ground which is well used by a variety of users. One of the main footpath links through the park passes alongside the southern boundary of the application site and the proposed development would enhance the visual amenities of this part of the site. There is already a playground, multi-use games area and cricket nets situated on the northern part of the recreation ground and effectively the proposal would infill the gap between the games area and cricket nets. It is noted that on the western side, the proposed mesh fencing will be over a metre high than the existing, rather poor quality, chain link fence but in the context of the facility it will provide, is not considered to be so visually obtrusive as to warrant a refusal of the application.

The remaining issue is therefore the impact upon neighbouring residential properties as the houses on the southern side of Orchard Close are situated close to the northern boundary of the application site with, at its nearest point, number 22 Orchard Close being less than 4 metres from the boundary. While the ground floors of these properties are generally screened by an existing fence, the first floors of the properties are clearly visible. The provision of floodlights to the western portion of the application site, as well as the provision of a 3g pitch, will mean that the area would be far used far more than the existing courts would be even if they were usable.

It is noted, though, that only 1 objection has been received to the application (and indeed a letter of support) from local residents. Given that, at present, both the application site on the southern side of Orchard Close and the former school site to the west of Orchard Close are both disused but seemingly still easy to access, it can be considered that the provision of a more active use in the area could be beneficial to the amenities of neighbouring residents.

The application originally proposed a 20 metre long, 2.4 metre high acoustic fence. Following consultation and a site visit from the Environmental Health Officer it has been agreed to extend this to 30 metres in length (the increased length being provided on the western, school boundary side of the site). The residential properties on Orchard Close are already bordered by close boarding fencing and it is not considered that the provision of 2.4 metre high acoustic fence will cause any harm to the amenities of the residential properties given that they are situated on slightly higher ground than the application site, especially on the western side as there is a

step down between the respective parts of the application site. Given that the Environmental Health Officer considers that extended length of the fencing to be acceptable in noise terms, the amended proposal is thus considered to be acceptable.

The remaining issue is therefore in respect of the proposed floodlighting. The Environmental Health Officer considered that the existing screening to the north and the acoustic fence (subsequently extended) would help shield the lighting from the nearby residential properties. It is important to note that the lighting is only proposed on the western part of the site which is not directly adjacent to the residential properties. The two easternmost lights will therefore face way from the nearest properties while the north western column will be over 50 metres away from those properties and, as the Environmental Health Officer attests, will be partly be obscured by existing screening on the disused school site.

The south western column will face towards residential properties, albeit it will be over 50 metres away from the site boundary with the residential properties and in excess of 70 metres from the properties themselves. Your officers are of the view, therefore, that there is sufficient scope for the floodlighting to be angles sufficiently to avoid any undue harm to the neighbouring property although the lighting spill plan does appear to indicate that some light would spill into the garden of 20 Orchard Close. The extended fence would appear to offset some of this impact, but it is felt that a condition is appropriate to ensure the any light spill is contained within the site boundaries as far as possible.

In conclusion, the proposal offers an opportunity to upgrade recreational facilities on a part of the Recreation Ground that has lain disused for too long and now detracts from the overall appearance of a site which is an important amenity for the residents of Southwick. Subject to conditions ensuring that the amenities of nearby residents in Orchard Close are protected, it is considered that the application is acceptable.

### **Recommendation**

To GRANT planning permission subject to the following conditions:-

- 01 Approved Plans
- 02 Full Permission
- 03 Before any of the operations which involve the movement of materials in bulk to or from the site are commenced, facilities shall be provided as agreed with the Local Planning Authority, in order that the operator can make all reasonable efforts to keep the public highway clean and prevent the creation of a dangerous surface on the public highway. The agreed measures shall thereafter be retained and used whenever the said operations are carried out.

Reason: The above condition is required in order that the development should not prejudice highway safety or cause inconvenience to other highway users.

