



# ADUR DISTRICT COUNCIL

26 August 2022

<b>Adur Planning Committee</b>	
<b>Date:</b>	<b>5 September 2022</b>
<b>Time:</b>	<b>7.00 pm</b>
<b>Venue:</b>	<b>QEII Room, Shoreham Centre, Shoreham-by-Sea</b>

**Committee Membership:** Councillors Carol Albury (Chair), Jeremy Gardner, Carol O'Neal, Vee Barton, Mandy Buxton, Dan Flower, Jim Funnell, Joe Pannell (Adur Vice-Chair) and Julian Shinn

**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 2 September 2022.

## Agenda

### Part A

- a) Addendum Report for Planning Application(Pages 3 - 24)  
To consider a report by the Director for the Economy.

**Recording of this meeting**

Please note that this meeting is being live streamed and a recording of the meeting will be available to view on the Council's website. This meeting will be available to view on our website for one year and will be deleted after that period. The Council will not be recording any discussions in Part B of the agenda (where the press and public have been excluded).

For Democratic Services enquiries relating

For Legal Services enquiries relating to

to this meeting please contact:	this meeting please contact:
Katy McMullan Democratic Services Officer 01903 221006 katy.mcmullan@adur-worthing.gov.uk	Caroline Parry Senior Lawyer & Deputy Monitoring Officer 01903 221081 <a href="mailto:Caroline.perry@adur-worthing.gov.uk">Caroline.perry@adur-worthing.gov.uk</a>

**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.

## ADDENDUM REPORTS

<b>Application Number:</b>	AWDM/1481/21	<b>Recommendation - Approve subject to a s.106 Agreement, the receipt of amended plans and outstanding consultee responses.</b>
<b>Site:</b>	Land At Former 5 Brighton Road, Shoreham-By-Sea	
<b>Proposal:</b>	<b>Proposed mixed-use re-development between 3 and 8 storeys comprising 21 townhouses, mixed-use apartment block of 24 flats, riverside walk, landscaping, and parking.</b>	
<b>Applicant:</b>	Cayuga 011 LLP	Ward: Southwick Green
<b>Agent:</b>	Lewis and Co Planning SE Ltd	
<b>Case Officer:</b>	Stephen Cantwell	

### Amended Plans and Additional Supporting Information

Plans:

- 1) Site Layout Plan - Additional Note added regarding detailed design of frontage planting to ensure adequate clearance for bus stop at detailed design stage [**Officer comment:** this is assumed to refer to the detailed Highway Agreement stage s.278/38. Confirmation has been sought from the Highway Authority].

The plan also notes that casual parking in the courtyard would be controlled with rules for the development. Surface treatment within the area shown below could have different shaded material clause. In terms of site management, deeds/tenancy agreements can advise that vehicles should not park within this area. An indicative plan suggests that eight townhouses would be outside this area. Whether some of these may have opportunity to park a second vehicle informally can be ascertained by a more detailed version of the informal plan

- 2) An amended Basement Plan shows the pipework run for connection to a future district heating system. Please see 'Energy & Sustainable Design' below)

Additional Information:

Energy & Sustainable Design

Summary of updated statement: The design and build contractor will undertake a detailed design post planning. We will:

- ensure that plan rooms are large enough to incorporate all necessary plant to connect to the Shoreham Heat Network
- work hard with the developer and our Energy Assessor to find the most suitable environmental design. These have reduced CO<sup>2</sup> emissions through passive design measures, increasing insulation in the building fabric to reduce heat loss, efficient heating systems and LED lighting. Air Source Heat Pumps and underfloor heating will certainly be considered as the preferential heating strategies.

In our recent contract with the development at 239 Kingsway, Hove we have been successfully able to deliver underfloor heating in conjunction with air source heat pumps. We take a fabric first approach with the construction to ensure minimal heat loss or, for that matter, overheating. There will be design stage SAP calculations carried out to allow us to design homes using suitable energy efficient materials to reduce thermal bridging and heat loss. Any appliances fitted will be a minimum of 'A' rated and all sanitary-ware and taps will be water efficient.

#### Noise & Glazing

The applicant's consultant recommends that to accurately answer the queries regarding the relationship between noise, ventilation/overheating and window sizes will require detail modelling which is generally dealt with by condition but this presents no issue in relation to window sizes.

**[Officer comment:** Further advice is sought from the Environmental Health officer as to whether this can be carried out under delegated authority or via planning condition. It is important that there is confidence that window sizes and designs are acceptable as part of the appearance of the development.

#### Drainage (1st Sept, after Council's Technical Service Engineer's comment 31 Aug)

The applicant's drainage consultant replies that specific details and calculations requested are more suited to the detailed design stage and will need to be coordinated with Stage 4 Technical Design information from other disciplines in any case **[Officer note:** Stage 3 is the planning approval stage under RIBA guidance, with Stage 4 as the discharge of planning conditions and Building Regulations approval]. We have demonstrated that the surface water management strategy is sound, with the discharges to the Harbour, it is just the quantum of tide-lock attenuation storage that is being quibbled over pending calculations for various storm and sea level scenarios.

