



ADUR DISTRICT
C O U N C I L

23 January 2023

Adur Planning Committee	
Date:	31 January 2023
Time:	7.00 pm
Venue:	QEII Room, Shoreham Centre, Shoreham-by-Sea

Committee Membership: Councillors Carol Albury (Chair), Jeremy Gardner, Carol O'Neal, Vee Barton, Mandy Buxton, Dan Flower, Jim Funnell, Joe Pannell (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 before noon on Monday 30 January 2023.

Agenda

Part A

7. Planning Applications

To consider the reports by the Director for the Economy, attached as Item 7.

- a) Addendum (Pages 3 - 10)

Recording of this meeting

Please note that this meeting is being audio live streamed and a recording of the meeting will be available on the Council's website. This meeting will be available 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 to this meeting please contact:	For Legal Services enquiries relating to this meeting please contact:
Katy McMullan Democratic Services Officer 01903 221006 katy.mcmullan@adur-worthing.gov.uk	Caroline Perry Senior Lawyer & Deputy Monitoring Officer 01903 221081 Caroline.perry@adur-worthing.gov.uk

Duration of the Meeting: Three 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

Application Number:	AWDM/1315/22	Recommendation - Approve subject to completion of a Deed of Variation to the original s106 Legal Agreement.
Site:	Free Wharf, Brighton Road, Shoreham-By-Sea	
Proposal:	<p>Application to vary condition 1, 23, 26 and 34 of previously approved AWDM/1497/17 to incorporate:</p> <ul style="list-style-type: none"> i) 39 additional homes (together with 8no subject of previous application AWDM/2037/20) to give a new total of 587 homes ii) associated changes to profiles of riverside blocks A-F (heights unchanged); iii) reduce commercial space (Class E a, b, c and g) to 2,163sqm; iv) reduce the level of car parking to 381 residential spaces and 24 commercial spaces, with provision of car club v) reuse of existing sheet piling to support riverside walkway (omitting need for approved posts) vi) revised energy strategy. <p>Also, design amendments to blocks G and H, increasing overall height of block G by 1.08m (previously subject of applications AWDM/2037/20 and AWDM/1952/20). The application is accompanied by an Environmental Statement.</p>	
Applicant:	Southern Housing Group	Ward: St Mary's
Agent:	Davies Murch	
Case Officer:	Stephen Cantwell	

Updated Information

1. Nationally Described Space Standards:

The applicant has confirmed that all apartments conform to Nationally Described Space Standards, which is a requirement of Homes England Funding. The Environmental Health Officer (Private Housing) confirms that there is no objection.

2. Highway contribution:

The Highway Authority has confirmed that a proportionate uplift to the approved highway contribution is acceptable based on the increase in dwellings.

4. Parking.

The applicant confirms that parking will be unallocated and will be managed by the applicant, Southern Housing Group, to ensure it's effective use – i.e. spaces will not be sold off with individual flats.

Block A residents will have access to basement parking, desolate the fact that there is no part of it beneath that block. This was the case in the approved development.

The applicant notes that arrangements for any additional parking in the first phase, (blocks G & H) can be agreed under planning conditions 6 (Phasing), 14 (Car parking Management Plan) & 17 (Car Parking Provision)

5. Car Club

The applicant anticipates up to four spaces to be provided in the north-east corner of the site for Phase 1 (and potentially the first river blocks). Further discussion is envisaged with Car Club providers, in order to assist with the phasing of provision. The take up of car clubs will also be considered both within the scheme and wider area. Provision will then switch to the north west corner of the site and will provide up to 12 car club spaces. Again, provision will be subject to car club input and local take up

6. Riverside access – how to attach ladder to safety rail– SPA view of this?

Shoreham Port Authority has no objection to the provision of a ladder and cleat at/near viewing platform. It adds that Humphries Gaps is a public hard and should provide mooring cleats and means of access and egress. the applicant notes that this is already provided to pontoons in the approved scheme.