- 04 No work for the implementation of the development hereby permitted shall be undertaken on the site on Sundays or on Bank or Public Holidays. On all other days such work shall only be undertaken between the hours of 8am and 6pm Monday to Friday and 8am to 1pm on Saturdays.

Reason: To safeguard the amenities of the occupiers of neighbouring properties having regard to policies 15 and 34 of the Adur Local Plan.

- 05 The facility hereby approved shall not be used other than between the hours of 0900 hours and 2100 hours on Mondays to Fridays, 0900 hours and 2000 hours on Saturdays, Sundays and Public/Bank Holidays.

Reason: To safeguard the amenities of the occupiers of neighbouring properties having regard to policies 15 and 34 of the Adur Local Plan.

- 06 The facility hereby approved shall be used in accordance with the Artificial Noise Management Plan dated May 2019. The approved Plan shall thereafter be adhered to at all times.

Reason: In the interests of residential amenity having regard to saved policy AG1 of the Adur District Local Plan.

- 07 The facility hereby approved shall not be used until the proposed acoustic fencing has been erected in accordance with the details hereby permitted and the fencing shall thereafter be retained permanently.

Reason: In the interests of amenity and to comply with policy 15 of the Adur District Local Plan.

- 08 The lights hereby permitted shall be angled at all times in such a manner as to prevent glare to neighbouring residential properties in accordance with details to be submitted and approved by the Local Planning Authority prior to first use of the facility hereby permitted.

Reason: In the interests of highway safety having regard to policy 34 of the Adur Local Plan.

Application Number: AWDM/0665/19

Recommendation – REFUSE

Site: 80 Gordon Road, Shoreham-By-Sea

Proposal: Proposed pitched roof first floor rear extension.

Applicant: Mrs Dani Prosser

Ward: St Mary's

Case Officer: Peter Barnett



Not to Scale

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**Proposal, Site and Surroundings**

The application property is a mid-terrace two storey dwelling located on the south side of Gordon Road. As is common with properties in the terrace there is a two storey

'outrigger' projection at the rear with a mono-pitched roof single storey extension attached to the rear. There is a recessed area containing a window serving a living room.

Permission is sought for a first floor extension to the rear above the mono-pitched roof projection. It will form a gable extending to the south from the two storey outrigger and will provide larger first floor bedroom and bathroom. The existing ground floor bathroom is to be converted and incorporated into a larger kitchen. The extension measures 3.2 metres wide and 2.8 metres deep. The height to the ridge is 5.5 metres. It will be 1.6m from the side boundary.

The extension is to be rendered. A new rooflight is also proposed in the east facing roofslope of the original outrigger. This would be permitted development if it is obscure glazed and non-opening below 1.7m above the floor level of the room in which it is to be installed (new bathroom).

### **Relevant Planning History**

AWDM/1423/15 - First floor rear extension to south elevation at 66 Gordon Road - approved

### **Consultations**

None

### **Representations**

Letter of objection received from the occupier of 82 Gordon Road:

- Loss of light/reduction in sunlight to lounge and side kitchen/diner glazed door
- Have recently replaced side door with larger glazed door in order to obtain more light
- Could lead to increased damp

### **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 (February 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 proposed development which involves an extension to an existing dwelling house. The main issues for consideration are the impact of the proposed extension on the character and appearance of the dwelling and street scene and the residential amenities of the occupiers of the adjacent dwellings.

### ***Visual amenity***

The proposed extension is to the rear of the dwelling and will not therefore be visible within the street scene. It has a lower ridge than that of the existing outrigger and is subservient in scale. There are at least two other examples of such extensions on this side of Gordon Road, one of which has a less sympathetic flat roof, and it is not considered that an objection can be raised on visual amenity grounds.

### ***Residential amenity***

As set out above an objection has been received from the owners of the adjacent dwelling at no. 82 Gordon Road which is the main dwelling to be affected by the proposal.

