



# ADUR DISTRICT COUNCIL

30 April 2020

Adur Planning Committee	
<b>Date:</b>	<b>11 May 2020</b>
<b>Time:</b>	<b>7.00 pm</b>
<b>Venue:</b>	<b>Remote meeting</b>

**Committee Membership:** Councillors Carol Albury (Chair), Pat Beresford (Vice-Chairman), David Balfe, Stephen Chipp, 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 Thursday 7 May 2020.

## 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 May 2020.

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)

### 4. Confirmation of Minutes

To approve the minutes of the Planning Committee meetings of the Committee held on Monday 9 March 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 - 58)

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

## Part B - Not for publication - Exempt Information Reports

#### 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).

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@worthing.gov.uk">heather.kingston@worthing.gov.uk</a>	Louise Mathie Senior Lawyer 01903 221050 <a href="mailto:Louise.mathie@adur-worthing.gov.uk">Louise.mathie@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.



## ADUR DISTRICT COUNCIL

Planning Committee  
11 May 2020  
Agenda Item 6  
Ward: ALL

Key Decision: Yes / No

### Report by the Director for Economy

#### Planning Applications

**1**

**Application Number: AWDM/1802/19**

**Recommendation – Approve**

**Site: 4/6 Old Shoreham Road, Lancing**

**Proposal:** Full Planning Application following on from approved application reference AWDM/0337/18 (Demolition of fire damaged dwelling and erection of a replacement 5-bedroom dwelling at 4 Old Shoreham Road, retention of existing dwelling at 6 Old Shoreham Road and erection of 2 no. 4-bedroom dwellings. Closure of existing site access from A27 roundabout and creation of a new access road from Old Shoreham access road and associated vehicle parking and landscaping) for the erection of 2no 4-bedroom semi-detached replacement dwellings instead of the consented 1no 5-bedroom detached dwelling at 4 Old Shoreham Road.

**2**

**Application Number: AWDM/0300/20**

**Recommendation – Approve  
Subject to s106 Agreement**

**Site: Garage Block North Of St Peters Place, Western Road,  
Sompting**

**Proposal:** Full Planning Application for the demolition of existing garages and the erection of 18no. 1-bedroom apartments (including 30% affordable) within a 3-storey building with associated car parking and landscaping and PV panels on flat roof. Retention of existing flat block to the south and provision of additional car parking spaces for existing flats.

**3**

**Application Number: AWDM/1044/19**

**Recommendation – Approve**

**Site: 1 South Beach, Beach Road, Shoreham-by-Sea**

**Proposal: Remodelling and extension of existing bungalow to form two storey dwelling, including raised ridge height. Demolition of existing side (west) extension and rear (south) conservatory and construction of part two storey/part single storey extension to west side elevation and single storey extension to rear (south) elevation with roof terrace over to side and rear. New roof over garage.**

**4**

**Application Number: AWDM/079/19**

**Recommendation – Approve**

**Site: 45 Valley Road, Sompting**

**Proposal: Minor material amendments to roof extension permitted under AWDM/1728/15, consisting of revisions to roof extensions to rear, addition of lean-to roof to side porch, amendments to fenestration and addition of dragon finial to roof ridge (Numbers 43 and 45).**

**5**

**Application Number: AWDM/0272/20**

**Recommendation – Approve**

**Site: Land East Of 1 To 11 Mercury House, Ham Road,  
Shoreham-By-Sea**

**Proposal: Retrospective application for the temporary change of use of land for overflow staff car parking.**

Application Number: AWDM/1802/19

Recommendation: APPROVE

Site: 4 & 6 Old Shoreham Road, Lancing

**Proposal:** Full Planning Application following on from approved application reference AWDM/0337/18 (Demolition of fire damaged dwelling and erection of a replacement 5-bedroom dwelling at 4 Old Shoreham Road, retention of existing dwelling at 6 Old Shoreham Road and erection of 2 no. 4-bedroom dwellings. Closure of existing site access from A27 roundabout and creation of a new access road from Old Shoreham access road and associated vehicle parking and landscaping) for the erection of 2no 4-bedroom semi-detached replacement dwellings instead of the consented 1no 5-bedroom detached dwelling at 4 Old Shoreham Road.

Applicant: Shaws Installation Limited  
Case Officer: Gary Peck

Ward: Mash Barn



**Not to Scale**

## **Proposal**

This application seeks full permission for the erection of 4 dwellings (net increase of 3) replacing a fire damaged dwelling at the front of the site with a pair of 4 bedroom dwellings along with the erection of 2 further dwellings to the rear of the site. Planning permission was previously granted in 2019 for the fire damaged dwelling to be replaced with a single 5 bed dwelling as well as the 2 properties to the rear and therefore effectively the application seeks the erection of an additional dwelling further to the original consent.

## **Site & Surroundings**

The application site is given as 0.278ha in area and consists of two existing residential dwellings, numbers 4 and 6 Old Shoreham Road. The site lies within the built-up area as defined by the Local Plan.

Number 4 is derelict having been previously severely damaged by fire. The application site also incorporates an area of disused land to the rear of 4 Old Shoreham Road, which was previously an overgrown garden but was completely cleared in 2017 and replaced with a tarmac hardstanding.

The site lies to the south of Old Shoreham Road, east of Grinstead Lane and west of Manor Way. The detached dwelling at 4 Old Shoreham Road is on the corner of the A27 and Grinstead Lane and is currently accessed from Grinstead Lane to the west, via a private driveway. The immediate character of the area can be described as residential. The 5 houses in Grinstead Lane which run along the western boundary of the site are visible from within the application site as well as the bungalows in Manor Way to the east of the site. To the south of the site is Haley Road, with a parking and garaging area being closest to the boundary of the application site.

## **Relevant Planning History**

There have been 7 previous applications on the site, the most recent of which was the first to be granted permission. The 2011 and 2014 applications were dismissed at appeal:

ADC/0467/06: Demolition of existing house and erection of 6 two-bedroom flats and terrace of 6 three-bedroom houses (two storeys including 4 with rooms in roof) served by new access road off end of service road (outline with layout and access details) – refused

ADC/0498/07: Demolition of existing house and erection of 4 No. 2 bed flats, 2 No. 2 storey 3 bed houses, 4 No. 2.5 storey 3 bed houses with associated access and parking (Outline application) – refused

ADC/0358/10: Demolition of existing houses (No's 4 and 6) and erection of 14 new dwelling units comprising 9 flats in 2 three-storey blocks (4 two-bedroom, 4 one-bedroom and 1 studio) at the north end of the site and 5 two-storey houses (4 semi-detached three-bedroom and 1 detached two-bedroom) served by new access road off end of service road and 23 car parking spaces – refused

AWDM/0361/11: Demolition of existing houses (No's 4 and 6) and erection of 13 new dwellings (comprising 9 flats in 2 three-storey blocks at the north end of the site and 4 semi-detached two-storey houses at the rear) served by new access road off end of service road and 23 car parking spaces – refused and subsequent appeal dismissed

AWDM/0004/13: Demolition of existing house at 4 Old Shoreham Road and erection of 5 flats in a new building at the north of the site and 4 houses on land to the rear. Closure of existing site access from the A27 roundabout and creation of a new access road from Old Shoreham Road and associated vehicle parking and landscaping - refused

AWDM/0829/14: Demolition of existing house at 4 Old Shoreham Road and erection of 2 semi-detached houses and 2 double garages to the rear. Closure of existing site access from the A27 roundabout and creation of a new access road from Old Shoreham Road and associated vehicle parking and landscaping – refused and subsequent appeal dismissed

AWDM/0337/18: Demolition of fire damaged dwelling and erection of a replacement 5-bedroom dwelling at 4 Old Shoreham Road, retention of existing dwelling at 6 Old Shoreham Road and erection of 2 no. 4-bedroom dwellings. Closure of existing site access from A27 roundabout and creation of a new access road from Old Shoreham access road and associated vehicle parking and landscaping – permission granted in May 2019. The development has not been implemented.

## **Consultations**

**Environmental Health:** No objection

**Highways England:** No objection subject to conditions

**Southern Water:** No objection subject to an informative

**Sussex Police:** Comment that in general there are no major concerns from a crime prevention perspective. Cul-de-sacs that are short in length and not linked by footpaths can be very safe environments in which residents benefit from lower crime.

**Technical Services:** Originally objected on the grounds that the submitted information did not demonstrate the flood risk would be increase elsewhere.

*Following a meeting with the applicant's drainage consultant, the following additional comment was received:*

This new application provides an opportunity for improvements to be made upon the previously approved application. The extant planning permission had, in our opinion, flaws with the drainage design.

We do not believe that sufficient evidence has been submitted under the current permission to demonstrate that adequate surface water storage provision is proposed and that flood risk will not be increased elsewhere. We believe that there is potential for a solution to be achieved that will meet national and local policy requirements. For example, a significant increase in the surface water storage provision could be achieved by the construction of 'check dams' within the sub-base of the permeable paving, therefore utilising full sub-base depth throughout the sloped driveway.

Giving due regard to the extant permission we request that the following conditions are applied to this application to ensure that the development is adequately drained and does not increase flood risk elsewhere:

“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. 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.”

with the accompanying informative:

“The surface water drainage design must have provision to ensure that there is capacity in the system to contain below ground level the 1 in 100 year event plus 40% on stored volumes, as an allowance for climate change. Further detail 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”

“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.”



and

“The development shall not proceed until details have been submitted to and approved in writing by the Local Planning Authority for any proposals: to discharge flows to watercourses; or for the culverting, diversion, infilling or obstruction of any watercourse on or adjacent to the site. Any discharge to a watercourse must be at a rate no greater than the pre-development run-off values. No construction is permitted, which will restrict current and future land owners from undertaking their riparian maintenance responsibilities in respect to any watercourse or culvert on or adjacent to the site. “

with the accompanying informative:

“Under Section 23 of the Land Drainage Act 1991 Land Drainage Consent must be sought from the Lead Local Flood Authority (West Sussex County Council), prior to starting any works (temporary or permanent) that affect the flow of water in an ordinary watercourse. Such works may include culverting, channel diversion, discharge of flows, connections, headwalls and the installation of trash screens.

The development layout must take account of any existing watercourses (open or culverted) to ensure that future access for maintenance is not restricted. No development is permitted within 3m of the bank of an ordinary watercourse, or 3m of a culverted ordinary watercourse.”

**Tree Officer:** I have no concerns regarding trees for this proposal.

**West Sussex County Council Lead Local Flood Authority:**

The LLFA commented on this site and extensively on a previous occasion and on the basis that the development has only changed marginally and the drainage design largely reflects our previous input, the LLFA will not be commenting further.

**West Sussex County Council Highways:**

**Background**

The new development proposals are for an increase of three additional dwellings on the site with the Demolition of number 4 Old Shoreham Road and construction of two semidetached 4-bedroom houses with garages and external parking, construction of two detached 4-bedroom chalets both with external parking.

**Comments**

The LHA has previously commented on this application. In previous responses the LHA has requested more clarity on the Stage 1 Road Safety Audit (RSA) which dates back to 2010. The applicant has submitted a Transport Assessment Addendum to accompany the application.

In terms of the application the TAA provides confirmation on the following points:

- The extension of the service road can safely accommodate service and emergency vehicles.
- The parking allocation is within the latest WSCC parking standards.
- A Trip Rate Information Computer System (TRICS) assessment has been provided which demonstrates the level of traffic associated with the development proposals is low and unlikely to have a negative effect on the existing highway traffic and the free flow of the A27.
- The Stage 1 Road Safety Audit (RSA) is still the original 2010 copy. The LHA acknowledge an email from the original Safety Auditor from the 10th April 2018 which provides confirmation that no additional comments are required to the latest drawings. There is however still no confirmation that the RSA meets the latest GG119 parameters which came into operation in November 2018. This needs to be confirmed by the Auditor in the same way that the drawings were assessed.

