



# ADUR DISTRICT COUNCIL

31 December 2020

Adur Planning Committee	
Date:	11 January 2021
Time:	7.00 pm
Venue:	Remote Meeting via Zoom

**Committee Membership:** Councillors Carol Albury (Chair), David Balfe, Kevin Boram, Stephen Chipp (Vice-Chair), Brian Coomber, Lee Cowen, Joss Loader 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 8 January 2021**.

## 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 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. 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 7 January 2021**.

Where meetings are held remotely, no question will be permitted from the public unless such notice has been given.

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)

### **4. Confirmation of Minutes**

To approve the minutes of the Planning Committee meeting held on 7 December 2020, which have been emailed to Members.

### **5. Items Raised Under Urgency Provisions**

To consider any items the Chair of the meeting considers urgent.

### **6. Planning Applications** (Pages 1 - 8)

To consider a report by the Director for the Economy, attached as Item 6.

### **7. Infrastructure Funding Statement** (Pages 9 - 14)

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

## **Part B - Not for publication - Exempt Information Reports**

#### **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 to this meeting please contact:	For Legal Services enquiries relating to this meeting please contact:
Heather Kingston Democratic Services Officer 01903 221006 <a href="mailto:Heather.kingston@adur-worthing.gov.uk">Heather.kingston@adur-worthing.gov.uk</a>	Sally Drury-Smith Lawyer 01903 221086 <a href="mailto:sally.drury-smith@adur-worthing.gov.uk">sally.drury-smith@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.

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## ADUR DISTRICT C O U N C I L

Planning Committee  
11 January 2021  
Agenda Item 6  
Ward: ALL

Key Decision: Yes / No

### Report by the Director for Economy

#### Planning Applications

1

Application Number: AWDM/1579/20

Recommendation – Approve

Site: 86 Penhill Road, Lancing

Proposal: Application for minor material amendments to previously approved AWDM/1176/15. Amendments: Change from tile hanging to horizontal grey wood grain cement board, UPVC window to south elevation - the toplight opening has been moved to the opposite side, remove single roof light to first floor bedroom, remove skylight to first floor bathroom.