As existing, No.82 has a similar arrangement to No. 80 in terms of having a two storey outrigger with single storey extension at the end and the effect of this is to leave the living room windows of both properties in a recess. Neither property has infilled their recess. No. 82 has a kitchen/dining room within their outrigger on the ground floor and this is served by a small window in the rear elevation and a window and glazed door in the side elevation which faces No.80. The properties in the terrace are south facing and do receive sunlight for much of the day. However, there is concern that the addition of a first floor extension at the end of the existing two storey outrigger at No.80 will result in an unacceptable deep recess for the occupiers of No.82, reducing their light and outlook and will have an overbearing impact. The extent of two storey vertical side wall at No. 80 will measure 6.2m long and the outlook from and light to the glazed door at No.82, which serves a dining area, will be compromised by this proposal.

The applicants have pointed out that there is an almost identical extension at 66 Gordon Road, approved in 2015, and that this sets a precedent for their proposal. Your Officers have looked into that case and it is considered that there are sufficient differences between it and the current application to justify a different outcome here.

In that case there was already an infill extension built up to the boundary at ground floor with the affected neighbour which reduced light and outlook to their side



windows. The affected room also had south facing doors onto the garden which were the main outlook and source of light to the kitchen area. The side windows were considered to be secondary openings only. This contrasts with the situation at No.82 which does not have a large south facing opening and the side door is considered to be the main opening and source of light to the affected room. The proposed extension is considered to have a sufficiently detrimental impact on light and outlook to warrant refusal.

The recessed living room window will also be affected but that room also has a main bay window at the front (north) of the dwelling which is considered to be the main aspect and light source to that room. While there will be some impact on light to the living room, it is not considered to be as harmful as the loss of light to the side glazed door.

To the west, adjacent to the proposed rear projection at first floor is rear, south facing window at No.78. There would be some impact upon light to this room due to the depth of the extension at 2.8m. However, the affected room will continue to receive light from the south and an outlook and any harm caused is not of a severity to warrant refusal.

Nevertheless, for the reasons outlined above, it is considered that the proposed extension will have an adverse impact on the light and outlook of 82 Gordon Road and should be refused accordingly.

### **Recommendation**

**REFUSE** for the reason:-

1. The proposed extension, by reason its height and depth of rear projection, will cause a loss of light and outlook for the occupiers of 82 Gordon Road to the detriment of their residential amenity. The proposal is therefore contrary to policy 15 of the Adur Local Plan, DM Standard No.2 and the NPPF.