*In respect of the last bullet point, the agent stated that the auditor had retired and therefore the further information could not be provided. WSCC further commented:*

GG119 compliance would be preferred however the LHA could not insist on this. If a note is not provided the LHA would not raise an objection to the proposals

## **Representations**

### **Lancing Parish Council:**

Comment that the application be refused on the following grounds: -

- i. an additional dwelling would constitute overdevelopment of the site;
- ii. highway safety issues in respect of the access onto the A27, with the likelihood of further traffic movements due to additional vehicles at the site;
- iii. accessibility of vehicles particularly refuse/emergency service vehicles regarding the relevant properties;
- iv. the capacity of the public sewers is inadequate;
- v. the proposed drainage does not provide enough mitigation in respect of the site's flood risk;
- vi. the site already suffers from flooding and this proposal would exacerbate the situation. Indeed, the proposed 2 x 4-bedroomed dwellings and associated driveway creates a loss of drainage facility. In this regard, it is considered essential that Adur Planning Committee take full account of the relevant Consultation Responses dated 29/11/2019 and 03/12/2019 from Adur-Worthing Councils Technical Services.

### **Lancing Manor Residents Network**

Lancing Manor SE Residents Network representing 300 households in North Lancing strenuously objects to this application yet again.

The reasons are as follows:-

1. Flood Risk - Background

This application is proposing the same drainage scheme as the last application. That application, although approved, had a major condition that offsite flows for groundwater and surface water will not impact the properties around. The applicant to provide a finalised scheme for both drainage authorities sign off.

For that application AWDM/0037/18 it took 2 years and many communications between Adur DC & WSCC Lead Drainage Authority for a scheme to move forward to Planning Committee in February 2019. The officer was recommending a refusal to the committee, based upon a drainage scheme which did not comply with NPPF Para 155 and the Local Plan Policy 36.

At the meeting officers advised that on further liaison with the applicant it would assist if further time was available by deferment because a suitable scheme would be possible. Committee agreed deferment.

Despite these assurances of a sustainable scheme which dealt with the groundwater issues/surface water flows affecting areas around and the site itself, such a scheme never materialised and which was one the Lead Authority could approve. Adur Technical by this time had approved the scheme with its minor changes. So LLFA was not in agreement and requested that the above condition be applied to any approval.

The application after all this contrivance was approved by committee in May 2019, despite still not complying with NPPF Para 155 and Adur's Local Plan Policy 36.

This drainage scheme totally failed to comply with

NPPF, Para 155. Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.

Also,

Adur local Plan 2017 – Policy 36

The flood risk assessment will need to demonstrate that development: · is appropriately flood resilient and resistant, includes safe access and escape routes where required, and that any residual risk can be safely managed; · will be safe for its lifetime taking account of the vulnerability of its users; · will not increase flood risk (including sewer flooding, surface water and groundwater flood risk) elsewhere; · will, where possible, reduce flood risk overall; and · will give priority to the use of sustainable drainage systems.

Despite this non-compliance the application was approved.

## 2 Flood Risk - New application AWDM/1082/19

On submission, the applicant confirmed the change of the 5 bed dwelling into two semis using the same road scheme and drainage scheme as the prior approval with conditions.

Adur's new drainage engineer reviewed the drainage scheme and reported it was flawed and literally challenged every aspect including calculations and features. Further details to counter the engineer's objections were provided by the applicant. Once again, the engineer still confirmed the position that this new data was not acceptable.

Final comments by the engineer were submitted on the 28th March and once again clearly stated that the drainage scheme was flawed. Additional comments said there may be some possible solutions but if the committee was mindful to approve, then a number of strict conditions must be applied to the approval in respect of drainage. Once again, post approval, the applicant must submit further plans to fully demonstrate compliance with NPPF 155 and provide a full management scheme for the ongoing maintenance of a proposed SuDs and ditches for the site.

WSCC Lead Authority have declined to make further comment.

This Network is appalled at the totally contrived manner in which the planning authority has dealt with this application. If this current application does not comply with NPPF and Local Plan policies then there surely can be only one decision to make - Refuse the application. As indeed the previous one should have been refused.

If the officer recommendations are to approve, what are those reasons and could they be explained to the public?

After 3 years of negotiations with the drainage authorities, if the applicant cannot submit a scheme which is acceptable in that time, the Network believes and is certain there isn't one which will not exacerbate the drainage and sewer problems in the area.

Again, for the 5th winter of the last 8 winters, the area around, including the development site itself, has experienced garden flooding, overflowing ditches (including the one downstream and to be used to drain the site) and sewer failures with long term over pumping because of rising groundwater (>75% risk) and increased surface water flows.

In its duty of care to the community, surely the District Authority should refuse this application with its unsustainability for drainage.

Other Material Considerations

## 1 Dangerous Road Scheme

Once again, this scheme relies upon extending the Old Shoreham Road into the site and a highly dangerous U turn using the bell mouth of Manor Way to exit into the A27 westbound carriageway. This is a highly dangerous manoeuvre.

At that point there is a convergence of vehicles with pedestrians, school children, mobility scooters, cyclists crossing Old Shoreham Road to use the Toucan Crossing across the A27. With traffic flows travelling westwards along the Old Shoreham Road, vehicles exiting the A27 immediately past the Toucan Crossing into Manor Way and the dead end of Old Shoreham Road, with all the Toucan NMU user movements plus a recently installed cycleway, there is a greatly increased risk of accidents.

There have been accidents, a recent one very serious, on the crossing for which this U turn manoeuvre will only create greater risks for the public.

Executing the U turn into the A27, because of the size of the arc to turn, means that a vehicle has to go into the outside lane of the dual carriageway to complete the turn. As at present, even for vehicles doing the safer 90 degree left hand turn at the head of Manor Way, reaching the outside lane in flowing traffic conditions is never possible in one manoeuvre. The driver has to move into the nearside lane then try and access the outside lane when conditions allow. That alone makes this U turn dangerous.

A further issue – headlight dazzle at night. For vehicles exiting 4 Old Shoreham Road, as they execute the U turn, with no means of mitigation at that point, westbound oncoming traffic will be blinded by headlight dazzle as they approach the Toucan Crossing which already is a safety concern because of the accidents which have occurred.

The Transport Assessment document shows plans for the access to the A27 at the head of Manor Way. These plans are incorrect. Three years ago the Pelican Crossing across the A27 at that point was upgraded to a Toucan Crossing and the kerb line next to the A27 westbound carriageway was extended westwards by 2 metres. This has reduced that access to the A27 (above Manor Way) and all the plans submitted fail to show this change in that extended kerb line. As a result, the proposed U turn has even less space to be executed.

Road safety data to comply with the latest GG119 parameters which came into operation in November 2018 is still awaited by WSCC Highways.

This road scheme will also mean 'no parking' lines of up to 10m at the corners of Manor Way and Old Shoreham Road which is unacceptable for residents with a significant loss of parking space.

It should be pointed out that service and waste vehicles trying to enter the 4 Old Shoreham Road site will have to put their offside wheels on the grass verge to pass

parked, wider vehicles, particularly vans which are continually resident at Nos 6 & 8 Old Shoreham Road. With a width of less than 5 metres, there is simply not sufficient room to pass. Waste vehicles currently stop short of any such impediment along that stretch to access waste bins for the housing before reversing into Manor Way to exit into the A27 with the safe 90 degree movement..

The above problem will also be an issue for any emergency services which would have to attend the 4 Old Shoreham Road site.

It should be noted that an electrical substation for the new A27 street lighting is located within the proposed turn area of the extended slip road. This will require relocation. Also, the approved New Monks Farm application includes the addition of flared lanes both into and out of Grinstead Lane for the Manor Roundabout. With land taken from the green verge next to the proposed turn in the road this surely will impact on the road extension and its turn into the site. The New Monks Farm approval which was finalised with S106 agreements last March must surely take precedence over this road proposal.

Once again, this traffic scheme is flawed, ineffective and above all dangerous.

## 2 Restoration of ground levels

The 4 Old Shoreham Road site was 'tidied up' in October 2017. As a result, the whole site was turned into a 'car park' with impermeable, compacted hard core and a tarmac 'planings' type covering. A rear fence was removed and a drain was crudely installed into a culvert which crucially drains the Grinstead Lane across the site to connect with the Lancing Brooks drainage network to the east.

All this work was unapproved by the local and lead drainage and highways authorities.

Residents are much concerned that despite considerable efforts by their residents Network, there has been no enforcement of reinstatement of the site to its original bare earth condition.

It should be noted that the site clearance caused an infestation of rats to neighbouring properties. One house owner in Manor Way still has problems with as many as 10 rats at a time seen in his rear garden. These are undoubtedly coming from the damaged invert/overflow culvert behind this property where the applicant broke into the wall of the invert to crudely connect an unapproved drainage pipe. This needs attention from environmental health. Video footage is available

Whatever the planning decision, we ask the authorities to enforce the applicant to completely reinstate the site to its previous bare earth condition to prevent exacerbated drainage problems for the area around because of displacement of the groundwater which cannot permeate upwards through the 'car park' surface and can only be displaced into the properties around, particularly in extreme weather conditions. Also, replace the permanent fence to the rear and to de-install the

unapproved drain into the Grinstead Lane drainage culvert and repair the manhole involved.

There is also the question about contamination by the tarmac planings used on site which is another possible health & safety concern. Please see article in link:-

<http://adeptus.co.uk/reuse-road-planings-containing-coal-tar-pahs-permit/>

### 3 Ecology

The site was cleared, levelled and 'car park' surfaced in October 2017 with absolutely no regard to the established wildlife habitats /flora/fauna . A known Badger sett or outlier was carelessly filled in and it was impossible to ascertain whether or not this was still in use.

The last ecology report was done in 2014. Since 2017, the site has become significantly overgrown. With the return of Spring there are now significant levels of wildlife resident in the site. Red Foxes, birdlife and slow worms, Badger may also have returned to the site. That previous ecology report pointed out that the derelict house was potentially a habitat for bats and further work should be carried out to check on this.

Although the building had a fire in 2016, it could, once again, be a potential habitat for this species. The question - to comply with NERCs 2008 and the Wildlife Acts— before the suite is relevelled, a further ecology assessment should be carried out and re-levelling works undertaken with guidance of an ecologist and carried out in the 'close' season..

Adur Local Plan Policy 31 refers:-

Biodiversity: All development should ensure the protection, conservation, and where possible, enhancement of biodiversity.....

### **Conclusion**

Taking into account all the above considerations and particularly that of increased flood risk to the properties around and the site itself, Lancing Manor SE Residents Network asks the planning authority to refuse this unsustainable development application.

5 letters of objection have been received on the following grounds:

- Previous applications have been refused and the reasons should stand
- Highway safety
- Headlamp dazzle from access
- Flood risk
- Overdevelopment of the site

- Adverse effect of wildlife
- Site should be reinstated to its previous condition

## **Relevant Planning Policies and Guidance**

Adur Local Plan 2017: Relevant policies include 1, 2, 3, 15, 20, 22, 28 & 36

Development Control Standards – Space Around New Dwellings and Flats

National Planning Policy Framework (CLG 2018)

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 issues in the determination of the application are the effect of the proposal upon the character and appearance of the surrounding area and amenities of neighbouring properties, highways safety and flooding and drainage issues all having regard to the material consideration of the previous permission in 2019.