7. Open space contribution.

The applicant notes that the reduction in basement parking has increased publicly accessible space in 450sqm of open space taking total publicly accessible space to over 17,000sqm. Use of the Council's Open Space Calculator will identify the extent of any additional contribution required based on the additional number of dwellings

8. Viability

The Council's Viability advisor comments:

“Overall costs do not exceed the expected range given the high specification, and the submitted sales values reflect this. The costs are within the median to upper quartile range for comparator developments. Both the consented and proposed developments show a significant deficit after allowing for a 20%

development profit on the market sales, (i.e. the upper end of the 15% to 20% range suggested by NPPF and not unreasonably reflecting current project risk in this case), and when this is sensitivity tested at 18% GDV. Even with grant funding the schemes are still in deficit at these profit levels; therefore the 'actual profit' taking into account the deficit falls below the NPPF range, although the applicant appears content to take a lower percentage due to both its status / business plan approach as a registered provider and the HE funding.

There is a notable difference in the provided build costs between the approved and proposed developments. For the consented scheme, excluding the enabling works which are already complete, the costs for phase 1 which is already in contract, and facilitating works, fees, contingency, warranties etc equates to c. £2,300/m². For the proposed scheme it appears this increases to c. £2,600/m². On the face of it, this difference amounts to over £10m across the scheme and an explanation for this difference would be helpful for the Council to have, particularly as the nature and scale of development is largely similar and there appear to be savings in the reduction of the basement car parks; as well as a proportion of the units changing from market sale to shared ownership and therefore being built at a more 'standard' specification. It is noted that the estimates were undertaken at different points in time, with the consented scheme costs being estimated over a year ago.

The sales values seem reasonable but due to the scale of the scheme, relatively small changes in assumptions tend to make a difference. This however applies in both directions and at this time it is considered that a fairly positive view of values has been taken, i.e. assuming that the housing market remains relatively stable. This stability of the market cannot be certain, so there is a potential downside to the possible movements in this, not just upside in terms of the overall viability; and particularly in an environment of rising costs"

The applicant's viability advisor replies:

"The difference in build costs is obviously partly down to the fact the proposed scheme has a larger number of dwellings and therefore will be more costly to deliver (in spite of the basement reduction). The other factor to consider is that the consented scheme is based on contractor costings provided at the time (Jan 2022) and indexed 5.93% in line with BCIS to reflect the latest market conditions at the time of my submission. In contrast the proposed scheme is based on contractor costings provided up to November 2022 and therefore is more accurately reflective of market conditions. If the consented scheme costings were updated I would expect a greater increase in these costs thus reinforcing the conclusions of our viability; namely that the consented scheme is not only non-viable but non-deliverable.

This also links to the point regarding developer profit. As the Council's advisor correctly points out, viability is assessed on the basis of a target profit on Gross Development Value. Although in my appraisal modelling none of the scenarios

achieve the target profit the one that gets closest is the proposed scheme with grant funding. This is the scheme that is considered to be deliverable. Southern Housing Group considers profit in a slightly different way, (as do most affordable housing providers). Although in conventional terms both the original and amended schemes do not appear viable, the input of grant funding in the amended scheme and the longer-term revenue income, allows them to have reasonable confidence in proceeding with development.

Consultees

Environmental Health - Public Health: No objection to noise at riverside Final comment awaited regarding the remainder of the site, also concerning air quality assessment and mitigation. Previous conditions for construction management can apply.

Environmental Health - Private Housing : No Objection

Health and Safety Executive: Will provide comment on applicant's Fire Statement

Council Engineer/Technical Services – Drainage: Comment Awaited

Shoreham Port Authority: No objection.