1<sup>st</sup> July 2019

Application Number: AWDM/0720/19

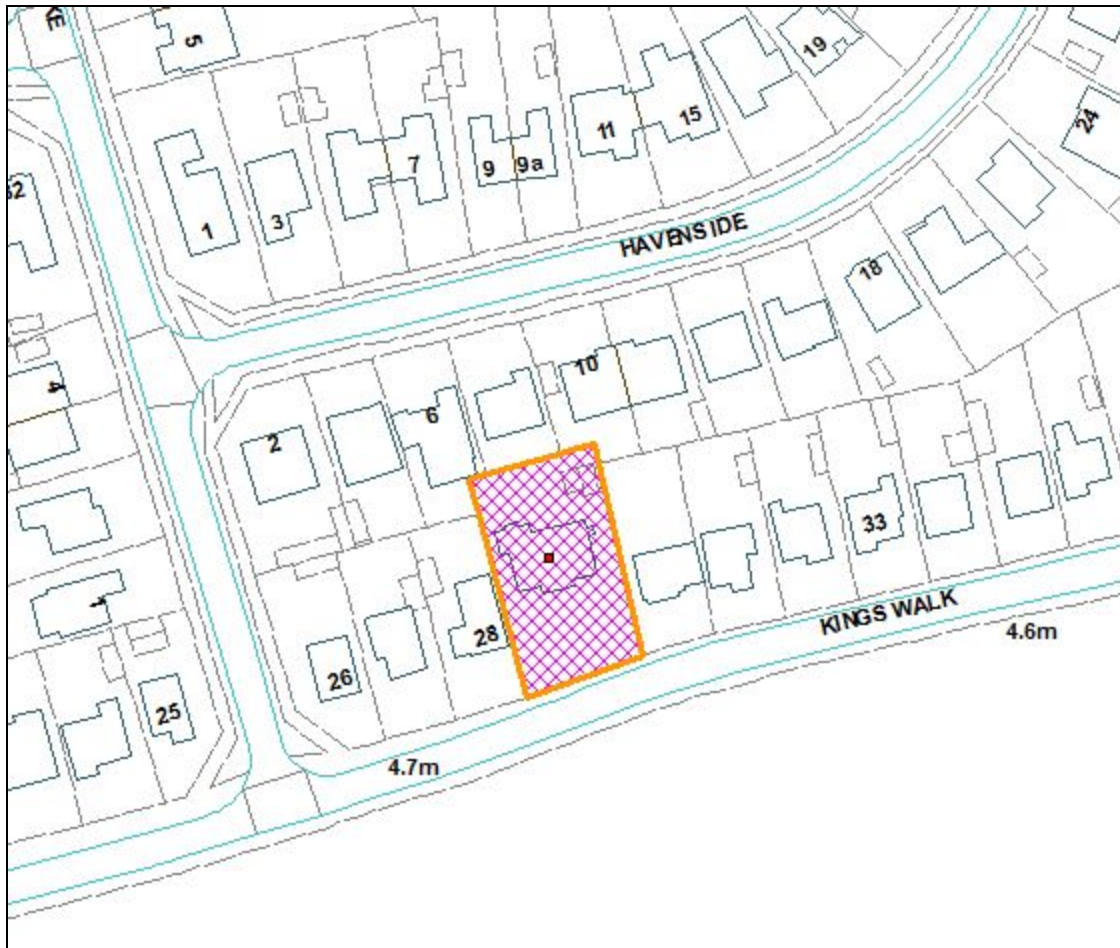
Recommendation – REFUSE

Site: 29 Kings Walk, Shoreham-By-Sea

Proposal: Demolition of detached bungalow and erection of 1no. three bedroom detached dwelling and 1no. four bedroom detached dwelling, set over three floors with South facing balconies at first floor level

Applicant: Mr & Mrs Huxtable And Dier  
Case Officer: Peter Barnett

Ward: Marine



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### Proposal, Site and Surroundings

The application site comprises a detached hipped roof bungalow with rooms in the roof served by front and rear dormers, and which sits between two storey dwellings on Kings Walk on a plot 20m wide. It is set further back into the site than its neighbours. At the rear there is a two storey dwelling in Havenside with bungalows either side, one of which has rooms in the roof served by a rear dormer.

The application proposes to demolish the existing bungalow on the site and erect a pair of detached three storey dwellings, with the top floor of accommodation provided within the roof. The buildings will have a gable end at the front containing glazed doors and a Juliet balcony, with a hipped roof at the rear. The top of the building will be flat roofed, with a pitched roofslope on the sides, containing a dormer window with angled side walls on the 'inner' roofslope of each building.

Both dwellings will have integral garages and front balconies at first floor at the front. Plot 1 would have 3 bedrooms with a kitchen and living room at first floor level. Plot 2 would have 4 bedrooms with a living room at first floor and kitchen at ground floor. Neither house would have living accommodation on the ground floor, although Plot 1 would have a study and day room at that level. They would be 8.4m high at their highest point with an eaves height of 5m. They are to be finished in a mixture of brickwork, render and cladding with a tiled roof, Plot 1 having a rendered finish on the ground floor at the front and Plot 2 a brickwork finish.

The buildings will be brought forward and will be staggered. Plot 1 will be level with the front wall of No.28 to the west; Plot 2 will project marginally in front of No.30 to the east.