In terms of the pair of dwellings to the rear of the site, these are identical to those shown in the previous permission and accordingly there is no reason to take an alternative view. The previous committee report stated:

*The rear part of the site is sufficiently large to accommodate the 2 chalet bungalows proposed and 1.5 metre buffer is proposed to the 3 surrounding boundaries which will improve the open boundary relationship which exists at present. The rear gardens of numbers 1 to 9 Grinstead Lane, which are to the west of the application site are at least 20 metres in length and given that the proposed chalet bungalow on this side of the site is about 3 metres from the boundary, there is a sufficient distance between the existing and proposed dwellings. Number 15 Grinstead Lane is closest to the south western boundary of the site but is around 15 metres from the proposed dwelling at an oblique angle and similarly it is considered that the relationship between these properties is acceptable.*



*To the east of the site are bungalows in Manor Way. These properties are closer to the site boundary than those in Grinstead Lane, the closest to the boundary being number 8 which has a rear garden of around 11 metres but because of the alignment of the new dwelling would be about 17 metres from number 8. The new dwelling would be about a similar distance from 10 Manor Way which has a longer rear garden of about 14 metres, but would be as close to the new dwelling because of the angle it sits to the site. Again this relationship is considered acceptable.*

Your Officers consider that the rear part of the development remains acceptable.

At the front of the site, it was previously welcomed that number 6 Old Shoreham Road, which was previously proposed to be replaced, was now being retained and this remains the case in the current application. The difference is therefore to the western portion of the front of the site, where the previously approved single 5 bed dwelling of 217 square metres is now to be replaced by a pair of 4 bed dwellings at 145 square metres each.

Aside from 6 Old Shoreham Road, which is a detached property, the predominant character of the immediately surrounding area is of semi-detached dwellings and therefore in visual terms, it is not considered that there is an objection in principle to the erection of a pair of dwellings at the front of the site.

The increased size of the dwellings does increase their scale, albeit some of the additional footprint is to the rear of the dwellings and hence will have little visual impact either. As with the previous application, the main consideration is therefore the impact upon the neighbouring dwelling to the west, 1 Grinstead Lane. There is a distance of around 5 metres maintained to the boundary with this property, which sits at an angle to the application site, and it is also noted that the main footprint of this property is further away from the site than shown on the block plan as a side extension previously at the neighbouring property has been removed and the area used for parking. There are additional windows on the ground floor western elevation of the proposed westernmost dwelling compared to the previous proposal, but if the current fencing is maintained then this should provide adequate screening. It is not considered that there is any material impact upon neighbouring properties when compared to the existing permission therefore.

In respect of highways matters, there are no material changes from the previous arrangements and, as before, there has been no objection from either Highways England or West Sussex County Council. Highways related matters were the subject of considerable discussion during previous applications which the previous permission and now this application reflect. There are no grounds to resist the proposal on highways grounds, therefore.

The remaining issue therefore relates to drainage which, until the approval of the last application, has been a significant issue in the refusal of the earlier schemes. In planning law, the previous permission is a material consideration in the determination

of the application and, as evidenced above, the differences between this application and the previous approval are relatively slight with the replacement of the single detached property by a pair of semi-detached properties.

Members will note that the County Council, as Lead Local Flood Authority, considers that the issue was concluded sufficiently during the determination of the last application and that there is no necessity to provide additional comment.

Nonetheless, there is an increase in footprint as a result of this application and hence it is necessary to demonstrate that such an increase would adversely affect the drainage situation on the site. As can be seen by the comments of the Technical Services Officer, it was not considered this had been adequately demonstrated in the original submission of the application. Further meetings have taken place between the Technical Services Officer and the applicant's drainage consultant.

The previous permission holds significant weight in the determination of the application, yet there remains a necessity to ensure that the additional footprint can be adequately accommodated. It is noted that the previous permission required monitoring of the drainage system to ensure compliance with the submitted details. While ordinarily, it would be difficult to impose more extensive conditions to an application for development which is very similar to a recent previous approval, on this occasion it is felt that such an approach is fully justified given that the Technical Services Officer has requested further information, yet also having regard to the ability of the applicant to implement the previous scheme without submitting such detail.

The applicant's drainage engineer has agreed to the imposition of additional conditions which require full details to be submitted to an approved by the Local Planning Authority. Your officers consider that this provides sufficient opportunity to ensure that robust details are agreed by the Local Planning Authority.

The appearance of the site continues to detract from the character of the area, so much so that the Council could be justified in taking enforcement action to require demolition of the existing property to improve the appearance of the site. However, a far preferable resolution would be to secure the redevelopment of the site via a planning permission which will not only result in a visual improvement but also provide much needed new housing. It is therefore recommended that planning permission is granted.

### **Recommendation**

To GRANT planning permission subject to the following conditions:

01. Approved Plans
02. Full Permission

03. No part of the development hereby permitted shall be occupied until the completion and opening to public traffic of the improvements to the A27 Trunk Road shown on Civil Engineering Practice's Drawing No. 120 "Proposed Site Access Arrangement and A27 Access Alterations" dated April 2018 (or such other scheme of works substantially to the same effect, as may be approved in writing by the local planning authority (who shall consult with Highways England)).

Reason: To ensure that the junction of the A27 Trunk Road with the A2025 continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety.

04. No part of the development hereby permitted shall commence until the necessary traffic regulation order to implement the waiting restrictions at the junction Old Shoreham Road with Manor Way shown on Civil Engineering Practice's Drawing No. 120 "Proposed Site Access Arrangement and A27 Access Alterations" dated April 2018 has been made and approved and the local planning authority have obtained confirmation in writing from the local highways authority that they are in a position to implement the waiting restriction.

Reason: To ensure that traffic can negotiate a U-turn between the service road and the main carriageway of the A27 Trunk Road at its junction with Manor Way and to ensure that the A27 Trunk Road continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety.

05. No part of the development hereby permitted shall be occupied until the local planning authority has been advised in writing by the local highway authority that the waiting restriction at the junction of Old Shoreham Road with Manor Way shown on Civil Engineering Practice's Drawing No. 120 "Proposed Site Access Arrangement and A27 Access Alterations" dated April 2018 has been implemented.

Reason: To ensure that traffic can negotiate a U-turn between the service road and the main carriageway of the A27 Trunk Road at its junction with Manor Way and to ensure that the A27 Trunk Road continues to be an effective part of the Highways England Planning Response (HEPR 16-01) January 2016 national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety.

06. No part of the development hereby permitted shall commence until a Highways England Planning Response (HEPR 16-01) January 2016 Construction Management Plan has been submitted and agreed in writing by the local planning authority (who shall consult Highways England). Construction of the

development shall then be carried out in accordance with the agreed Construction Management Plan.

Reason: To ensure that construction of the development does not prejudice the free flow of traffic and conditions of safety on the highway, nor cause inconvenience to other highway users, and ensure that the A27 Trunk Road continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety.

07. 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. 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.

Reason: To ensure adequate surface water drainage is provided to serve the development

08. 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.

Reason: To ensure adequate maintenance and management of the surface water drainage system.

09. The development shall not proceed until details have been submitted to and approved in writing by the Local Planning Authority for any proposals: to discharge flows to watercourses; or for the culverting, diversion, infilling or obstruction of any watercourse on or adjacent to the site. Any discharge to a watercourse must be at a rate no greater than the pre-development run-off values. No construction is permitted, which will restrict current and future land owners from undertaking their riparian maintenance responsibilities in respect to any watercourse or culvert on or adjacent to the site.

Reason: To ensure the site is suitably drained

10. The hours of construction and demolition in connection with the development hereby permitted shall be restricted to 0800-1800 Monday to Fridays and 0800-1300 hours on Saturdays with no working on Sundays or Bank or Public Holidays.

Reason: In the interests of the amenities of neighbouring properties.

11. No works or development shall take place until full details of all hard and soft landscaping works and the proposed times of planting have been approved in writing by the Local Planning Authority and all soft landscape works shall be carried out in accordance with those details and at those times. Any plants which within a period of five years from the time of planting die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

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

12. No development shall be carried out unless and until a schedule of materials and finishes to be used for the external walls (including windows and doors) and roof of the proposed building has been submitted to and approved in writing by the Local Planning Authority and the development shall be completed in accordance with the approved schedule.

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

13. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 as amended (or any Order revoking and re-enacting that Order with or without modification), no windows or other openings shall be formed in any side wall of the dwellings hereby approved.

Reason: To prevent overlooking and to comply with policy 15 of the Adur Local Plan.

14. Within 1 month of the date of the permission for the development hereby approved, a scheme shall be submitted specifying the timetable for the removal of the unauthorised hardstanding on the site, together with details of any restoration of the site pending the commencement of the development hereby approved.

Reason: The retention of the hardstanding is unacceptable and should be removed prior to the commencement of development on the site in the interests of visual amenity and to ensure compliance with the agreed drainage solution.

## **Informatives**

01. A formal application for connection to the public sewerage system is required in order to service this development. Please read our New Connections Services Charging Arrangements documents which has now been published and is available to read on our website via the following link <https://beta.southernwater.co.uk/infrastructure-charges>
02. Works affecting the Public Highway  
Section 175(b) of the Highways Act 1980 (as inserted via The Infrastructure Act 2015) requires those proposing works affecting the public highway to enter into an agreement with the Strategic Highway Authority (Highways England). This development involves work to the public highways that can only be undertaken within the scope of a legal Agreement between the applicant and Highways England. Planning permission in itself does not permit these works. It is the applicant's responsibility to ensure that before commencement of any works to the public highway, any necessary Agreements under the Highways Act 1980 are also obtained. Advice on this matter can be obtained from the Spatial Planning Team, Highways England, Bridge House, 1 Walnut Tree Close, Guildford, Surrey, GU1 4LZ. Highways England switchboard: 0300 470 1370. Email: [PlanningSE@highwaysengland.co.uk](mailto:PlanningSE@highwaysengland.co.uk)
03. The surface water drainage design must have provision to ensure that there is capacity in the system to contain below ground level the 1 in 100 year event plus 40% on stored volumes, as an allowance for climate change. Further detail regarding our requirements is 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
04. Under Section 23 of the Land Drainage Act 1991 Land Drainage Consent must be sought from the Lead Local Flood Authority (West Sussex County Council), prior to starting any works (temporary or permanent) that affect the flow of water in an ordinary watercourse. Such works may include culverting, channel diversion, discharge of flows, connections, headwalls and the installation of trash screens.

The development layout must take account of any existing watercourses (open or culverted) to ensure that future access for maintenance is not restricted. No development is permitted within 3m of the bank of an ordinary watercourse, or 3m of a culverted ordinary watercourse.

05. The developer must contact the Environmental Health section for a Demolition Notice prior to any demolition work.

**2**

**Application Number: AWDM/0300/20**

**Recommendation – APPROVE,  
subject to s106**

**Site: Garage Block North Of St Peters Place, Western Road,  
Sompting**

**Proposal: Full Planning Application for the demolition of existing  
garages and the erection of 18no. 1-bedroom apartments  
(including 30% affordable) within a 3-storey building with  
associated car parking and landscaping and PV panels on  
flat roof. Retention of existing flat block to the south and  
provision of additional car parking spaces for existing flats.**

**Applicant: Hamilton Investments Ltd  
Case Officer: Peter Barnett**

**Ward: Peverel**



**Not to Scale**

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## Proposal, Site and Surroundings

The application relates to an area of land to the north of St Peter's Place, a 3 storey block of flats, on the east side of Western Road. The site is currently occupied by a vehicle repairs garage at the northern end (believed to be an unauthorized use) and by a garage block at its southern end, which is believed to have been constructed for residents of St Peters Place but which is currently rented to off-site residents.