Application Number: AWDM/1579/20

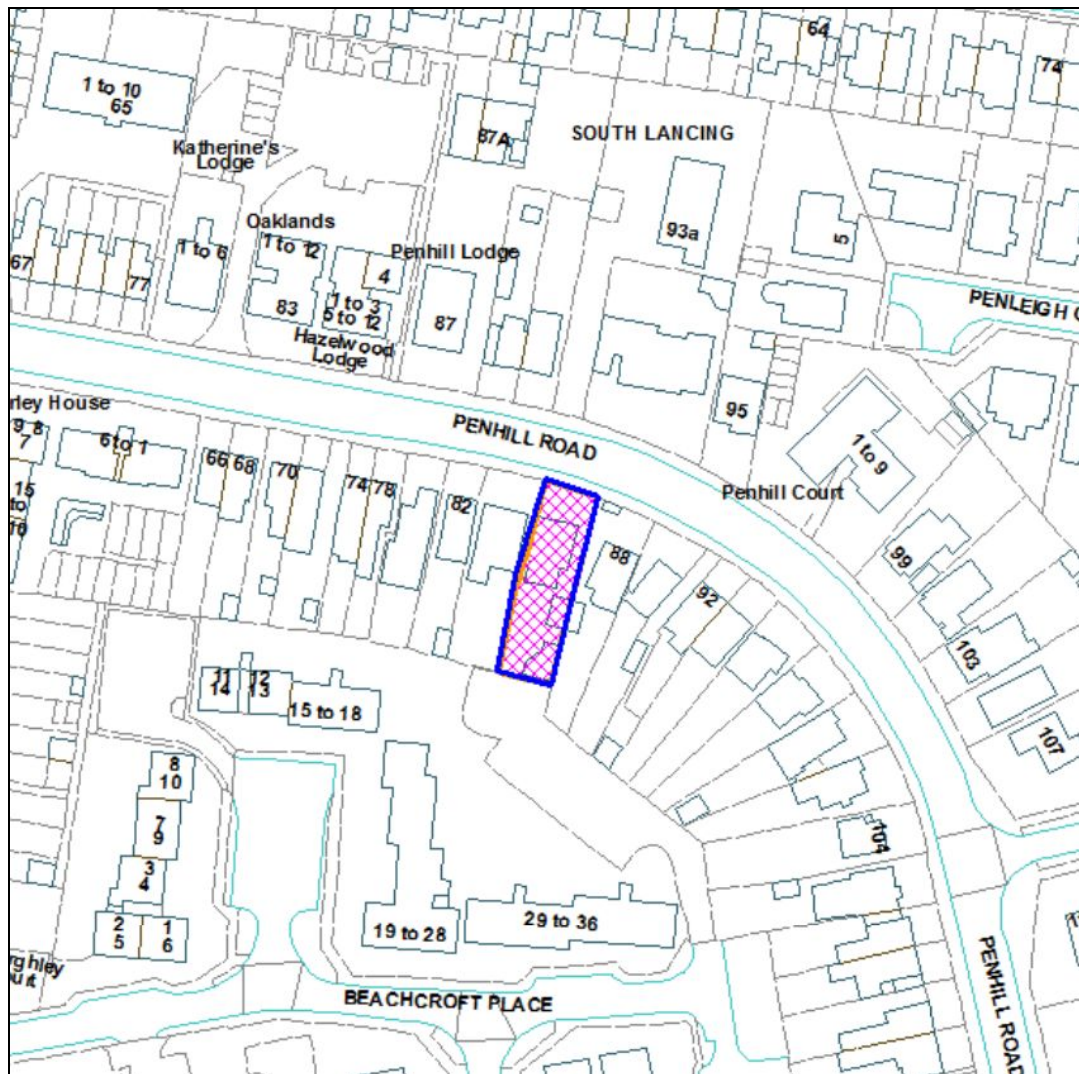
Recommendation – APPROVE

Site: 86 Penhill Road, Lancing, West Sussex

**Proposal:** Application for minor material amendments to previously approved AWDM/1176/15. **Amendments:** Change from tile hanging to horizontal grey wood grain cement board, UPVC window to south elevation - the toplight opening has been moved to the opposite side, remove single roof light to first floor bedroom, remove skylight to first floor bathroom.

Applicant: Mr Colin Harrocks  
Case Officer: Hannah Barker

Ward: Widewater



**Not to Scale**

## **Proposal, Site and Surroundings**

This application is being brought before Committee members for determination as the applicant's agent is an elected member of the Council.

The application site is on the southern side of Penhill Road which consists of residential properties of various scale and style with a combination of bungalows, chalet bungalows, two storey dwellings and higher level blocks of flats.

The site originally comprised of a chalet bungalow with rear addition and front dormer. Consent was granted in October 2015 (AWDM/1176/15) to increase the height of the bungalow by increasing the ridge by 2 metres. The side walls of the bungalow also increased to provide a 'proper' first floor. The extensions allowed for significant first floor increase with two bedrooms and a bathroom. A dormer was proposed on the western elevation and two roof lights on the east. Additional windows face south on the rear elevation. The dormer on the front was removed with first floor windows and two bays at ground floor.

Since this time the development has been completed with materials changed from approved tile hanging to grey wood grain cement board. Further alterations include the removal of a roof light on the west and east elevations and a change to a fan light positioning on a window on the south elevation. Retrospective consent is sought here.

Although not specifically conditioned in the original consent the south facing bathroom window has not been fitted with obscure glazing as would be the expectation for a bathroom. The agent has confirmed agreement to a condition to ensure that within 1 month of this consent that this window would be obscurely glazed.

***Lancing Parish Council:*** No objection, subject to the neighbouring residents' concern regarding the bathroom window be taken into account.

## **Representations**

1 letter of representation received from the owner/occupier of No. 84 Penhill Road. Currently the south facing bathroom window is clearly glazed and overlooks the rear garden. I am not objecting to the window being there I am requesting the window to be obscured and top opening.

## **Relevant Planning Policies and Guidance**

Adur Local Plan 2017 Policy 15

'Supplementary Planning Guidance' comprising: Development Management; No.2 'Extensions and Alterations to Dwellings'

## **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 upgrading the existing housing stock 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 dwelling and its surroundings. For consideration here are the changes to the original consent only.

### ***Visual amenity***

The main visual change from the original consent is the changes to materials. It is however considered that the use of grey boarding can be supported in this case. As stated above there are various styles of buildings within the street and this grey boarding gives a contemporary appearance and is not out of keeping here. The changes to the windows are minor and will not impact upon visual amenity.