### **Relevant Planning History**

AWDM/1302/15 - Erection of 2no. three-storey detached houses with associated parking and turning to replace existing bungalow - withdrawn.

AWDM/1080/16 - Erection of 2no. three-storey detached houses with associated parking and turning to replace existing bungalow and annex accommodation – refused and dismissed on appeal.

The Inspector felt that the proposed dwellings would not be sympathetic to the surrounding area. The dwellings in Kings Walk were identified as having a predominant hipped roof form and a two storey scale. However, no harm was identified in terms of overlooking of neighbouring properties, including those in Havenside to the rear.

### **Consultations**

**West Sussex County Council** – The **Highways** Officer has no objections subject to conditions to secure car and cycle parking but advises that the garage for Plot 1 does not meet the minimum internal specifications and cannot be counted towards parking provision for the dwelling.

Adequate space exists on site and on street without causing a detriment to highway safety.

**Adur & Worthing Councils** – The **Environmental Health** Officer has no objection but requests an informative advising to contact EH for demolition and to advise of PFA.

The **Private Sector Housing** Officer has requested that an informative is placed on any permission to advise of actionable hazards under the Housing Act.

The **Drainage Engineer** recommends surface water disposal details are reserved by condition.

**Southern Water** – Requests usual informatives

**Environment Agency** – No objection subject to condition requiring all sleeping accommodation to be located on the first floor and above.

## **Representations**

Original Plans - 9 letters of objection received from the occupiers of 6, 8, 10, 12, 14 Havenside plus 28, 30, 39 Kings Walk, 2 Mardyke:

- Previous objections and reasons for refusal remain relevant
- Design and appearance out of keeping with the character of properties in the area
- Roof heights will not match
- Style will not reflect size and shape of existing detached homes along Kings Walk
- Three storey building is not in keeping
- Overlooking, loss of privacy
- Loss of light
- Insufficient headroom on top floor – do not wish to see future increase in height at building stage so design must be rejected now or subject to a maximum height restriction
- Dispute points in Planning Statement
- Better design but could set precedent for similar developments which will eventually change the appearance and character of the area
- Increased noise
- Would be pleased to see current mess on site cleared up and are happy to co-operate with any reasonable plan
- Shape of the roof is better but dwellings have moved closer to Havenside than previous scheme and will be more intrusive
- Too large for site and area
- No other plot in Kings Walk has two large properties on it
- Overdevelopment
- Cramped
- Eaves height still higher than those of neighbouring properties
- Setting back of houses will cause significant loss of light and overlooking to rear of 30 Kings Walk
- The site is a disgrace with building rubbish everywhere
- Flank and rear elevations are visually bold and stark and add to perceived mass and visual dominance of the proposed buildings
- Overbearing

Amended Plan showing revised position of dwellings on site - 2 letters of objection received from the occupiers of 28 Kings Walk, 10 Havenside:

- To revert to the original rejected position on site seems ridiculous given the grounds of rejection
- Loss of amenity and overlooking effect on No.28 are considerably worse than with the buildings further back
- The position is well forward of the property lines of Nos 28 and 30
- Moving houses forward makes no major difference and previous objections still stand

### **Relevant Planning Policies and Guidance**

Adur Local Plan 2017 Policy 15, 18, 20, 22, 28, 36

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

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***

The proposal comprises new housing development 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 and the effect on the character and appearance of the site and its surroundings.

The Adur Local Plan 2017 defines a housing supply target of 177 dwellings per annum which can be achieved through a combination of strategic allocations, completions, existing commitments and windfall sites such as this.

Section 12 of the NPPF stresses the importance of achieving well-designed places and Paragraph 130 advises that "Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions."

## ***Visual amenity***

The existing bungalow sits within a considerably wider plot than its neighbours. It also has a lower roof height and sits deeper into the site. Its demolition and replacement with a larger building, or pair of buildings, is considered to be acceptable in principle given the size of the plot and the character of development along Kings Walk, which consists predominantly of 2 storey dwellings.