The consultant requests that this is subject to planning conditions and notes that this has been dealt with in this way at other neighbouring sites [Kingston Wharf and Free Wharf. - **Officer note:** drainage conditions for Free Wharf have been subsequently discharged]

## Design of Western Area & Boundary

The developer has previously purchased land from the owner of the neighbouring site (Kingston Wharf - Hyde Housing) and will have a further conversation regarding the co-design of these neighbouring spaces, [as promoted by planning officers] following the grant of planning permission.

**Officer comment.** Evidence of mutual agreement between the developer and Hyde Housing would be preferable in order to be clear that co-designing of the boundaries and layout of landscaping can be jointly undertaken. It is noted that this may involve some degree of change to Hyde's proposals for that part of the space (a ramped access to the river and associated flood defence walls are important elements to maintain), but with Hyde's landscaping proposal to be submitted shortly, it is considered that the timing of such discussion and in-principle agreement, is opportune.

## Link to Riverside Path (eastern boundary)

In terms of a pathway specification, that for the adjoining Kingston Wharf is yet to be submitted under planning condition. **[Officer comment:** a planning condition could be also be used in the current development, however, some further discussion with WSCC Rights of Way and Highway teams under officer delegation beforehand would allow for a suitable specification to be costed, as this is one of the variables in the Highway requirements of the proposed legal agreement]

## Materials

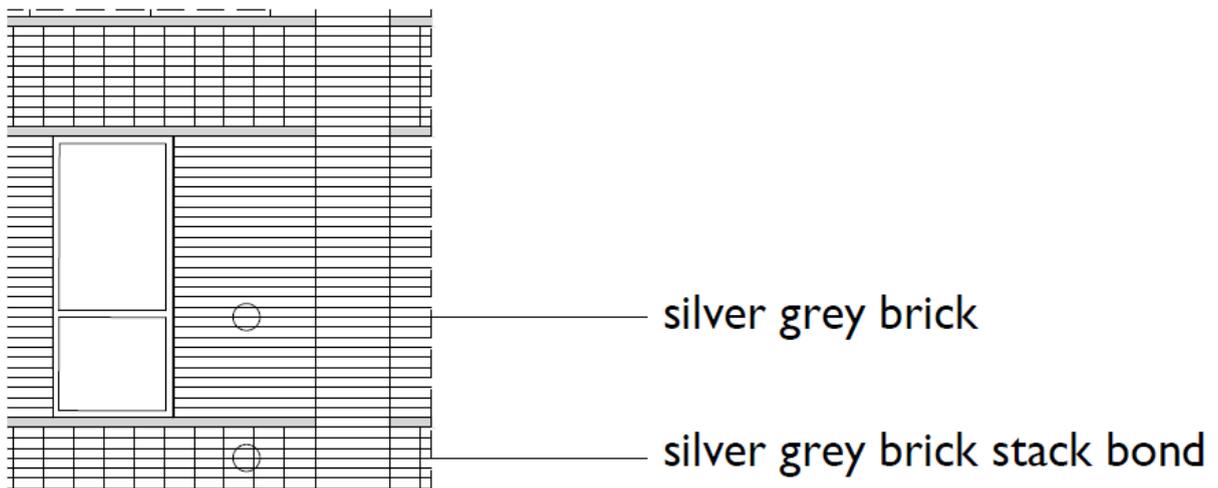
Proposed brick colour: The photo below shows a close-up of the proposed brick, it is clearly a silver-grey not a grey-grey concrete colour. It has a variegated surface and is very light responsive



the proposed image of the courtyard (below) contains a close-up of the brick, this is taken from an actual photo of the proposed brickwork.



Generally, the brickwork is a stretcher bond unless otherwise stated. The stack bond is only used on the four storey houses and in defined panels framed by the vertical piers and the secondary red/brown secondary brick string courses. The concept is to provide a variety of visual texture to the elevations & to give the 4-storey houses a subtly different look to the other two blocks.



The secondary red brown brick makes a reference to the bricks of the adjoining Kingston Wharf development. It is used for string courses through the development and as the main brick to the links between the housing terraces and flats block to provide a visual separation. It is also used on the back walls to the recessed balconies in the flats block to provide visual contrast & depth to the elevations

Lighting Statement addendum - awaited.

## Applicant's Digest of Response at Public Event 29<sup>th</sup> August

<b>Total number of responses</b>	<b>34</b>	
<b>Are you in favour of the redevelopment of the harbour arm?</b>		
For	9	
Against	19	
Unsure / in certain circumstances	6	
<b>Are the updated plans for this site an improvement?</b>		
Yes	7	
No	12	
Unsure	16	
<b>Other Comments</b>		
<b>Cayuga's Response</b>		
<b>Not enough infrastructure in the town, education provision, NHS appointment availability etc.</b>	19	The full S106 money requested has been agreed by Cayuga for this site. There seemed to be a lot of distrust concerning how and when this money would be spent and if it was enough.
<b>Lack of affordable housing in the development</b>	17	Cayuga have shown the scheme to be non-viable, yet despite this have made an off-site contribution. A single digit number of units on site would not be of interest to any RP
<b>Concern over the height of the block of flats</b>	13	Cayuga have produced a low height, low density scheme across the majority of the site with just 1 tall block, compared to previous proposals of 3 tall blocks. A necessary compromise to enable S106 money to be paid is the 8th floor flat. The scale of this 8th floor was accepted by the design panel as proportionate to the location and after that we have changed the design to soften it further after conversations with Adur planners.