The site is adjacent to the road bridge over the railway line and is at a lower level than Western Road. To the north there is the railway line itself while to the east is the Lancing Business Park, with an industrial unit immediately on the eastern boundary at the north end of the site and other units running along the entire eastern boundary. Access to the industrial estate is gained via the access to St Peter's Place, off Western Road, to the south east of St Peter's Place.



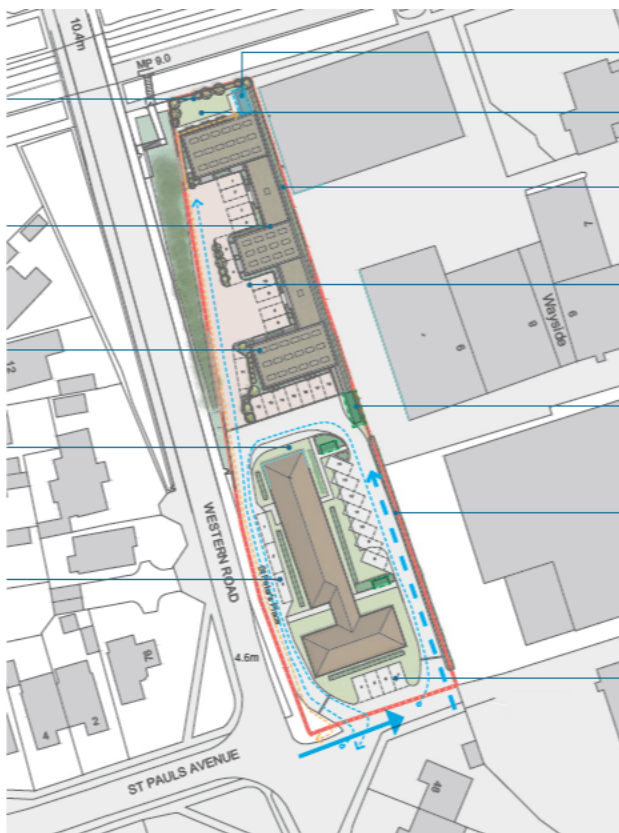
The application proposes to demolish the garage block and car repair yard and to construct 18no 1-bedroom apartments within a 3-storey flat-roofed building. The development would include 30% affordable units. The Planning Statement submitted with the application provides the following summary of the design of the building and layout:

*“The design of the proposed building has been given careful consideration in relation to the surrounding uses, in particular Lancing Business Park to the east. In this regard the building has been designed to incorporate an elongated wall to the eastern elevation in order to mitigate potential noise impacts. Measures have also been incorporated to visually enhance this ‘acoustic wall’ by incorporating planting and climbers where necessary.*

*To further protect residents from potential noise impacts, a 2.4m high acoustic fence is proposed to the eastern boundary, adjacent to the planting buffer.*

*The proposed building would consist of a high-quality contemporary design by incorporating modern features such as recessed bricks to the fenestration. Sustainable and modern materials have been optimised such as buff brick and standing seam zinc with sleeve details to the windows.”*

The layout and west elevation are shown below:





accommodation only.

Each flat will have one allocated parking space to be located within the courtyards between each wing and at the southern and western ends of the building. Those spaces nearest to the flats within the courtyard will correspond to the adjacent flat to minimise any disturbance or loss of privacy to future residents.

It is also proposed to provide an additional 5no. car parking spaces for the existing residential units at St Peters Place. These would be provided within the immediate surroundings of St Peters Place by reconfiguring the existing parking layout. In total the proposals seek to provide 32no car parking spaces across the site for new and existing residents (including 6no. spaces with charging points for electric vehicles). The existing vehicular access to the south of the site would be retained. 20no cycle spaces would also be provided in the form of a two-tier cycle storage shed to the north of the site.

Each flat will be served with a small external amenity space in the form of a balcony. These largely face inwards towards the courtyard with the exception of those on the central wing which face westwards to prevent overlooking between flats. A communal garden would also be provided to the north of the building.

An artist's impression of the building is set out below:



The application is supported by:

- Planning and Affordable Housing Statement
- Design and Access Statement
- Contamination Assessment
- SuDS Assessment and Drainage Strategy
- Transport Statement
- Noise Assessment
- Air Quality Assessment
- Energy and Sustainability Assessment

## Planning History

- AWDM/0030/11, 'Change of use from caravan sales to storage yard (for building materials)' Refused 2 June 2011
- ADC/0495/10, 'Change of use from caravan sales (with incidental repairs/servicing) to builders' merchant' Refused
- ADC/0054/08, 'Removal of existing garages/concrete and erection of three-storey block of 15 flats (9 one-bed and 6 two-bed) plus extended access road; 15 new parking spaces and 7 replacement spaces; amenity space/landscaping (outline including details except landscaping)' Withdrawn.
- S/35/97/TP/17033, 'Continued Use For Caravan Sales With Incidental Repairs And Valeting (Renewal Of S/49/96)' Approved.
- S/49/96/TP/16554, 'Change Of Use To Caravan Sales (Amendment Of S/34/96 - Revised Layout)' Temporary Approval.
- S/34/96/TP/16461, 'Change Of Use Of Former Builders Yard To Caravan Sales (Opening Times 9AM - 5.30 PM Everyday) With Car Parking/Turning Provision' Temporary Approval.
- S/18/95/TP/15928, 'Continued Use For Car Valeting & Storage (Renewal Of S/47/93)' Refused.
- S/47/93/TP/8474, 'Continued Use For Car Valeting And Storage (Renewal Of S/40/92/)', Temporary Approval.
- S/40/92/TP/7565, 'Temporary Change Of Use From Builders Yard To Car Valeting & Storage', Approved.
- S/69/90/TP/6671, 'Outline Application For 12 X 1 Bedroom Flats Together With Associated Parking & Access, Replacement Garages Etc' Refused.
- S/41/90/TP/6432, Outline Application for Four-Storey Block Of 15 No. One-Bedroom Flats' Refused and Appeal dismissed – this application was considered to be unacceptable due to noise from the road and adjacent industrial premises and because of the restricted nature of the site and the scale of the development being out of character. *(It should be noted that this development was for a 4 storey block, therefore taller than currently proposed, but with less residential units.)*

## Consultations

**West Sussex County Council:** No objection from a **transport/highways** aspect, subject to conditions.

Comments that the proposal will see the demolition of the existing uses on site which includes a vehicle repair yard, car breakers yard, and 12 vacant garages. These will be replaced with a modern block of 18, 1 bedroom flats.

From a highway safety point of view there are no plans to make changes to the existing access point into the site. This is taken from Western Road and provides a wide access, to allow two cars to pass, and good visibility. The applicant must submit a demolition and construction management plan to ensure the residents of the existing flats are able to continue to use the site safely whilst the work is being undertaken, see condition for more details.

A Transport Statement (TS) has been put forward by ECE Planning which provides a detailed analysis of the existing situation compared with the proposed changes. WSCC raise no issues with the number of trips the proposed site will generate and when compared against the existing uses it was considered to be very similar. Notably the material change, and benefit to the local residents of St Peters Place will be the type of vehicle.

The proposal will also benefit the existing residents by providing an increase in car parking spaces from 9 to 14 spaces (an addition of 4 spaces) within the site, and the new flats will provide 1 space each, creating 18 in total. 32 spaces will be provided across the whole site.

The TS considers the proposed parking strategy as the site is located on the boundary of two very different parking zones. These are Parking Behaviour Zone 1 with a standard of 1.5 and Parking Behaviour Zone 4 with a standard of 0.9. The use of 1.0 takes a middle ground approach which we are happy to support.

The applicant will also provide 28% (6) spaces of its new car parking allocation with charging facilities, with the remaining spaces provided with ducting installed as future demand grows.

The site is well located to bus stops on Western Road, National cycle route 2, and Lancing Train Station 1.8km from the site. The applicant will provide cycle storage, which must be secure and covered, ideally in a location which has good surveillance. This is in line with NPPF guidance to promote sustainable transport.

Refuse and Fire Access will continue as existing and swept path diagrams show this can be achieved.

The Local Highway Authority does not consider that the proposal for 18 x 1 bedroom flats would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 109), and there are no transport grounds to resist the proposal.

S106 Contributions:

<b>Education</b>			
School Planning Area	0		
Population Adjustment	0.0		
	Primary	Secondary	6th Form
Child Product	0.0000	0.0000	0.0000
Total Places Required	0.0000	0.0000	0.0000
<b>Library</b>			
Locality	Lancing		
Contributions towards Lancing	£2,730		
Contributions towards Shoreham / Southwick	£0		
Population Adjustment	16.9		
Sqm per population	30		
Sqm Required	0.51		
<b>Waste</b>			
Adjusted Net. Households	13		
<b>Fire</b>			
No. Hydrants	TBC		
Population Adjustment	16.9		
£/head of additional population	£15		
<b>TAD- Transport</b>			
Net Population Increase	23.4		
Net Parking Spaces	23		
Net Commercial Floor Space sqm	0		
Total Access (commercial only)	0.0000		
<b>Summary of Contributions</b>			
<b>S106 type</b>	<b>Monies Due</b>		
<b>Education - Primary</b>	No contribution		
<b>Education - Secondary</b>	No contribution		
<b>Education - 6<sup>th</sup> Form</b>	No contribution		
<b>Libraries</b>	£2,730		
<b>Waste</b>	No contribution		
<b>Fire &amp; Rescue</b>	£254		
<b>No. of Hydrants</b>	Secured under Condition		
<b>TAD</b>	£32,642		
<b>Total Contribution</b>	<b>£35,625</b>		

The **Local Lead Flood Authority** (WSCC) has no objection. The site is at low risk from surface water and ground water flooding.

**Adur & Worthing Councils:** The **Environmental Health** Officer has no objections to the development in principle.

Comments that he is happy with the internal layout to mitigate external transport and industrial noise. He would agree with the acoustician that openable windows would be preferable to allow for purge ventilation and cleaning. Windows will have to be chosen that allow easy cleaning of the external glass from the inside.

Windows will need to remain closed to achieve the internal noise levels set out in BS8223 and the acoustic report proposes acoustic trickle ventilation. He is therefore concerned that the residential property is at risk of overheating and a separate overheating assessment including details of any mitigation will be necessary.

We would normally expect to see a Mechanical Ventilation with Heat Recovery, MVHR system, with a summer bypass in such circumstances so that thermal comfort in the property can be controlled.

The acoustic report offers glazing options; we will need confirmation of the glazing option they will include and this should be conditioned.

He also recommends that the air quality mitigation proposals for EV points etc included in the air quality report are secured by condition.

He notes that the existing bin storage for St Peters Place is in one of the existing garages and not in the area marked on the plans, will a new bin store area be built for the existing flats?

Should permission be granted he recommends the full standard contaminated land condition, the standard construction management plan condition and the standard informative for demolition under the Building Act 1984.

The **Environmental Health Officer (Private Sector Housing)** has no objection

The **Engineer** has made the following comments: Flood risk- The application is within flood zone 1, and the site is not shown to be at risk of surface water flooding. I therefore have no objections to the proposed development on flood risk grounds.

Surface water drainage- the SuDS assessment and drainage strategy submitted include calculations and proposals for two potential surface water drainage solutions, infiltration and attenuation. Both of these indicate that there is sufficient space for surface water drainage. Infiltration must be used if possible, in order to determine infiltration feasibility it will be necessary for winter groundwater monitoring and winter infiltration testing to be undertaken. Infiltration testing should be completed at both shallow and deep depths.