The main consideration is whether the scale and form of the proposed dwellings is in keeping with the overall street scene. Previous applications in 2015 and 2016 proposed a more contemporary form of development but it was not considered that the development would be in keeping with the form and scale of development in Kings Walk, which is generally quite traditional in nature, with pitched tiled roofs and a largely consistent eaves height. In dismissing an appeal in 2017 the Inspector wrote:

*“There are many examples of similar (contemporary) properties along the south side of Brighton Road between Lancing and Shoreham, but none within Kings Walk itself. The sail form of the roof would be incongruous with the predominant building form of hipped roofs and thus the proposed dwellings would not reinforce local distinctiveness.”*

The current application has revised the design of the proposed dwellings to more closely reflect the predominant two storey form in the street, but with a second floor within the roof. They will have a front gable with Juliet balcony, a dormer and rooflights to the side and a hipped roof with rooflights at the rear. The window within the front gable at second floor reflects the design of 39 Kings Walk which has a two storey pitched roof form and does not appear out of place within the street scene.

However, that building has a fully pitched roof and lower eaves than the dwellings proposed here. In order to keep the height of the dwellings consistent with those of their neighbours at Nos 28 and 30 a crown roof has been used in the design (i.e. a roof which has side slopes which are divided by a flat roofed element). The architect has attempted to disguise the flat roof through the use of half round tiles around the edge of the roof. Nevertheless, the dwellings have an awkward appearance at odds with the fully pitched roofs and central ridge form of the majority of dwellings in the street. The higher eaves further emphasise that the form of the dwellings does not successfully assimilate with the surroundings. The design is considered to be contrived and does not reflect the predominant pitched roof form of buildings in the street. The proposed dwellings would therefore be out of keeping and visually harmful to the area.

## ***Residential amenity – impact on neighbours***

The proposed buildings have been brought forward from the position of the existing bungalow on the site and are no closer to the rear than the previous scheme. Plot 1 will be 16.9m from the rear boundary while Plot 2 will be 16.2m away. The nearest property at the rear is 8 Havenside which has a very short rear garden of only 5.3m, which has been reduced further following the construction of a conservatory which

leaves a distance of only 2.9m to the boundary. The distance between the proposed 2 storey buildings to the conservatory is therefore about 19m-20m at its closest point. This is less than the 22m distance required by the Council's DM Standard No.1. However, this distance was considered by the Inspector at the previous appeal and she stated:

*“the proposed dwellings would be positioned further forward in the plot than the existing house, so that there would be about 20 metres separation between them and the nearest properties on Havenside. This would be adequate to avoid any unacceptable overlooking of these neighbouring properties, even taking into account the greater height of the house.”*

She went on to state:

*“the outlook from first floor windows in properties to the north would be altered as the development would have a greater height and width, but as the dwellings would be much further away than the existing house the harm would not be so great as to make the development unacceptable in this respect.”*

She also found there would be insufficient harm to the side windows of Nos 28 and 30 Kings Walk *“to warrant dismissal on this matter alone.”*

The current proposal has even less impact on neighbours due to its more sympathetic form and an objection on residential amenity grounds is not considered to be sustainable.

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

The proposed dwellings comfortably exceed the minimum national housing standards for 3 and 4 bedroom houses and the Council's minimum external amenity space standards.

### ***Flood Risk***

The application is accompanied by a Flood Risk Assessment which identifies that the site falls within flood zones 1, 2 and 3 but that the actual dwelling itself is within flood zone 1 and 2. The proposed dwellings would also be within flood zone 1 with only a very limited amount of Plot 2 falling within Flood Zone 2. All sleeping accommodation will be on the upper floors. This is the same as with the previous application when no flood risk concerns were raised. The application suggests that that the development will incorporate flood mitigation measures and will adopt flood warning procedures.