<b>Increased traffic and noise to the A259</b>	10	We refer to the Reeves Transport report on the site, which concludes (para 7.8) "it is considered that the proposed development will not have a <i>severe</i> impact on highway capacity or an <i>unacceptable</i> impact on highway safety"
<b>Lack of parking provision</b>	11	Overall Cayuga have provided 18 spots for 24 flats, in line with proposed demand, 4 dedicated visitor spots and under-croft parking plus driveways for 19 of the 21 houses. Whilst not all of these spots are officially counted (due to driveways being in front of under-croft parking) there are effectively two spaces for each of these 19 houses. The other 2 houses have dedicated parking spots.
<b>Ugly design</b>	11	It seems clear some residents would only be happy with low height houses as opposed to flats, or something more similar to the flats on the Shoreham Beach side of the river. Cayuga, and the design panel, disagree with this. Beauty is of course highly subjective.
<b>Concern over sustainability credentials, reliance on gas central heating</b>	4	Detail discussions were had with several residents on this. It will always be Cayuga's intention to move away from gas to sustainable methods of heating as much as possible. Without approval and detail design though this question cannot be fully answered although we note the increased level of requirement in the new Building Control rules. Ideally Cayuga would use air source heat pumps throughout and have no gas at all. If that can be achieved then this is the route we will take - with costing not a barrier.
<b>Too high density / non-compliant with the JAAP</b>	3	Cayuga's proposal is the only scheme on the harbour arm to fall under the JAAP density. It seemed many residents were talking about the harbour arm as a whole. The JAAP does not specify an absolute on height and the design panel agreed the extra height of the 1 block was proportional
<b>Unhappy about the changes to Shoreham as a whole</b>	6	Not for Cayuga to comment

<b>Lack of green space / play areas</b>	17	Cayuga have introduced an area for children's play in the updated plans and much more landscaping. Cayuga remain committed to as much planting as is practical
<b>Not enough EV points</b>	3	EV points will be available in the flats car park and to each individual house, as much as local network capacity allows.
<b>Hazard to shipping</b>	1	Please see GIA report. This matter has been concluded in favour of the development.
<b>Cycle lane not wide enough</b>	2	This appears to be a misreading of the DAS - it is the current pavement either side of the site that is narrow - our proposal includes the required 2m wide cycle lane.

### Applicant's Digest of Response at Public Event 2<sup>nd</sup> Sept

<b>Total number of responses</b>	9	
<b>Are you in favour of the redevelopment of the harbour arm?</b>		
For	1	
Against	8	
Unsure / in certain circumstances	0	
<b>Are the updated plans for this site an improvement?</b>		
Yes	5	
No	3	
Unsure	1	
<b>Other Comments</b>		<b>Cayuga's Response</b>
<b>Not enough infrastructure in the town, education provision, NHS appointment availability etc.</b>	3	The full S106 money requested has been agreed by Cayuga for this site. There seemed to be a lot of distrust concerning how and when this money would be spent and if it was enough.

<b>Lack of affordable housing in the development</b>	1	Cayuga have shown the scheme to be non-viable, yet despite this have made an off-site contribution. A single digit number of units on site would not be of interest to any RP
<b>Concern over the height of the block of flats</b>	6	Cayuga have produced a low height, low density scheme across the majority of the site with just 1 tall block, compared to previous proposals of 3 tall blocks. A necessary compromise to enable S106 money to be paid is the 8th floor flat. The scale of this 8th floor was accepted by the design panel as proportionate to the location and after that we have changed the design to soften it further after conversations with Adur planners.
<b>Increased traffic and noise to the A259</b>	5	We refer to the Reeves Transport report on the site, which concludes (para 7.8) "it is considered that the proposed development will not have a <i>severe</i> impact on highway capacity or an <i>unacceptable</i> impact on highway safety"
<b>Concern over road width and lack of pedestrian crossings</b>	4	The developer (along with others) is contributing to Highways which will be re-profiling the road to improved safety - pedestrian crossings would certainly be something that should be considered.
<b>Lack of parking provision</b>	2	Overall Cayuga have provided 18 spots for 24 flats, in line with proposed demand, 4 dedicated visitor spots and under-croft parking plus driveways for 19 of the 21 houses. Whilst not all of these spots are officially counted (due to driveways being in front of under-croft parking) there are effectively two spaces for each of these 19 houses. The other 2 houses have dedicated parking spots.
<b>Ugly design / Not In Keeping With Shoreham</b>	3	It seems clear some residents would only be happy with low height houses as opposed to flats, or something more similar to the flats on the Shoreham Beach side of the river. Cayuga, and the design panel, disagree with this. Beauty is of course highly subjective.