Humphrey's Gap is a Public Hard therefore the applicant should provide mooring cleats and means of access and egress

WSCC Highways; A proportionate uplift to the approved highway contribution is acceptable. **[Officer note:** A plan for safeguarded frontage land for provision of the the A259 cycle path has been provided]

Representations (8no. additional) :Objections

Many comments as previously:

- Insufficient parking spaces, reduction of (already inadequate) provision. Inevitably, cars will be abandoned on any available public space which is already overcrowded
- Overdevelopment would increase the height of the structure which is already excessive. Character of Shoreham being destroyed.
- Loss of the proposed trees in the plan along A259 frontage unacceptable both in terms of aesthetics, pollution and sound mitigation.
- Proposed play facilities seem wholly inadequate and don't seem to meet requirements; lack of consideration of DDA in access arrangements
- No developed cycling infrastructure so people will not be incentivised to cycle, they will use cars and air quality will worsen.

- If the developer finds the site unviable it is not for the public to make sacrifices to insure their profit margin, these are the everyday risks of business and they should have allowed for contingencies in their planning.
- Developers always knew they would have to build a flood wall, and in their 2020/21 financial report boasted that 'Coupled with our large balance sheet, high levels of liquidity and low levels of borrowing relative to our asset values we are well positioned to meet the current and future sector challenges with a business plan that is highly resilient to both acute and prolonged periods of stress'
- The height of block G (already too high) will be increased for all these reasons this application should be refused
- Every new development in Shoreham is causing major flooding and this is never addressed.
- Sewerage/water infrastructure is inadequate with regular and severe flooding in that area
- Effects of PM2.5 not considered, the dangerous, small particles can enter every organ in your body.
- There are no proposed doctors and dentist surgery and secondary school in the planning application.
- Inadequate social housing provision

Conditions - amendments

7. **Construction Management Plan** Delete. This duplicates condition 5.

10. **Water Efficiency.** The development will be required to meet the optional water efficiency requirement of 110 litres per person per day as set out in Part G2 of the Building Regulations. ~~No above ground works~~, No internal fit out works excluding Enabling Works, shall commence until details of the developers approach to meeting this requirement have been submitted to and approved in writing by the Local Planning Authority.

Reason: *To comply with Policy 18 of the Adur Local Plan and Policy SH1 of the Shoreham Harbour Joint Area Action Plan 2019.*

11. **Materials and Details.** ~~No above ground works~~, No facade works excluding Enabling Works for phases 2 & 3, shall take place until the following details shall be submitted to and approved in writing by the Local Planning Authority and all development pursuant to this permission shall be carried out in accordance with the approved details:

- a) particulars and samples of the materials to be used on all external faces of the building;
- b) details of all elevations to show typical details of all external components including details of drainage;
- c) details of the balconies and wind mitigation measures including details of drainage;
- d) details of ground floor elevations including entrances;
- e) details of escape doors, gates, doors bin storage entrance and bicycle storage entrance;
- f) details of soffits, hand-rails and balustrades;
- g) details of ground level surfaces including materials to be used;
- h) details of external lighting attached to the building including anti-collision lights, lighting to the soffits and lighting to pedestrian routes;
- i) details of plant and ductwork to serve the commercial uses;
- j) details of ventilation and air-conditioning for the commercial uses;

Reason: *To ensure that the Local Planning Authority may be satisfied with the detail of the proposed development and to ensure a satisfactory external appearance in accordance with the policy 19 of the Adur Local Plan 2017*

12. Landscape, Public Realm and Play. Prior to the commencement of any landscape and public realm works ~~the commencement of any development~~ in phases 2 & 3 above ground level, excluding Enabling Works, ~~until~~ details of the landscaping and recreation shall be submitted to and approved in writing by the Local Planning Authority. The details shall include:

- a) Details of materials
- b) Street furniture and lighting
- c) Planters, tree pits and planting
- d) A timetable for the implementation of the hard and soft landscaping,
- e) A maintenance plan to ensure establishment of the soft landscaping.
- f) Play area locations and play equipment

Development shall thereafter be carried out, and the planting maintained, in accordance with the approved details and timetable.

Reason: *To protect and enhance the character of the site and the area and to ensure that its appearance is satisfactory*

.../contd

Informative

An informative would be added to confirm the various conditions of the original planning permission which have already been discharged (including archaeology, remediation methods, drainage etc.).

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