As such, there are no flood risk concerns with the development and the Environment Agency has not raised an objection.

### ***Parking and Access***

The site currently has 2 vehicular crossovers and these will be utilised to serve the proposed dwellings. Each dwelling will have an integral garage and 2 parking spaces

in front of each of the buildings. It should be noted that the garage to Plot 1 does not meet the minimum internal specifications and cannot be counted towards parking provision for the dwelling. Nevertheless, sufficient parking is considered to be provided to serve the development

There are no highway safety concerns with the development.

### **Recommendation**

**REFUSE** for the reason:-

1. The proposed dwellings, as a result of their design and form, incorporating a crown roof and higher eaves, do not relate sympathetically with neighbouring dwellings and the existing predominant character of Kings Walk, to the detriment of the visual amenities and residential environment of the area. The proposal therefore conflicts with policy 15 of the Adur Local Plan and the relevant policies of the National Planning Policy Framework relating to good design.

1<sup>st</sup> July 2019



Application Number: AWDM/0466/19

Recommendation – APPROVE

Site: 8 Shadwells Court, Shadwells Road, Lancing, BN15 9ER

Proposal: Provision of access ramp to west elevation.

Applicant: Mrs Jule Murrell  
Case Officer: Eve Hearsey

Ward: Mash Barn



Not to Scale

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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 ramp with a platform directly from the front door; continuing within the existing recess; then turning 90 degrees to run parallel to the front wall of the property. The platform and ramp will have handrails to the side for assistance.

The application site relates to a two storey block of flats located on the south end of the series of blocks making up Shadwells Court, Shadwells Road, Lancing.

### **Relevant Planning History:**

None relevant to the determination of the application

### **Consultations:**

None undertaken

### **Representations:**

#### **Lancing Parish Council:**

No objection

### **Relevant Planning Policies and Guidance**

Adur Local Plan 2017

'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 dwelling and its surroundings.

### ***Visual amenity***

The proposed ramp is partly contained within the site recess, and partly to the frontage of the flat. The platform/ramp will be directly outside of the front door, and is purely to provide an incline to combat the step up to the front door, with the ramp continuing outside to assist in the difficult confines of the entrance to the flat; and its purpose is purely for ease of access for wheelchair use.

The ramp and platform together with the railings will not compromise the visual amenities of the locality.