<b>Too high density / non-compliant with the JAAP</b>	3	Cayuga's proposal is the only scheme on the harbour arm to fall under the JAAP density. It seemed many residents were talking about the harbour arm as a whole. The JAAP does not specify an absolute on height and the design panel agreed the extra height of the 1 block was proportional
<b>Lack of green space / play areas</b>	7	Cayuga have introduced an area for children's play in the updated plans and much more landscaping. Cayuga remain committed to as much planting as is practical
<b>Concern over sewage infrastructure</b>	1	Southern water have confirmed there is sufficient capacity. Wider comments concerning the UK's waste water strategy, especially with regard to out-going excess into the sea fall outside of our remit to reply
<b>Concern of lifeboat parking</b>	1	The lifeboat station already has dedicated parking - some residents appear to not be aware of this.
<b>Very much in favour of the scheme</b>	1	

## **Additional Consultation Responses**

### **Shoreham Port Authority (2nd Sept) Comments**

The Daylight & Sunlight Lighting Impacts Assessment states that;

“The impact of the internal and external lighting of the proposed residential development at the former Howard Kent site upon navigation within the harbour and River Adur are expected to be minor.”

The findings and conclusions look reasonable to the port, however, the unknown during the construction phase in which the design and equipment may be slightly altered could still cause an issue.

Could there be a Reasonable Endeavours Clause [s106 obligation] from light emissions causing navigational issues assigned to this development for future alterations outside of the gia Charter Surveyor's Daylight & Sunlight Lighting Impacts Assessment?

As previously discussed as part of the snagging process, a signoff action should be implemented for the light emissions to be checked at night from a vessel entering the port, comparing this to the gia report conclusions.

## Technical Services - Drainage (31st August) Comments

- *It is noted that head time curves have not been applied to outfall surcharge levels but that a constant level has been set. The modelled storm durations do not extend beyond 6 hours. What has been modelled is not in accordance with our requests/ the recommendations of WSCC over the wall project.*
- *For example, the future extreme River Adur event is estimated to result in circa 10 hours of tidal locking over a 24 hour period. Modelling a six hour duration of tidal locking does not accurately represent this.*
- *Standard requirements are for storm durations up to a minimum of 24 hours to be modelled. Evidence of what happens within the system over longer rainfall duration events has not been supplied. It is acknowledged that longer rainfall storm durations are less intense, but the impact of these has not been demonstrated.*
- *There are no details within the calculation printout regarding the permeable paving modelled.*
- *There are inconsistencies between the invert levels shown on plan and those within calculations.*

*In summary, we request that standard rainfall durations are modelled, along with a variable head time tidal boundary to more accurately demonstrate whether the designed system will cope with tidal locking and not result in flooding to the development or as a result of the development. As per previous requests, the following scenarios should be modelled.*

- a) a 30 year climate change rainfall event combined with a 2121 MHWS tidal event, to demonstrate no flooding;*
- b) a 100 year climate change rainfall event combined with a 2121 MHWS tidal event, to demonstrate flooding on site is safely managed and does not increase flood risk elsewhere; and*
- c) a 2 year climate change rainfall event combined with a 2121 200 year tidal event, to demonstrate flooding on site is safely managed and does not increase flood risk elsewhere. Coincidence of rainfall and tidal peaks should be considered.*

## Additional Representation Received

### Adur Floodwatch Group 1st Sept

Apologies for the late submission of these comments. In respect of drainage of this scheme it is noted that both WSCC Lead Authority and Adur Technical Services **still have holding objections** on the drainage scheme for this development.

Both have requested further calculations and detailing on matters like management of gravity flows for surface water drainage and other elements.

Subsequent to their comments the applicant appears to have provided further reports and evidence presumably in answer to those questions by the WSCC and Adur Technical officers.

However, this is now being brought to committee with a recommendation to approve without the further technical assessments of the applicant's latest FRA evidence.. **So, at present those holding objections still apply.**

It is noted that this key matter is proposed to be dealt with by condition, post approval for delegation to a Head of Planning decision.

This conditioning, post approval for drainage, has become almost the norm for such large planning applications. Adur Floodwatch objects strongly to this approach. We believe a technically approved scheme for drainage must be put to committee to better enable their decision to approve or otherwise. Management of drainage is as important a planning consideration as that of Highways and other matters.

With this shortfall of evidence, AFG requests that this development decision be deferred (or better still refused) until the two drainage authorities have approved the scheme.

One final comment. The timely lack of community consultation by the applicant for this amended scheme with two public events within just one week of its planning consideration means that any resident's comments will have no impact on the proposal and no consideration before the decision to approve/refuse is made. We request that this lack of early consultation should also be taken into account in the decision by the planning committee where, as per NPPF para 132 early consultation with the public for an application assists a more favourable consideration.

NPPF Para 132- Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot.

### **Adur District Conservation Area Advisory Group**

ADCAG members are greatly concerned to note that a public consultation took place recently on August Bank Holiday & the following Friday when undoubtedly, a majority of local residents would be away on vacation. It should be noted that a year ago ADCAG put forward the suggestion that due to the impact of this development would have on the local townships, local residents should be consulted asap. The delay & timing is questionable.

Again, ADCAG members are unanimous in their objection to this development being granted planning permission & the impact it would have on both Shoreham, Southwick & Kingston Buci. As far back as the late 1960's all the local Highway Authorities were officially informed that the A.259 south coast road was not "fit for purpose". To date very little has been done to make the necessary improvements in order to lessen the impact on the adjacent towns. There is continual grid lock throughout each day & yet there is now a desire to erect large residential developments throughout the Southwick/Shoreham stretch of this road which has a working harbour to the South & a main railway line to the North with the A.259 coast road immediately at the foot of the buildings.