### ***Residential amenity***

The changes to materials and windows do not give rise to any impact upon adjacent occupiers. It is however noted that a representation has been received in relation to the rear facing bathroom window which is fitted with clear glazing. As this overlooks the rear garden. It would be normal practice for a bathroom window to have an obscurely glazed window installed and as such a condition is attached to ensure that this is the case.

Other relevant conditions are copied from the previous consent.

## **Recommendation**

### **APPROVE**

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

1. Approved Plans
2. No windows to be formed in the east and west side walls and roof slope.



3. Dormer and roof lights on east and west obscurely glazed and non-opening, except the windows on the west side where the openable part is higher than 1.7 metres above internal floor level of the room they are serving. The rooflights of the east elevation shall remain fixed shut at all times.
4. The additional accommodation hereby permitted shall be used only for residential purposes (Class C3) in connection with the use of the property the subject of this permission, 86 Penhill Road, Lancing, as a single dwelling house and for no other purpose, including as commercial holiday or bed and breakfast accommodation without the prior permission of the local planning authority in an application on that behalf.
5. Within 1 month of this consent the south facing bathroom window shall be replaced with obscure glazing with a top opening fan light only and shall remain in place at all times unless otherwise approved in writing by the Local Planning Authority.

**Informatives: -**

1. Proactive no amendments

**Local Government Act 1972**

**Background Papers:**

As referred to in individual application reports

**Contact Officers:**

Hannah Barker  
Senior Planning Officer  
Portland House  
01903 221310  
[hannah.barker@adur-worthing.gov.uk](mailto:hannah.barker@adur-worthing.gov.uk)

## **Schedule of other matters**

### **1.0 Council Priority**

- 1.1 As referred to in individual application reports, the priorities being:-
- to protect front line services
  - to promote a clean, green and sustainable environment
  - to support and improve the local economy
  - to work in partnerships to promote health and wellbeing in our communities
  - to ensure value for money and low Council Tax

### **2.0 Specific Action Plans**

- 2.1 As referred to in individual application reports.

### **3.0 Sustainability Issues**

- 3.1 As referred to in individual application reports.

### **4.0 Equality Issues**

- 4.1 As referred to in individual application reports.

### **5.0 Community Safety Issues (Section 17)**

- 5.1 As referred to in individual application reports.

### **6.0 Human Rights Issues**

- 6.1 Article 8 of the European Convention safeguards respect for family life and home, whilst Article 1 of the First Protocol concerns non-interference with peaceful enjoyment of private property. Both rights are not absolute and interference may be permitted if the need to do so is proportionate, having regard to public interests. The interests of those affected by proposed developments and the relevant considerations which may justify interference with human rights have been considered in the planning assessments contained in individual application reports.

### **7.0 Reputation**

- 7.1 Decisions are required to be made in accordance with the Town & Country Planning Act 1990 and associated legislation and subordinate legislation taking into account Government policy and guidance (and see 6.1 above and 14.1 below).

## **8.0 Consultations**

- 8.1 As referred to in individual application reports, comprising both statutory and non-statutory consultees.

## **9.0 Risk Assessment**

- 9.1 As referred to in individual application reports.

## **10.0 Health & Safety Issues**

- 10.1 As referred to in individual application reports.

## **11.0 Procurement Strategy**

- 11.1 Matter considered and no issues identified.

## **12.0 Partnership Working**

- 12.1 Matter considered and no issues identified.

## **13.0 Legal**

- 13.1 Powers and duties contained in the Town and Country Planning Act 1990 (as amended) and associated legislation and statutory instruments.

## **14.0 Financial implications**

- 14.1 Decisions made (or conditions imposed) which cannot be substantiated or which are otherwise unreasonable having regard to valid planning considerations can result in an award of costs against the Council if the applicant is aggrieved and lodges an appeal. Decisions made which fail to take into account relevant planning considerations or which are partly based on irrelevant considerations can be subject to judicial review in the High Court with resultant costs implications.

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ADUR DISTRICT  
C O U N C I L

**Adur Planning Committee**

**11 January 2021**

**Agenda Item no. 7**

**Ward: All**

## **Infrastructure Funding Statement (IFS)**

### **Report by the Director for the Economy**

#### **1.0 Summary**

- 1.1 The purpose of this report is to provide an update to Members on the Adur Infrastructure Funding Statement (IFS) which has been published on the Council's website, in accordance with the Community Infrastructure Levy (CIL) Regulations, as amended in 2019).