If you are minded to approve this application please apply standard conditions to ensure the development is adequately drained and does not increase flood risk throughout its lifetime.

The Parks Manager's comments are awaited.

The **Design and Conservation Officer** comments that,

*The Design and Access Statement strongly emphasises how the plan form has responded to the context and the importance of the two courtyard areas being the main aspect of the living areas. Although some minimal planting areas have been created in these courtyards, these could be much deeper pushing vehicles away from the face of the building. The current parking layout will encourage some tandem parking and the parking of vehicles in other non-recognised areas. This area to the west of the building will be critical to the scheme's success and a more imaginative*

*layout which stops it becoming a cluttered car park is necessary together with high quality materials and planting. As it is suggested that the bank planting will screen and soften views of the scheme, this needs careful control to avoid the complete loss of the existing mature vegetation. The simplistic nature of the building elevations could work well with the right selection of materials and deep window opening recesses; therefore windows, doors and brick samples all need to be conditioned.*

*I think it will come down to the choice of bricks. If crisp wire cuts are avoided, and a textured multi is used, it should soften the building adding texture and variation in colours. Add to this the improvements I spoke about regarding setting and soft screening and based on the Google street views, I don't think you will ever see it as the long elevation suggests.*

**Southern Water:** The proposed development is located approximately 200 metres of the East Worthing Wastewater Treatment Works. A precautionary buffer zone distance of 500 metres from the perimeter fence of the WWTW has been used for the purposes of this planning consultation response.

Due to the potential odour nuisance from a Waste Water Treatment Works, no habitable development should be located within the 1.5 OdU odour contour of the WWTW. An Odour survey will need to be carried out to a specification agreed with Southern Water to identify and agree the 1.5 OdU contour.

Request following condition: *“Construction of the development shall not commence until details of the proposed means of foul and surface water sewerage disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water.”*

**Network Rail:** Due to the close proximity of the proposed development to Network Rail land, Network Rail strongly recommends the developer contacts Network Rail's Asset Protection team prior to any works commencing on site, with a view to entering into an Asset Protection Agreement to enable approval of detailed works. As well as contacting our Asset Protection team, the applicant must follow the attached guidance for works within close proximity to the operational railway.

**Sompting Parish Council:** The Council objects to this application as it is not in keeping with the local character of the neighbouring properties.

**Adur District Conservation Advisory Group:** *(would not normally be consulted as the site is not within or adjoining a Conservation Area. They have however made the following comments):*

*“Redevelopment of a brown field site is a positive. However, in this case the choice of materials, brick colour and block building design fail to connect with the local character of the neighbouring properties in the Western Road area which are red brick, tile hung, pitched roof buildings. Whereas the proposed block is more sympathetic to the*

*Lancing Park block style sheds to the rear in terms of shape and mass. As a residential property there has been no attempt to reflect the feeling of the area.*

*The Drainage Engineer has requested a wintertime infiltration test to understand the nature of ground water activity for the site. The Adur-Worthing Ground Water Flood Risk map indicates that this site falls into a level of up to -50% risk of groundwater flooding. The Engineer is obviously seeking assurance that an infiltration SuDS method of surface water drainage for the site is possible. The D&A statement highlights that the existing property on site has surface water drain into the local Brooklands lake and some of this new property's drainage may have to use the same facility.*

*There are culverted surface water flows from the Lancing Business Park to the rear of the proposed development which dispel into the Brooklands Lake the latter several years ago, having suffered contamination which, it was suspected to have arisen from one of these culverts. Members recommended that no such surface water drain runs across the proposed development site and that the current proposal would not damage its integrity. The surface water drain for the existing property South of the proposed development site may possibly run under what is currently the area of garages.*

*Members unanimously agreed to recommend **REFUSAL** until a more visually sympathetic design is submitted and that the Drainage Engineer is satisfied that all the points raised by this and her report are clarified."*

## **Representations**

**Letter received from occupiers of 6 Commerce Way:** At Fizz Creations we have the exit to our busy yard at the rear of St Peters Place, with the addition of 18 new flats, I am concerned about the number of vehicles. In the past we have had issues with our lorries being able to exit the yard so see the extra traffic adding to this issue. The potential solution to this issue would be to place double yellow lines to both sides of the road directly outside our yard and this would reduce the risks.

**Letter received from the occupier of 14 St Peter's Place:** My concerns are that there is currently only 6 parking spaces for 15 x 2 bedroom flats so parking is bad enough already this will only make it worse. Also for 5 months we've had rodent issues as there isn't enough refuse bins for the current number of flats and again more flats will only make the situation worse. I feel that another 18 flats is way too much for the size of land.

**Letter received from the occupier of 48 Western Road:** I cannot object to the development for planning issues, and it is probably appropriate use of the land. However, access to the larger site will still be via the very small road which serves our property, plus the two significant factories and warehouses adjacent to the site, and which exits onto the busy Western Road. My concern is the inappropriate increased traffic, potential for accidents at this difficult junction, and the wear and tear on this



already disintegrating road during the construction phase. Please reassure me that the junction will be improved, and the road surface reinstated to good condition after completion.

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

Adur Local Plan 2017 policies 2, 3, 10, 15, 18, 20, 21, 22, 28, 29, 30, 31, 34, 35, 36  
'Supplementary Planning Guidance' comprising: Development Management Standard No.1 'Space Around New Dwellings and Flats';  
Planning Contributions for Infrastructure Provision (ADC 2013)  
Sustainable Energy SPD (August 2019)  
West Sussex Parking Standards and Transport Contributions Methodology (WSCC 2003)  
West Sussex 'Guidance on Parking at New Developments' and 'Parking Demand Calculator' (WSCC 2019)  
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 policy context comprises the NPPF and the local development plan which consists of the policies of the Adur Local Plan and accompanying SPDs.

National planning policy contained in the revised NPPF post-dates the adoption of the Local Plan. Paragraph 11 identifies at the heart of the NPPF a presumption in favour of sustainable development. For decision making this means approving development proposals that accord with an up-to-date development plan without delay or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies of the NPPF taken as a whole.

Paragraph 73 of the revised NPPF requires local planning authorities to identify and update annually a supply of specific deliverable sites sufficient to provide five

years' worth of housing against their housing requirements set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old. In addition, the supply of specific deliverable sites should include a buffer (moved forward from later in the plan period) of:

- a) 5% to ensure choice and competition in the market for land; or
- b) 10% where it wishes to demonstrate a five year supply of deliverable sites through an annual position statement or recently adopted plan, to account for any fluctuations in the market during that year; or
- c) 20% where there has been significant under delivery of housing over the previous three years, to improve the prospect of achieving the planned supply.

The revised NPPF has since introduced the Housing Delivery Test against which housing delivery will now be measured. If housing delivery is below 95% over the previous three years an Action Plan must be produced and a 20% buffer added to the five year housing land supply if the HDT test is less than 85%. Transition arrangements are in place and the presumption in favour of sustainable development applies if the Housing Delivery Test result is less than:

- i) 25% in November 2018
- ii) 45% in November 2019
- iii) 75% from November 2020 onwards

The Government published the results of the Housing Delivery Test in February 2020 which covers the three year period 2017 - 2019. Adur has failed the test and delivered 56% of its housing delivery target. Therefore, the Council has updated its five year housing land supply calculation to include a 20% buffer. Since 2011, when measured against the Local Plan target, there has been an undersupply of 568 homes and the five year housing land supply calculation has been adjusted to reflect this.

However, The Local Plan trajectory demonstrates that, when measured against the Local Plan delivery target, this shortfall can be addressed in the five year period 2019-2024. This is due to the strategic allocations at New Monks Farm (600 homes), and West Sompting (520 homes) and sites within the Shoreham Harbour Broad Location (Policy 8), together with some SHLAA sites, starting to deliver from 2021/22. The New Monks Farm development has recently commenced and the West Sompting application is expected to be considered by the Planning Committee later this year and commence shortly afterwards.

As such, the Council believes it can demonstrate a 5.2 year supply of deliverable sites from the monitoring year 2019.

The site is not allocated within the Adur Local Plan but it has come forward for redevelopment as a windfall site, being located within the built up area boundary where Policy 2 of the Local Plan states that development will be permitted subject to compliance with other policies in the development plan.

Policy 15 of the Adur Local Plan requires development to “be of a high architectural quality and respect and enhance the character of the site, and the prevailing character of the area, in terms of proportion, form, context, massing, siting, layout, density, height, size, scale, materials, detailed design features and landscaping.” It then goes on to set out more details in terms of expectations for achieving a high standard of design. Of note is the requirement to:

*“Enhance the local environment by way of its appearance and character, with particular attention being paid to the architectural form, height, materials, density, scale, orientation, landscaping and layout of the development. Include a layout and design which take account of the potential users of the site.”*

Policy 21 states that on sites of 11 dwellings or more a target of 30% affordable housing will be sought. The Council has just adopted an interim affordable housing position of using a revised threshold in line with national policy as set out in paragraph 63 of the NPPF, which allows affordable housing to be sought from major developments of 10 dwellings or more.

Chapter 12 of the revised NPPF sets out the policies to achieve well-designed places. Paragraph 127 (b) requires that developments ‘are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; and (c) are sympathetic to local character and history, including the surrounding built environment and landscape setting’.

### ***Design, Form, Appearance and Density***

The NPPF 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, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development.”* (para 130)

It goes on to state that:

*“In determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.”* (para 131).

The proposal has a simple form and appearance with the use of a limited palette of external materials. The Design and Access Statement provides the following justification for the design approach taken here:

*“The scale of the development has been carefully considered to achieve a respectful relationship to the existing St Peter’s Place building and mitigate any overbearing impact on the immediate context. The parapet line on the proposed building will sit lower than the ridge height of St Peter’s Place.*

*There is a clear transition between the single storey context and the existing St Peter’s Place building, with the large commercial volumes beyond. The site therefore lends itself to respond to the 3 storey context and create a strong relationship to the adjoining railway and commercial units.”*

With regard to materials it states:

*“The design adopts a material and architectural detailing palette to reflect the industrial, railway and edge-of-residential setting of the site. Using a limited palette of materials, the proposal responds effectively to the existing St Peter’s Place building in a contemporary manner. The approach to materials is based on the following principles:*

- Limiting the material palette to 3 materials to create a strong composition, held together by simple contemporary detailing such as zinc sleeves, metal parapet capping, large picture windows and brick on end. Window/door frames are to be a dark grey UPVC while the capping and balconies to match red-grey standing seam zinc.*
- Two out of the three materials are used as prominent, while the third, the timber, is used as secondary. This hierarchy and contrast in primary materials will define the top floor and visually break up the scale of the building.*
- Red-grey standing seam zinc is used as a prominent material to reference the industrial context to the east, the red brick found frequently in the immediate context, as well as the newly build residential scheme on South Street, Lancing*
- Contemporary buff brick with recessed features in a warmer tone, which acts as a transitional tone from the traditional red brick found in the locality. The recesses also provide visual relief on the elevations in place of large windows.*
- Climbing plants, green roofs and natural timber are used to frame the building and boost biodiversity within the site.*
- External lighting will be provided in communal areas and entrances for visibility purposes to allow navigation through the site.”*

The Council’s Design and Conservation Officer was consulted on the design and scale of the building and his comments were reported earlier in this report. He considers that the *“simplistic nature of the building elevations could work well with the right selection of materials.”*

The building will sit at a lower level than Western Road, which rises over the railway line before dropping back down by St Peter’s Place. It will be closer to the road at its northern end but will still be more than 9m from the pavement which is a greater set back than at St Peter’s Place. The lower ground level will further help to mitigate the visual impact of the three storey building when viewed from Western Road, and it should be noted that St Peter’s Place itself is itself a three storey building. The scale of

the proposed building is therefore considered to be acceptable in this context. The comments of the Design and Conservation Officer in respect of the area to the west of the building are noted, and the applicant has confirmed that the parking spaces would be managed by a Management Company who would actively monitor the area with CCTV to ensure parking rules are not ignored. Therefore cars would not be able to park in this area and it should not become cluttered.