When approaching the proposed development from the East it will dominate the skyline, obliterating any sign of the sea or harbour. The Grade 2 listed lighthouse & the lifeboat station will shrink into insignificance as will the public "village green" in front thereof.

This is contrary to the JAAP plan where the lighthouse which is at the Eastern gateway to Shoreham was planned to be a signal feature around which any gateway scheme would be designed. This simply has not been executed in the plans presented which do not reflect the character of Shoreham in its context as a coastal harbour town.

To the North of the site lies a historic hamlet known as Kingston Buci which is a historic conservation area which will undoubtedly be affected as will the Victorian terraced houses immediately opposite the proposed development. They will experience the loss of daylight, particularly during the autumn/winter months as is being experienced by similar properties on the A259 Shoreham where a similar sized development was recently built.

Members have noted that Adur Technical still has a holding objection to the drainage scheme. There appear to be no further posts by this team confirming that this objection has been lifted. It is felt that this point should certainly not be delegated to officers to approve should any decision to approve the application.

ADCAG members have confirmed that this Group's points raised on the earlier submissions still stand, as to their mind, this is an extremely important site & the development proposed will undoubtedly seriously impact on both the historic towns & residents of Shoreham & Southwick.

Should there be a need for further comment from ADCAG please do not hesitate to contact the undersigned as members have indicated that they will be willing to respond to any further queries.

### **Adur Residents Environmental Action (AREA)**

Maintain previous reasons and add further comments.

**Road Safety** - Although no objections have been raised by WSCC highways, common sense and the experience of the local residents point to the dangers of having a development with 2 access points on this section of the A259. The road narrows and there is a sharp bend, a blind spot due to the parked cars and then a further access from the lifeboat station. The refusal in 2008 stated that there would be "significant detriment to highway safety for both drivers and pedestrians" and since then traffic has increased.

JAAP sets out a building height of 5 storeys to **protect the view of Kingston Buci lighthouse**. This development has an 8 storey block of flats which will dwarf the historic setting.

**JAAP states that schemes should reflect the waterfront character and the marine environment.** Due to the layout of this scheme there will only be glimpses of the waterfront through the narrow gap between the buildings. The style of the buildings dwarfs the Victorian terraces opposite and in no way reflects the waterfront environment. The proposed homes are out of keeping with the surroundings.

**Affordable Housing** – The lack of any affordable housing means this scheme will contribute virtually no housing affordable for local residents. A recent study stated

that **Adur was one of the least affordable areas**, requiring 11.6 times the local average salary for a first time buyer, as compared to 7.2 times nationally, (Right Move). Local estate agents have stated that there is a considerable demand for **second homes** which contribute very little to the locality but likely contribute much to a rise in house prices.

**Open spaces – JAAP SH8** requires that developments should provide high quality open public spaces **on site**. This development provides an area of approximately 8m by 11 m for children to play. The only other areas are small with bench seating and some trees and planting. The courtyard is shared vehicle and pedestrian space with danger from cars backing out of garages and trapped air pollution. The nearest playground is at least a 15 minute walk away. In a **council study in 2019** residents replied that a walk of 10 minutes is acceptable to reach a children's playground. Crossing the Brighton Rd and walking through pollution to reach an adequate play area is not acceptable and is in breach of the **NPPF** guidelines which state that developments should promote healthy lifestyles with open spaces. The roof top spaces provided on some homes are not safe play space. It is not acceptable to quote point 17 of JAAP, referring to the use of S106 contributions to improve open spaces elsewhere. The open spaces should be onsite. The larger homes (with no back garden) and flats are more likely to include children.

**Parking** The number of parking spaces provided assumes that 5 flat owners will not have a car, that all others will have only one car and that no occupants will require a disabled parking space. There is virtually no on street parking not currently used by local residents. This development is some way from Southwick train station so car ownership is more likely. If the residents can afford these homes then they are more likely to afford a car.

**Utilities** – There is no commitment to having air source heat pumps. **Gas boilers are mentioned**. This goes against Adur commitment to Climate Change measures to reduce carbon outputs.

**Viability** – Cayuga have agreed to a decrease in profit to approximately 17%. Why should large developers expect to make 20% profit? Their S106 contributions are based on somewhat dubious calculations about the number of children, car usage and pollution. It is worth noting that at the August 29 consultation Ed Deedman from Cayuga wouldn't reveal the selling price for the homes.

**Technical services** have not lifted their objections and request further information on a number of issues. These matters should not be left to a condition as they are of fundamental importance.

This site is the only one in JAAP which has attractive, historic buildings right beside it. With the beach area, the lifeboat station and rowing club it is a spot of recreation for local residents. An unattractive development looming beside it will spoil the openness and light in that area. It is a site that could (should) be developed as a park to provide recreational activities and green space for all the developments along the A259 as well as visitors to the lifeboat station and rowing club. Should Adur Council be considering the purchase of this site to enhance the area, to provide a green space which will contribute to a decrease in both air and noise pollution and

improve the mental and physical health of local residents? Would this not be a better Gateway feature than a large development.

Adur Planning Committee should not approve this development. The applicant's right of appeal and arising costs to the Council is not a valid reason for approving it

Submitted by Adur Residents Environmental Action. Over 300 signed up supporters plus their partners.