### ***Residential amenity***

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

## **Recommendation**

### **APPROVE**

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

1. Approved Plans
2. Standard 3 year time limit

1<sup>st</sup> July 2019

Application Number: AWDM/0552/19

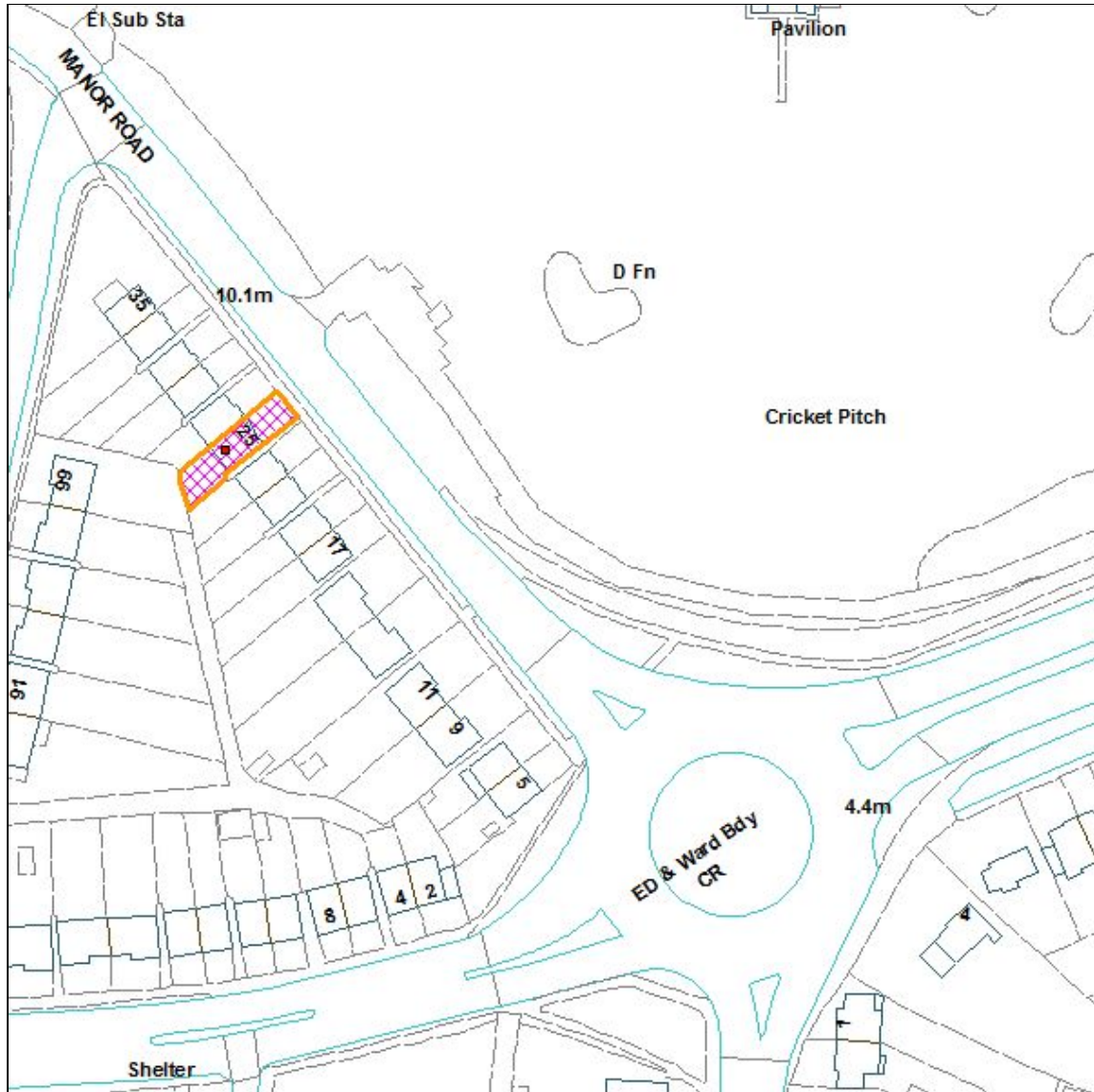
Recommendation – APPROVE

Site: 25 Manor Road, Lancing, BN15 0PH

Proposal: Provision of access ramp and handrails

Applicant: Mrs Gillian Lowe  
Case Officer: Eve Hearsey

Ward: Manor



Not to Scale

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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 ramp with a platform directly from the front door, then down to meet with the existing drive hardstanding area. The ramp will be positioned within the confines of the existing dwelling. Railings will also be supplied on the outside edges of the ramp

The application site relates to a semi-detached dwelling located on the south west side of Manor Road, Lancing, opposite Lancing Manor Park.

### **Relevant Planning History:**

None

### **Consultations:**

None undertaken

### **Representations:**

#### **Lancing Parish Council**

No comment

### **Relevant Planning Policies and Guidance**

Adur Local Plan 2017

'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 dwelling and its surroundings.

### ***Visual amenity***

The proposed ramp is contained within the site frontage totally within the existing hardstanding area. The platform will be directly outside of the front door, and the ramp is purely to provide an incline to combat the step up to the front door, and its purpose is purely for ease of access for wheelchair use.

The ramp and platform together with the railings will not compromise the visual amenities of the locality.

### ***Residential amenity***

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

## **Recommendation**

### **APPROVE**

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

1. Approved Plans
2. Standard 3 year time limit

1<sup>st</sup> July 2019

## **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.