As can be seen from the artist's impression earlier in this report the building will be contemporary and will not replicate the form and appearance of existing buildings in the immediate locality. Sompting Parish Council has objected to this design approach but your Officers do not consider that it will be inappropriate in its surroundings or cause visual harm. Furthermore, it will help to screen views of the industrial buildings from Western Road.

The architect is deliberately aiming for a contemporary building which does not slavishly recreate the form and materials seen elsewhere and it is considered that such an approach can be supported here in view of the mixed character and generally poor design quality of surrounding residential and industrial development.

With regard to landscaping, plant climbers are proposed on the elongated acoustic walls at either end of the building with landscaped areas around the edges of the building between the building and the parking spaces. The site is also separated from the road by a hedge screen on a bank to the west. The site becomes quite restricted in size, narrowing at the northern end and limiting the amount of landscaping that can be provided to the west of the building because of the need to provide sufficient space for vehicular and pedestrian access. Nevertheless, it is considered that appropriate levels of landscaping have been accommodated within the development and the proposal will be an enhancement in visual terms when compared with the current underused land with its unsightly garage block and car repair business.

### **Parking, Access and Sustainable Transport**

Paragraph 108 of the NPPF states that planning decisions should ensure that

*“a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;*

*b) safe and suitable access to the site can be achieved for all users; and*

*c) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree”*

Paragraph 109 advises that

*“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”*

The site is considered to be in a sustainable location with local amenities including a hair salon, takeaway and convenience store located within a 550metre walk in Bowness Avenue to the north. It is also well connected in terms of public transport with bus stops being located within walking distance of the development. Lancing Rail Station is situated approximately 1.8kilometres away.

West Sussex County Highways Officer has no objection to the level of car parking to be provided. The Transport Statement identifies that the site is located on the boundary of two very different parking zones, Parking Behaviour Zone 1 with a standard of 1.5 and Parking Behaviour Zone 4 with a standard of 0.9. WSCC are happy with the approach to take the middle ground of 1.0 space per unit.

WSCC also have no issue with the number of trips the proposed site will generate when compared against the existing uses as it was considered to be very similar. Furthermore, for the same reason, no concern has been raised with regard to potential conflict with users of the industrial estate who share the access. The removal of the unauthorized car repair use and the garages used by non-residents, and their associated traffic, will benefit existing residents. Adequate secure, covered cycle parking will also be provided in line with WSCC standards. A sustainable transport contribution of £32,642 is required as a result of this development, to be spent on cycle link improvements around Lancing/Sompting at A2025 Grinstead Lane/South St, Busticle Lane/Western Road, West Street/Cokeham Road/Crabtree Lane.

Refuse and recycling storage would be situated to the south of the site in covered storage. 4no 1100litre bins would be used to serve all proposed residents.

## **Flood Risk and Drainage**

The application is supported by a Drainage Statement which sets out the proposed surface water and foul drainage strategy for the site. The Statement concludes that surface water drainage could be dealt with by way of infiltration or by attenuation and states that surface water runoff from the site can be managed and controlled onsite without creating a flood risk for the proposed properties or increasing flood risk to properties adjacent to the site or further downstream in the catchment.

The Council's Engineer has no drainage concerns, subject to usual conditions.

## **Air Quality**

Policy 35: Pollution and Contamination of the Adur Local sets out the need for air quality assessments to support development proposals where necessary. The Air

Quality Assessment submitted with the application concludes that the air quality effects from the development would not be significant.

The site is not situated within an Air Quality Management Area. The scheme will provide a total of 6 no electric vehicle charging points in accordance with WSCC parking guidance, with the remaining parking spaces to be cable-ducted for future provision. Furthermore, the scheme seeks to provide sufficient cycle storage which will encourage active and sustainable travel. These measures will be secured by condition and no objection to this approach has been raised by the EHO.

## **Impact on Residential Amenity**

### Residential Amenity for Neighbouring Homes

The site has residential properties to the north, south and west. To the north the rear of dwellings in Derwent Close are more than 34m away. There are no windows on the north elevation of the proposed building which serve habitable rooms. The only windows serve corridors or bathrooms only so no overlooking will occur.

To the west, the rear of houses in St Mark's Crescent are in excess of 28m away which complies with the advice in DM Standard No.1 in terms of separation distances from 3 storey buildings. They are also separated by the raised Western Road and vegetation on both sides of the road. No loss of amenity is expected.

To the south, St Peter's Place is approximately only 13m from the southern elevation of the proposed building. The existing building has 6 windows in its northern elevation which could be affected by the development. However, the new building is offset to the east and will not be directly in front of those affected windows. As with the north elevation, the only windows in the south elevation will serve corridors or bathrooms only so no overlooking will occur.

The proposal will also see the removal of the unauthorised car repairs business which may have an unneighbourly impact currently. Overall, it is not considered that the proposal will have an adverse impact on the residential amenities of existing occupiers.

### Residential Amenity for Proposed Occupiers

The proposed flats are all 1 bed and all will have a floor area in excess of 50m<sup>2</sup> which meets the National Housing Standards.

There was initial concern at the potential for overlooking between the wings of the building and the scheme was amended to relocate the balconies and main openings on the central wing to the western elevation. Consequently, while there is only 13m between each wing, there will be no direct overlooking between windows.

External amenity space will be available for the flats in the form a small balcony plus a communal garden area to the north of the building which is considered to be acceptable.

The site narrows at the northern end and the building is closer to the boundary and the embankment at that point. Outlook for residents to the west will be more limited but it should be noted that the main outlook and balcony space is to the south, across the courtyard. Consequently, it is considered that the development will provide an acceptable level of amenity for all residents.

The scheme, however, has a lack of space for any play area and limited opportunities for informal recreation areas. In line with the adopted Open Space, Sport and Recreation study an off-site contribution to enhance nearby parks is considered appropriate and this is being discussed with the Councils Parks Manager and the applicant. In this instance Brooklands is the closest park and it would seem appropriate that any s106 contribution is used to help implement the ambitious enhancement project currently underway. Members will be updated at the meeting.

### Noise

The site is situated on three sides between a road, a railway line and an industrial estate with B2 units close to the site operating noisy machinery (Taurus Engineering). Previous applications have been refused on noise grounds and this is clearly a significant consideration.

The accompanying Noise Report acknowledges that the site is high risk in noise terms, but highlights that various mitigation measures have been accommodated within the development to minimise potential noise impacts, including the provision of an extended 'acoustic' wall to the eastern elevation at the north and south ends of the building and a 2.4m high acoustic fence to the eastern and northern boundaries. The Eastern elevation facing the Industrial estate has been specifically designed without any habitable spaces overlooking the estate with the bedrooms and living rooms placed within the more sheltered areas.

The report suggests that standard thermal double glazing is likely to be satisfactory for most windows. However, the Western-most living room areas, which are proposed to have their façade windows sealed, are likely to require upgraded glazing. The internal sound level criteria are only met with windows closed. The Council's EHO would like to see openable windows to allow for purge ventilation and cleaning and the precise details of the glazing can be secured by condition.

He is concerned at the potential risk of overheating and has requested a separate overheating assessment including details of any mitigation, such as Mechanical Ventilation with Heat Recovery, MVHR system, with a summer bypass so that thermal comfort in the property can be controlled. This can also be secured by condition. The relocation of the balconies to the western façade in the central wing will expose those flats to more noise but it is considered that with the appropriate glazing in place, as



outlined above, the living environment for those occupiers will be acceptable, particularly as the affected rooms are not bedrooms and are further from the road than the end wings.

The narrowing of the site at the northern end results in the northern wing extending across much of the width of the site, but this helps to provide a further barrier to railway noise. Overall, with suitable conditions in place to ensure noise protection measures are included, the development is considered to result in an acceptable living environment for future residents.

### Affordable Housing

The development provides for 30% affordable housing (6 units). Final details of the tenure mix were still awaited at time of writing and an update will be provided at the meeting. The applicant is aware of the Council's preference for 75% of the affordable units to be provided as affordable rent and ideally lower than 80% of market rent.

### Contaminated land

The application is accompanied by an initial contaminated land investigation which identifies that there is potential for a moderate risk of contamination to be present on site and has therefore recommended that an intrusive investigation should be undertaken to further quantify the risks identified. Final details, including the requirement for verification of works carried out, can be reserved by condition.

### Sustainability and Renewable Energy

An Energy and Sustainability Statement has been submitted which states that the proposals seek to incorporate sufficient renewable/low carbon energy production equipment such as photovoltaic panels which are shown on the roof of each wing, so that the proposals would provide at least 10% of predicted energy requirements and therefore would be compliant with Policy 19 of the Local Plan and the Energy SPD. Full details can be secured by condition.

In relation to Policy 18, all dwellings within the scheme will meet the water efficiency requirements by achieving a water efficiency standard of no more than 110 litres per person per day.

Policy 30 of the Local Plan requires developments to 'incorporate elements of green infrastructure into their overall design, and/or enhance the quality of existing Green Infrastructure as appropriate.' The proposals seek to retain existing buffer planting to the northern, eastern and western boundaries wherever possible and to accommodate brown and green roofs on the development. Furthermore, the proposals will replace hardstanding with a communal garden to the north in order to enhance biodiversity.

### Conclusion

In coming to a recommendation it is necessary to assess the application in light of the whole plan policy framework both locally and nationally, and come to a view as to whether the proposals contribute to the proper planning and sustainable development of the area.

The studies and assessment carried out on the site confirm that there are no physical or environmental constraints that would prevent residential development or lead to an unacceptable effect in economic, social or environmental terms (the three dimensions to sustainability set out in the National Planning Policy Framework).

The application site is in a sustainable location, located within suitable walking distance of the services and facilities located within Sompting and Lancing.

It is considered that the proposed scheme provides significant economic, social and environmental benefits which demonstrably outweigh any negative effects of the proposed development. There are no policies within the Framework which indicate that development should be restricted.

It is considered that the proposal accords with the relevant policies of the Development Plan when read as a whole. The proposed development would make a useful contribution to the Council's housing delivery and will secure 6 affordable flats to be constructed by the applicant.

Having regard to section 38(6) of the Planning and Compulsory Purchase Act 2004 and paragraph 14 of the National Planning Policy Framework, it is recommended that planning permission should be granted.

### **Recommendation**

Subject to completion of a satisfactory section 106 Obligation undertaking to provide 30% affordable housing within the development and to pay the contribution of £32,642 to be spent cycle link improvements around Lancing/Sompting at A2025 Grinstead Lane/South St, Bustle Lane/Western Road, West Street/Cokeham Road/Crabtree Lane, £2,730 to be spent on providing additional stock at Lancing Library and £254 to be spent towards the supply and installation of additional fire safety equipment/smoke alarms to vulnerable persons homes in West Sussex Fire Rescue Services Southern Area serving Lancing.