### **Shoreham Beach Neighbourhood Plan Forum**

Would like to register our objection to the above planning application. The grounds for our objection are:

**Design:** The composition of the building form does not relate well to this open, flat riverside site. Unusually for a built-up area, this site can be seen in full elevation from a long distance away. i.e. Shoreham Beach. Therefore, the composition should be carefully considered. The composition shows a very unfortunate and disconcerting jolt to the townscape by dropping very suddenly from 8 storey's to 4.

The composition is reminiscent of the brutalist buildings designed between 1950 and 1980. This style of architecture was unsuccessful in terms of urban design and its contribution to townscape. When a site can be viewed from such long distances and forms a gateway to the town, its composition needs to be carefully considered.

**Historical Context:** Riverside sites offer great opportunity to explore the historical context of an area. Shoreham being historically a port and an area of boat building. Engaging in the historical context enables a new development to settle into the existing landscape. The brutalist form is neither complimentary as a single composition or an extension to the existing townscape.

**Materials:** Because of the brutalist form, the materials seem to exaggerate the harsh elevations. The design does not relate well to this soft, pleasant riverside setting because of the tall hard unrelenting elevations and choice of materials. No affordable/ social housing:

**No affordable / Social housing:** The Forum does not accept the reasons for the lack of social housing. Local housing needs are for smaller units and social housing/ affordable housing. The reliance on larger units for the commercial ingredient of the scheme does not address policies of the NPPF. Maintaining a supply of housing is important. Housing at any cost should be resisted.

**Energy Efficiency:** There is a shift in the approach to heating and hot water of new housing away from the reliance on Gas boilers to renewable energy. The Forum supports housing that is predominantly heated by renewable sources.

**Summary:** The Forum considers that a brutalist composition would have a lasting negative effect on the townscape and the riverside for generations. The lack of smaller units and social housing is contrary to current policies. This site is too

important to the town and riverside to provide housing at any cost. We would ask the Local Authority to refuse this planning application.

### **Other Representations / Residents Comments (since 2nd August): 20no.**

- Landmark site adjacent to a village green, historic village (Kingston Buci), historic local housing.
- The site detracts from the view of the river and the entrance to Shoreham. Too close to adjacent housing along the road frontage - raised footprint so the four stories start higher than existing ground level.
- Housing provided does not address local needs and does not include any recreational facilities for residents.
- The road into Shoreham will be dominated by an accumulation of high rise buildings.
- The access to the site and amount of parking are inadequate
- Foul and water drainage issues have not been addressed
- Concern that town infrastructure cannot cope with the amount of development.
- Concerns about sewage, congestion & air pollution
- No affordable housing
- Poor quality design, the buildings are basic bulky blocks which are unappealing when viewed from across the river or as a gateway to Shoreham. It is very much out of keeping with the Victorian terrace. The terrace should include more spacing and larger gardens and be set back further from the river.
- The massing of the site so close to the lighthouse will obscure the views from north Shoreham beach.
- The height of the block does little to adhere to the JAAP need to preserve views of the downs from the beach and also breached the JAAP story height requirements.
- Concerned that the waterside frontage is very close to the river and the height of the buildings will impact sailing and navigation for small craft using the Adur.
- The application is already scheduled before the planning committee, the very late public consultation is not a genuine consultation as there is no time for the developer to absorb and respond to feedback
- Other South Coast towns also have tall buildings but these are laid out at a green and pleasant distance from the water. The pattern in these towns, Hove, Worthing, Eastbourne for example is sea, beach, promenade, possibly green space, wide road which is not an arterial road and then at some distance the buildings
- Fatal crashes previously in and around the proposed bus stop area, there is not enough room for a traffic island.

### **Planning Assessment Update**

Energy:

The proposals have achieved the percentage of renewable energy required under current policy. Condition 36 could be adapted to require further details upon specific energy saving measures and whether air source heat pump under-floor heating can be achieved, underpinned by an informative to highlight the aim of achieving low carbon improvements of this nature as far as possible. The planning condition 36b

requires verification of the target CO2 and water efficiency savings which is consistent with the approach taken in other major developments.

#### Ventilation, Noise and Lighting

The applicant's consultant has confirmed that windows as proposed, are not a point of issue on achieving both adequate noise mitigation as well as ventilation. The further advice of the Environmental Health officer has been sought as to the extent to which any such work would be required before determination, under delegation, or via the use of the planning condition. The requested addendum to the lighting impact statement is recommended as a matter which can be under delegation.

#### Parking.

A further amended drawing is requested to confirm the keep clear area within the site and how this will be distinguished, such as by colour/texture changes of its surfacing. This will confirm the extent of informal second parking spaces available, taking into account the importance of the amenity value of the space as well as its access function..

#### Drainage,

It is noted that surface water drainage to the River has been approved at the Free Wharf development, by the use of planning conditions. This ensured that the onshore attenuation features were suitable to cater for period of tidal locking in high rain / flood risk events. The Council's Engineer's recent response indicates the specific information which is needed to inform the detailed design here. As such officers recommend the use of planning conditions 27-30 here.

#### Western Area & Boundary

Officers acknowledge that this can also be dealt with by conditions 6, 7 & 8, (means of enclosure & landscaping), but would wish to seek further evidence that the adjoining owner will participate positively in these designs.