#### **2.0 Background**

- 2.1 The amendment to the CIL Regulations in 2019 introduced the Infrastructure Funding Statement (IFS), the first of which must be published by each Local Planning Authority by 31st December 2020, and by each 31st December in subsequent years. This IFS relates to the section 106 (s106) data of the previous financial year 2019-20. The aim of the IFS is for Local Authorities to provide greater transparency on how the Community Infrastructure Levy and Section 106 receipts are collected and spent in their area.
- 2.2 The IFS comprises the following —
- (c) A report about planning obligations, in relation to the reported year, ("section 106 report").
- 2.3 The Adur IFS does not include the sections relating to the Community Infrastructure Levy (CIL Report or Infrastructure List), as it has currently decided not to implement a CIL Charging Schedule.
- 2.4 Guidance produced by MHCLG recommends that Local Authorities also publish the raw data that forms the IFS. This data is split into 3 csv files

(spreadsheets) which give policy makers and communities a better insight into how developer contributions are supporting new development and local infrastructure.

### **3.0 Proposals**

- 3.1 The Adur Infrastructure Funding Statement 2019/20 can be found on the Council's website;

<https://www.adur-worthing.gov.uk/planning-policy/adur/adur-developer-contributions/developer-contributions-data-adur/>

- 3.2 This report has been brought to the Planning Committee as an information item to provide an understanding of the process that is now being followed to report the collection of developer contributions.

### **4.0 Legal**

- 4.1 Schedule 2 of the Community Infrastructure Levy Regulations (as amended in 2019) outlines the requirements of the Infrastructure Funding Statement. The first annual infrastructure funding statement must be published by 31st December 2020.

- 4.2 The Council has ensured that it has met the requirements outlined in the Regulations, and has also provided additional information that it considers stakeholders may find useful related to s106 in the financial year.

### **5.0 Financial implications**

- 5.1 There are no cost implications associated with the production of the Infrastructure Funding Statement.

### **6.0 Recommendation**

- 6.1 The recommendation to the Planning Committee is to note the publication of the Adur Infrastructure Funding Statement 2019-20 and the accompanying Developer Contributions Data on the Council's website.

## **Local Government Act 1972**

### **Background Papers:**

- [The Community Infrastructure Levy \(Amendment\) \(England\) \(No. 2\) Regulations 2019](#)
- [Adur Infrastructure Funding Statement 2019-20](#)

### **Contact Officer:**

David Attmore

Community Infrastructure Officer

Planning & Development, Portland House, 44 Richmond Road, Worthing, BN11 1HS

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david.attmore@adur-worthing.gov.uk

## **Schedule of Other Matters**

### **1.0 Council Priority**

- 1.1 The Infrastructure Funding Statement helps to meet Platform 4 of 'Platforms for our Places - Going Further' by providing a good quality service and ensuring transparency around the section 106 (s106) data which the Council holds.

### **2.0 Specific Action Plans**

- 2.1 In line with Government requirements the Council has published the Infrastructure Funding Statement (IFS) to report on CIL & section 106 (s106) data of the previous financial year 2019-20. The IFS will be updated and published in December each year.

### **3.0 Sustainability Issues**

- 3.1 Matter considered and no issues identified.

### **4.0 Equality Issues**

- 4.1 Matter considered and no issues identified.

### **5.0 Community Safety Issues (Section 17)**

- 5.1 Matter considered and no issues identified.

### **6.0 Human Rights Issues**

- 6.1 Matter considered and no issues identified.

### **7.0 Reputation**

- 7.1 The amount of money that is held by the Council which is yet to be spent may be seen as quite large. However, the amount held by Adur District Council is lower than the majority of other authorities. Also, the IFS includes the reasons why sometimes funds are held by the authority until enough money has been collected to fund larger, more expensive items of infrastructure



## **8.0 Consultations**

8.1 The IFS was taken to Adur Informal Cabinet on 14th December 2020.

## **9.0 Risk Assessment**

9.1 Matter considered and no issues identified.

## **10.0 Health & Safety Issues**

10.1 Matter considered and no issues identified.

## **11.0 Procurement Strategy**

11.1 Matter considered and no issues identified.

## **12.0 Partnership Working**

12.1 Work to produce the Infrastructure Funding Statement has involved positive collaboration with West Sussex County Council and other neighbouring authorities to share ideas and concerns around how to produce the statement and associated spreadsheets.

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