### **APPROVE:-**

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

1. Approved Plans
2. Standard 3 year time limit
3. Details of full noise protection measures, including glazing, provision of MVHR and means to reduce overheating prior to commencement

4. Windows in north and south elevation of the central wing shall at all times be obscure glazed and non opening below 1.7m
5. Working hours
6. Construction Method Statement
7. Contaminated land
8. Acoustic fencing and walls to be constructed before first occupation
9. Landscaping, provision of climbers on elongated wall and protection of existing vegetation
10. Foul and surface water drainage details
11. The development shall implement in full the emissions mitigation measures set out in section 6 of the Air Quality Assessment
12. Samples and schedule of materials.
13. No part of the development shall be first occupied until the car parking for both St Peter's Place and the proposed development has been constructed in accordance with the approved site plan. At least 6 spaces serving the new development shall be provided with an active charging point for electric vehicles with the remaining spaces provided with ducting to enable future connection. These spaces shall thereafter be retained at all times for their designated purpose.
14. Cycle parking
15. Water consumption
16. Refuse storage
17. Details of PV panels

11<sup>th</sup> May 2020

Application Number: AWDM/1044/19

Recommendation – APPROVE

Site: 1 South Beach, Beach Road, Shoreham-By-Sea

**Proposal:** Remodelling and extension of existing bungalow to form two storey dwelling, including raised ridge height. Demolition of existing side (west) extension and rear (south) conservatory and construction of part two storey/part single storey extension to west side elevation and single storey extension to rear (south) elevation with roof terrace over to side and rear. New roof over garage.

Applicant: Mr Jonathan Pressley  
Case Officer: Peter Barnett

Ward: Marine



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## **Proposal, Site and Surroundings**

The application relates to a detached bungalow at the western end of a line of 6 dwellings at South Beach, off Beach Road, opposite Hardy Close. It is proposed to remodel and extend the bungalow to form a contemporary two storey dwelling. The plans have been amended from the original submission. The hipped roof sides of the existing bungalow are to be replaced with vertical walls rising to a new pitched roof with its pitch running west-east, to replace the existing gabled frontage. The existing pitched roof garage which projects at the front of the building is to be retained with a new mono-pitched roof to match the roof pitch of the extended dwelling. There will be an increase in bulk, in particular on the west side of the building. It will not increase the footprint of the building at the rear, front or east side. The first floor on the east side will be set back from the front of the building by 7.5m, with an angled elevation on its north side. On the west side, the first floor is flush with the front of the building and 6.5m deep before being set in to enable the provision of a roof terrace along the remainder of the west side and returning across the rear.

The ridge of the dwelling will increase from 6.4m to 8.1m. This is approximately only 0.2m higher than 2 South Beach and is below the ridge height of 3 South Beach.

External materials of the house and garage are to comprise vertical larch cladding for the walls with a light grey aluminium standing seam roof. Doors and windows are to be grey aluminium. All materials are to match those used in the construction of 39 Old Fort Road, previously occupied by the applicant.

The applicant was asked to confirm that the works were for an extension of the existing dwelling rather than demolition and construction of a new dwelling. He has responded with a plan that shows that all but the south west wall of the original bungalow is to be retained.

## **Relevant Planning History**

None

## **Consultations**

**Environment Agency:** No objection

## **Representations**

Original Plans: 3 letters of objection received from the occupiers of 2 South Beach (2 letters) and 9 Beach Road:

- The proposed development with an almost flat roof will spoil the current street plan in which surrounding properties have pitched roofs.

- The design of a 2 storey property means it will be significantly larger at the top floor than any other property in the area and thus have a detrimental effect on the street plan and appearance and quality of the environment.
- The new building is designed to go right up to the boundary wall, gaining 2m, contradicting the development management standard relating to space around new dwellings.
- The design is too modern for the area and will not fit in with current properties and thus appear ugly and out of character with properties in this part of the beach.
- The change from a 4 bedroom to 6 bedroom property is a significant change to the current premises. It is the first property on the foreshore, and the proposed design does not enhance the beach in any way and will have a negative effect on the appearance of the beach.
- The size will block some light in spring and autumn when the sun rises in SE.
- Proposal does not comply with NPPF or Local Plan policies
- Proposal does not enhance or significantly improve appearance of development in this location
- Overlooking from balcony
- Proposal lacks detail
- Lack of uniformity of design/materials – has a confused and illogical appearance

Amended Plans: letter of objection received from occupiers of 2 South Beach:

- Design does not demonstrate consideration of local context
- Confusion over external materials
- Will cover much more of the plot than neighbouring houses and will extend further to the rear
- Loss of light to windows and rear garden of No.2
- No daylight or sunlight report submitted
- Inadequate FRA
- More akin to demolition and rebuild than remodeling

Letter of objection received from the Shoreham Beach Residents Association:

- We object to the recent plans, specifically focussed on the southern boundary. What is the significance of the line drawn from the rear of the house further down the road?
- The rear of the proposed property and its rear garden looks like an extension onto the beach sand and looks perilously close to the newly built boardwalk, and would thus be an overdevelopment

Letter of objection received from the occupiers of 9 Beach Road:

- The proposed development with an almost flat roof will spoil the current street plan in which surrounding properties have pitched roofs. The design of a 2 storey property means it will be significantly larger at the top floor than any other

property in the area and thus have a detrimental effect on the street plan and appearance and quality of the environment.

- The new building is designed to go right up to the boundary wall, gaining 2m, contradicting the development management standard relating to space around new dwellings.
- The design is too modern for the area and will not fit in with current properties and thus appear ugly and out of character with properties in this part of the beach.
- The change from a 4 bedroom to 6 bedroom property is a significant change to the current premises. It is the first property on the foreshore, and the proposed design does not enhance the beach in any way and will have a negative effect on the appearance of the beach.
- The size will block some light in spring and autumn when sun rises in SE.

### **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**

The proposal comprises upgrading the existing dwelling 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.

#### **Visual amenity**

Nos 2-5 South Beach has a two storey appearance when viewed from Beach Road. The remodelling of No.1 to form a two storey dwelling is therefore considered to be acceptable in principle.

The design and appearance of the proposed house will differ from the other houses in South Beach, but none of the existing houses have a uniform appearance. Shoreham Beach is characterised by a variety of architectural styles and use of external materials, with many contemporary dwellings further east in Old Fort Road. It is not considered that the contemporary appearance of the proposed dwelling will cause significant visual harm to this group of dwellings or the wider area.

In terms of height, it will be slightly taller than No.2 but will not appear excessively tall within the group, where No.3 is higher. It is in a prominent location, being the first building on the south side of Beach Road and very visible to those looking east along this part of the seafront. Nevertheless, while it is prominent, it is considered that a contemporary design is acceptable here. The applicant has confirmed the use of larch cladding for the elevations and a metal roof. It will have a simple palette of materials which will not be illogical or confusing. While overtly different from its neighbours, this is not considered to be justification to refuse the application as the built form will be an appropriate scale.

As originally submitted the scheme would have incorporated a green roof which would have enhanced the overall design of the development and provided a more sustainable design. This element of the scheme has been removed which is disappointing but would not justify any refusal on design grounds. A similar development incorporating larch cladding has been built elsewhere on the Beach setting a precedent for this cladding approach.

In terms of plot coverage, the building will be larger and bulkier but it will not project further into the rear garden or come closer to the beach. The existing and proposed rear garden measures 6.3m deep, albeit with more bulk and built form at the rear, but the footprint does not extend further south. The bulk of the building is reduced by its sloping roof form and low eaves at the rear.

It is considered that the proposal is acceptable in visual amenity terms.

### **Residential amenity**

The design and form of the extension has been amended since its original submission to take account of the concerns of the neighbouring occupiers to the east at 2 South Beach.

The proposed building maintains a 5m separation to the side of No.2 for much of the east side elevation. The main side wall of No.2 is blank other than a first floor window which appears to be secondary, or a landing window. The extension projects closer to the side of No.2 towards the rear and comes to within 3.3m. This two storey element reduces in bulk though by virtue of its sloping roof and, while it does project beyond the rear wall of No.2 by 4.3m, No.2 has four pane patio doors at the rear and is already separated from the site by a high wall and planting along the boundary. A 45 degree line measured from the midpoint of the doors does not transcend the extension, which means that the impact on light to No.2 will not be harmful.



Furthermore, the extension reduces in bulk at the rear and the ground floor is set away from the boundary, leaving a covered recess closest to the boundary.

The proposed balcony wraps around the west side (where there are no neighbours) and the rear, but stops short of the boundary with No.2 with privacy maintained by the 2.75m wide roofslope. While the concerns of the occupiers of No.2 have been noted, it is not considered that the proposal will be unduly overbearing, or cause a loss of light or privacy.

A first floor bedroom window is shown on the east side of the extended dwelling. This will face towards the side elevation of No.2 where there is a small window. As this is likely to be a secondary window only it is not considered that the bedroom window should need to be obscure glazed in this case.

### **Flood Risk**

The application is accompanied by a Flood Risk Assessment (FRA) which explains that the development will remodel a bungalow into a two storey house, thereby establishing an upper level for safe refuge and flood resilience and resistance measures which results in a better protected and flood future proofed dwelling than currently exists.

The Environment Agency has checked the modelled flood levels for this site, which are below the finished floor level of the ground floor, and they have no objection.

### **Recommendation**

### **APPROVE**

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

1. Approved Plans
2. Standard 3 year time limit
3. Materials as submitted
4. Remove PD Class A, B, C, E
5. Hours of working

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Application Number: AWDM/0769/19

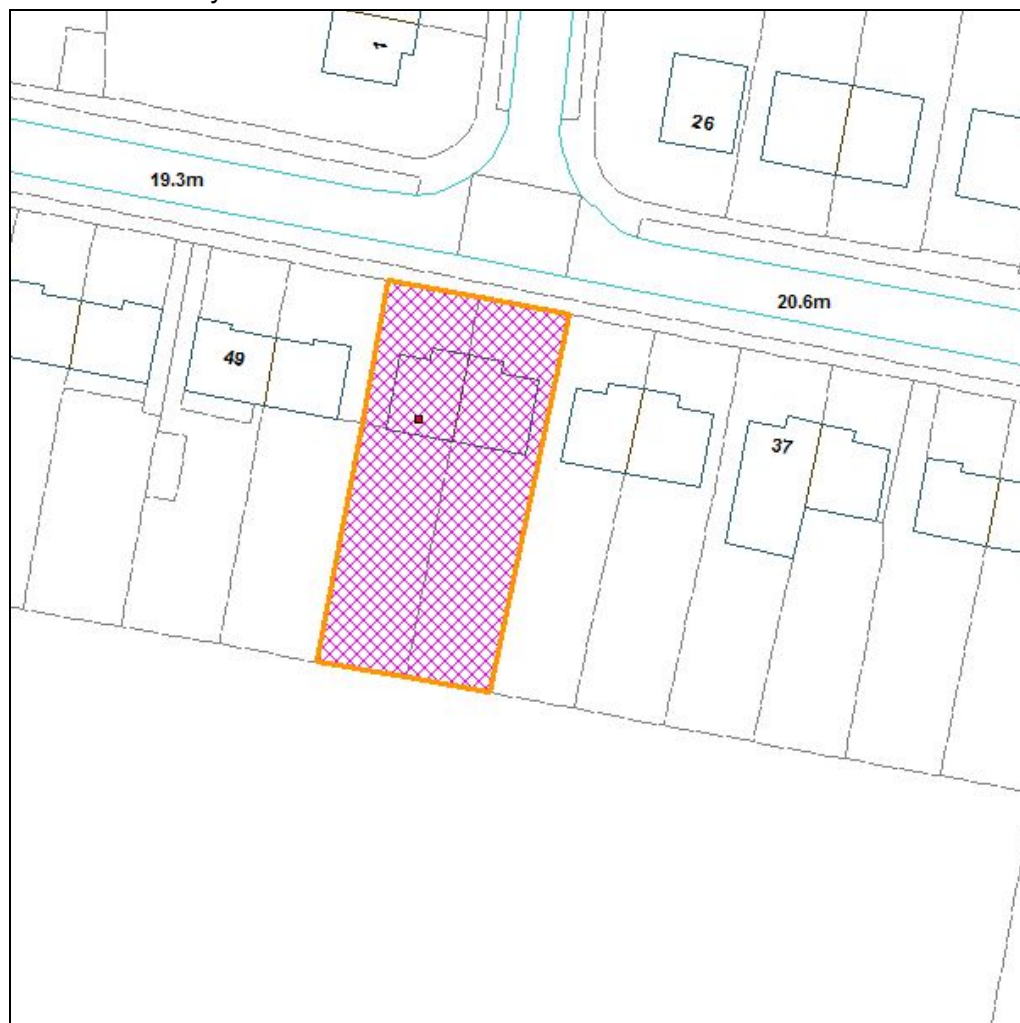
Recommendation: APPROVE

Site: 43 and 45 Valley Road, Sompting

Proposal: Minor material amendments to roof extension permitted under AWDM/1728/15, consisting of revisions to roof extensions to rear, addition of lean-to roof to side porch, amendments to fenestration and addition of dragon finial to roof ridge (Numbers 43 and 45)

Applicant: Mrs Eve Hearsey  
Case Officer: Gary Peck

Ward: Cokeham



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This application is brought to committee for determination as the applicant is a member of staff in the planning department.