#### Link to Riverside Path (eastern boundary)

A pathway specification can be sought and agreed with the applicants and County Council under delegation in the preparation of the legal agreement.

#### Materials

The clarification of brickwork bond shows considered and selective use of stack bound on areas of the four storey terraces only. Whether the grey shade and texture as indicated is suitable. Officers have reservations and consider that a shade which is closer to that of the lighthouse would be appropriate here, but acknowledge that this is a matter of judgement. Samples of materials would be required, which could be achieved under the proposed condition no.6.

#### Navigation

Following the Port Authority's comments, it is recommended that condition 6e be amended to include: *...and any fine tuning which may be required at the verification stage in consultation with the Shoreham Port Authority'* Also that the requested reasonable endeavours clause be added to the s106 agreement - the applicant has confirmed that both of these measures are acceptable

## Revised Recommendation

To delegate authority to the Head of Planning and Development to grant planning permission subject to:

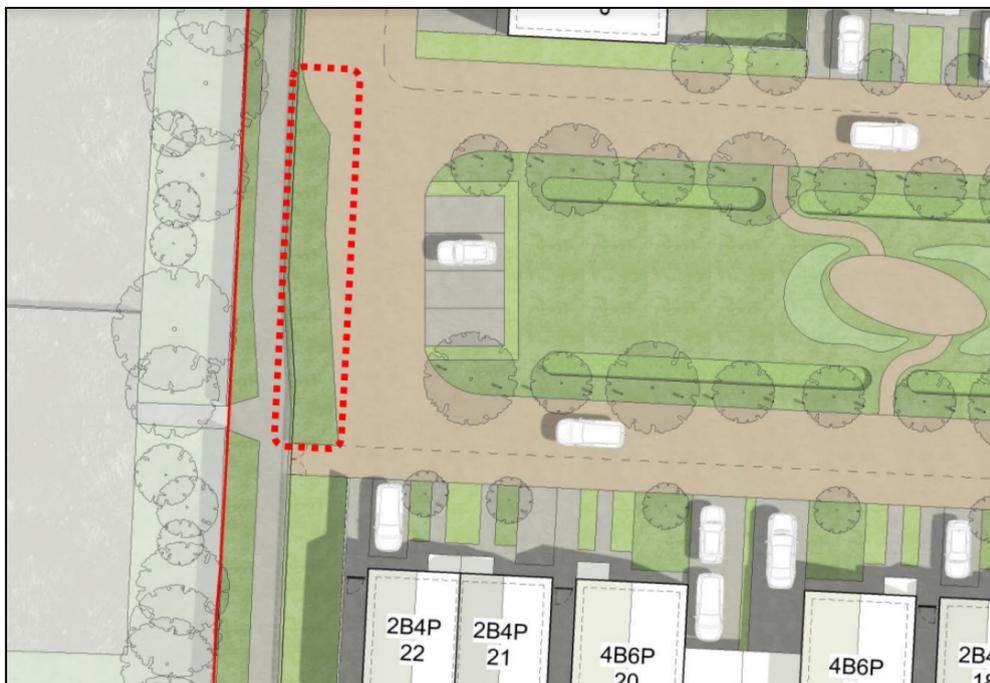
- 1) The completion of a s106 agreement securing affordable housing and the development contributions set out in the report, and including the additional reasonable endeavours obligation requested by Shoreham Port Authority and footpath specification for the adjoining Public Right of Way, in liaison with the County Council and other than minor variations agreed in consultation with the Chair of Planning Committee; and,
- 2) subject to advice of the environmental health officer concerning use of proposed conditions for noise and ventilation and the receipt of a satisfactory lighting impact statement addendum
- 3) Subject to the following planning conditions, including amendment to condition 6e to include *and any fine tuning which may be required at the verification stage in consultation with the Shoreham Port Authority* .

## ADDENDUM REPORT

<b>Application Number:</b>	<b>AWDM/0585/22</b>	<b>Revised Recommendation - Delegate to approve subject to the completion of a s106 agreement.</b>
<b>Site:</b>	<b>Land At 68 And South Of 68 To 86 Manor Hall Road, Southwick</b>	
<b>Proposal:</b>	<b>Erection of 22 residential units, with associated landscaping and access arrangements</b>	
<b>Applicant:</b>	West Sussex Property Development LLP	
<b>Agent:</b>	Nexus Planning	
<b>Case Officer:</b>	James Appleton	

### Revised Plans

As indicated in the Committee report the applicant has now agreed to replace 3 visitor parking spaces with a landscaped strip adjacent to the cyclepath leading to Southwick Recreation Ground (extract below).



In support of the revised plans the agent submits that,

*‘Following the removal of the 3 visitors car parking spaces, all remaining spaces (33 parking spaces and 2 garages) will be allocated to the specific individual residential units in the following manner:*

*The eleven 2-bed houses will have 1 space each.*

*The nine 3-bed houses will have 2 spaces each.*

*The two 4-bed houses will have 3 spaces each (2 on drive and 1 in garage).*

*In other words the residents of each property and their visitors will need to park in the spaces allocated to the property in question.*

*The proposed split represents nearly 1.6 spaces per dwelling, that is appropriate based on car ownership levels in the area of 1.3, and the expected occupancy levels for each size of house.*

*As such, there is reduced likelihood that future residents (and their visitors) will need to park off-site. In the rare event, where all respective allocated spaces are in use, visitors would be able to park along Manor Hall Road which has expansive sections with no parking restrictions in place.*

*Accordingly, it is considered that sufficient capacity exists in the local area within walking distance of the site to accommodate visitor parking and the loss of visitor parking on the site will not have a material impact on the parking stress locally.’*

The agent further states that,

*‘We note your report suggests that the new landscape area could accommodate trees. The submitted plans show native hedge and groundcover planting only. Unfortunately, trees cannot be accommodated in this location as the whole of this strip of soft landscape falls within the 3m easement of an existing Southern Water sewer which means we are restricted by their guidance on what can be planted in this zone; they only allow ground cover and hedge planting.*

*The S106 contribution summary table would need to be revised to take into account the replacement of 3 parking spaces with landscaping. The Open Space figure should be brought down to £27,838.’*

## **Additional Consultation Responses**

**Technical Services** now states that,

*Based upon the latest information supplied by the applicant's consultant we confirm that we remove our holding objection from this application. We request the following conditions are applied to secure the detailed drainage design and ensure the development does not increase flood risk and is adequately drained throughout its lifetime.*

*In support of this request for conditions we note that; further winter infiltration testing is required at the location and depth of the proposed infiltrating device, there are errors in the calculations which will require correcting, and the level of information is insufficient to avoid the requirement for pre-commencement conditions.*

*“Development shall not commence, other than works of site survey and investigation, until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The design should follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations, and the recommendations of the SuDS Manual produced by CIRIA. Winter groundwater monitoring to establish highest annual ground water levels and winter infiltration testing to BRE DG365, or similar approved, will be required to support the design of any Infiltration drainage. No building / No part of the extended building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order in perpetuity.”*

*“Development shall not commence until full details of the maintenance and management of the surface water drainage system is set out in a site-specific maintenance manual and submitted to, and approved in writing, by the Local Planning Authority. The manual is to include details of financial management and arrangements for the replacement of major components at the end of the manufacturer's recommended design life. Upon completed construction of the surface water drainage system, the owner or management company shall strictly adhere to and implement the recommendations contained within the manual.”*

*“Immediately following implementation of the approved surface water drainage system and prior to occupation of any part of the development, the developer/applicant shall provide the local planning authority with as-built drawings of the implemented scheme together with a completion report prepared by an independent engineer that confirms that the scheme was built in accordance with the approved drawing/s and is fit for purpose. The scheme shall thereafter be maintained in perpetuity.”*

*and the accompanying informatives:*

*"Infiltration rates for soakage structures are to be based on percolation tests undertaken in the winter period and at the location and depth of the proposed structures. The infiltration tests must be carried out in accordance with BRE365, CIRIA R156 or a similar approved method. All design storms must include a climate change allowance, as per <https://www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances>, on stored volumes or rainfall intensity. Infiltration structures must cater for the critical 1 in 10 year storm event, (plus40%) between the invert of the entry pipe to the soakaway and the base of the structure. All surface water drainage design must also have provision to ensure there is capacity in the system to contain the critical 1 in 100 year storm event (plus 45%). Adequate freeboard must be provided between the base of the soakaway structure and the highest recorded annual groundwater level identified in that location. Any SuDS or soakaway design must include adequate groundwater monitoring data to determine the highest groundwater table in support of the design. The applicant is advised to discuss the extent of ground water monitoring with the council's engineers. Further details regarding our requirements are available on the following webpage*

<https://www.adur-worthing.gov.uk/planning/applications/submit-fees-forms>. A surface water drainage checklist is available on this webpage. This clearly sets out our requirements for avoiding pre-commencement conditions, or to discharge conditions"

Further detail regarding our requirement for independent surface water drainage verification reports are available on the following webpage <https://www.adur-worthing.gov.uk/planning/applications/submit-fees-forms> . A surface water drainage verification condition guidance note is available on this webpage. This clearly sets out our requirements for discharging this condition.

**WSCC Highways** confirms that it has no objection to the amended plan which reduces the number of parking spaces by 3 to increase the level of replacement landscaping to be delivered.

### **Planning Assessment Update**

The amended plan is acceptable and it is noted that the Southern Water easement would not allow replacement tree planting, however, the revised plan would allow for shrub and hedge planting which will ensure that the landscaped character to the cyclepath is maintained following the implementation of the development. As indicated by the agent the financial contribution would reduce to **£27,838**.

The County Council comments on any reduction to the highway contribution (TAD) are still awaited but in any event the agent confirms that their clients are willing to pay the full amount.

The holding objection on drainage grounds has now been removed, on the basis of the revised Flood Risk Assessment and therefore, the development can now be recommended for approval subject to the completion of the s106 agreement

### **Revised Recommendation**

**To delegate authority to the Head of Planning and Development to grant planning permission subject to:**

- i) The completion of a s106 agreement securing affordable housing and the development contributions set out in the report (open space contribution amended to £27,838) other than minor variations agreed in consultation with the Chair of Planning Committee and,**
- ii) Subject to the following planning conditions:** As set out in the main report together with the conditions set out in the addendum report from Technical Services.

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