## **Proposal**

This application seeks minor material amendments to a roof extension previously permitted under reference AWDM/1728/15 which consist of revisions to roof extensions to rear, addition of lean-to roof to side porch, amendments to fenestration and addition of dragon finial to roof ridge. The permission granted under the previous reference was a joint scheme between numbers 43 and 45 – only number 45 has proceeded with the development thus far and therefore the alterations relate solely to that property.

## **Site & Surroundings**

The application site is on the southern side of Valley Road which consists mainly of semi-detached bungalows, many of which have roof alterations, primarily at their rear but also a number to the front as well. Opposite to the north is Alandale Road with the subject property sitting across the junction. The land levels rise to the north and the properties on the northern side of Valley Road are at a higher level and again are primarily bungalows with roof alterations.

The southern boundary adjoins a field and comprises the boundary with the National Park. Further to the south is the A27. The field rises slightly and so the property is only just visible from the A27, but clearer views across the field can be obtained from Steepdown Road to the south east.

## **Relevant Planning History**

In January 2016, planning permission was granted under reference AWDM/1728/15 for *A joint loft conversion scheme (Nos. 43 and 45 Valley Road) comprising of raising the ridge height, change hip roof to a gable end wall, new front dormer, 1st floor addition over the existing ground floor extensions including a recessed balcony to No. 45. New porch to front elevation of No. 43 and to side of No. 45.*

The decision was made at the Planning Committee with the Officer recommendation to refuse permission being overturned.

## **Consultations**

### **Sompting Parish Council:**

Sompting Parish Council has received notification from a resident that plans have not been implemented as agrees and objects on the same grounds as AWDM/1728/15. It considers it represents an unacceptable intrusion into the visual amenity of the neighbourhood. It also considers the proposed development to be out of character and scale with the neighbouring properties and the design for this development is not sympathetic to the properties around it

## **Representations**

2 letters of objection have been received on the following grounds:

- loss of light and privacy
- loss of property value
- building work has been taking place since 2010
- the development does not bear any resemblance to the previous approval
- it is a carbuncle that can be seen from the A27
- the development needs inspection to see if it safe or needs rebuilding

## **Relevant Planning Policies and Guidance**

Adur Local Plan 2017:

Policy 15: Quality of the Built Environment and Public Realm

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 effect of the alterations on the character of the area and the amenities of neighbouring properties.

The key starting point in the consideration of the application is that it is only alterations to the existing permission that can be considered and not the principle of the development itself. It is noted that the rear roof extension is larger than the surrounding roof extensions with its scale perhaps appearing greater because number 43 has not commenced its part of the proposal and therefore is now the more modest dwelling of the pair. The rear roof extension is quite clearly visible from the south east

across the field and does appear to be the most dominant in the row of dwellings. However, there are numerous other rear extensions visible which, while smaller in scale, are often poorer in visual design terms.

Conversely, the previous approval allowed for a pair of dormers on the front of each dwelling, but these have not been constructed and a pair of small rooflights inserted in the roof extension instead. This can be considered a design improvement and the front roof slope is arguably one of the more attractive in the street at present.

The other changes from the front are the addition of a dragon finial to the ridge of the roof, a slightly unusual feature but which has barely any impact upon the street scene and alterations to the side porch which now has a small sloped roof when viewed from the front and again is a change which has little impact. From the side elevation, and therefore viewed from neighbours, the porch appears narrower but the roof extends slightly higher, and given this is viewed against the profile of the main dwelling, it is not considered there is any justifiable objection to the alteration.

The main alteration is at the rear where the roof extension tapers at the side more than was previously the case. As stated earlier, it is acknowledged that the roof extension is more dominant than others nearby but the alterations have little material impact when considered against the previous permission as there is no increase in the bulk or scale as a result of the alterations nor any increase in overlooking.

Concern has been expressed regarding the safety of the building works, although it appears that some additional remedial work has been undertaken since the receipt of the application. The Building Control section has been asked to inspect the site again and any further comments will be reported at the meeting although ultimately this is a matter outside of planning control.

In conclusion, the alterations are not considered to have a material impact and hence there is no reason to withhold planning permission.

## **Recommendation**

To GRANT planning permission

## **Subject to Conditions:-**

- 01 Approved plans
- 02 Withdrawal of permitted development rights for additional windows

11<sup>th</sup> May 2020

Application Number: AWDM/0272/20

Recommendation: APPROVE

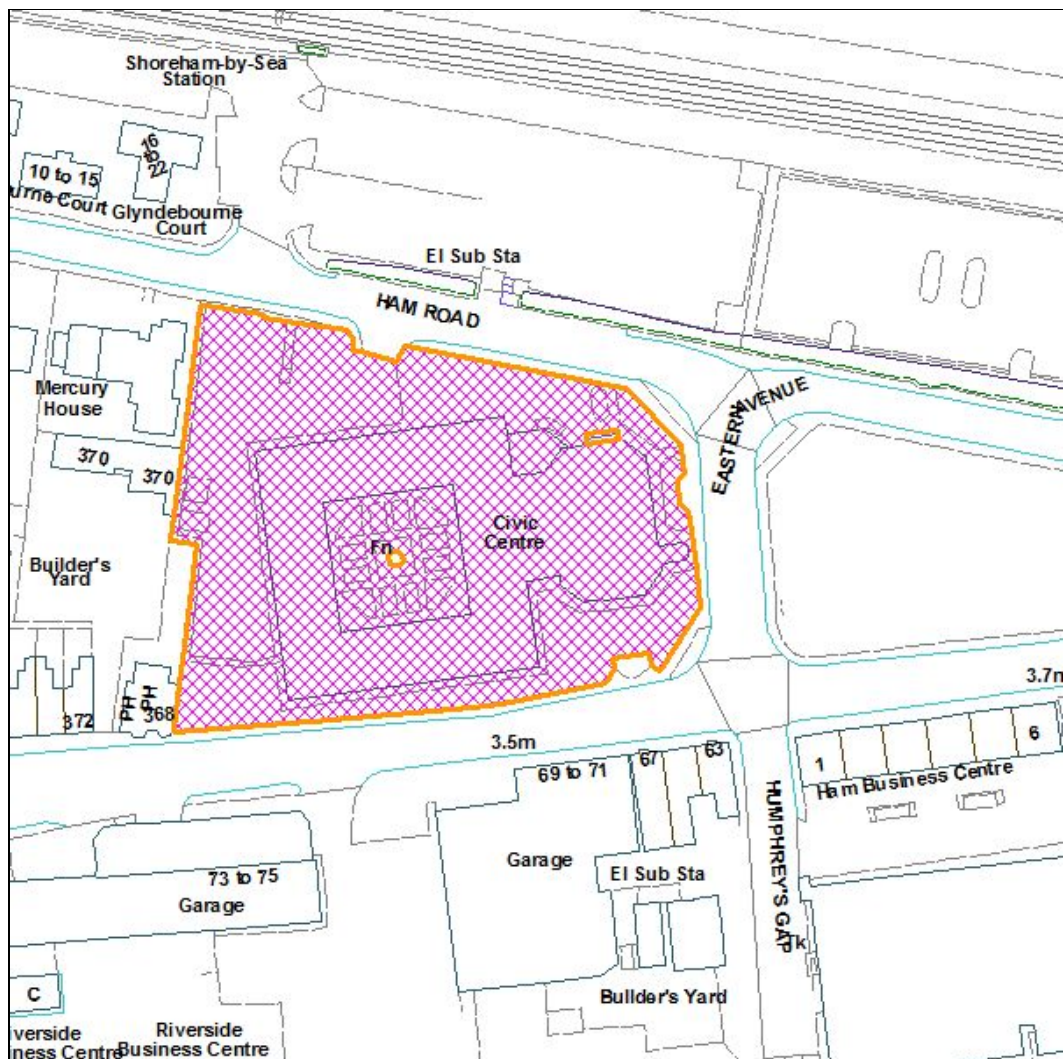
**Site:** Land East of 1 To 11 Mercury House, Ham Road,  
Shoreham-By-Sea (former Adur Civic Centre site)

**Proposal:** Retrospective application for the temporary change of use of  
land for overflow staff car parking

Applicant: Ms Charlotte Pook, Focus 4 U  
Limited

Ward: St Mary's

Case Officer: Gary Peck



**Not to Scale**

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## **Proposal**

This application seeks retrospective permission for the temporary change of use of the now cleared Civic Centre site for overflow staff car parking to serve Focus after the opening of their office across Ham Road to the north. It is stated on the application form that the use is proposed for 40 vehicles, but as the spaces are not marked and due to the size of the site, the site would appear capable of accommodating a greater number of vehicles.

The application is retrospective, the site having been used for parking since August last year. Although a lease was agreed with the Council's Estates section, planning permission was not sought at the time.

## **Site & Surroundings**

The application site comprises the vacant former Civic Centre site which is currently surrounded by hoardings with an access gate and entrance to Ham Road. Across the road to the north is the new Focus office development where the remainder of the car parking to serve the company is provided. A small block of flats, Mercury House, is to the west.

## **Relevant Planning History**

There is no relevant history in respect of the application site itself. Planning permission was granted in 2017 for the erection of a 4 storey office block on the site of the former car park serving the Civic Centre to the north and the following the completion of the development, the office block opened last year. The development includes 70 car parking spaces and at the time of the previous application, it was understood that the company employed 200 people, although it is understood to have expanded since. The permission was subject to a condition requiring a Travel Plan seeking to promote alternative modes of transport, which was also subject to a review once the building was operational. The review process is currently taking place with the County Council as the Highways Authority.

## **Consultations**

### **West Sussex Highways**

No objection is raised to the temporary use of the land for overflow staff car parking. The parking spaces being utilised are a lower number than those previously provided on the site.

## **Representations**

No comments received

## **Relevant Planning Policies and Guidance**

Adur Local Plan 2017:

Policy 11: Shoreham-by-Sea, Policy 15: Quality of the Built Environment and Public Realm, Policy 25: Protecting and Enhancing Existing Employment Sites and Premises, Policy 28: Transport and Connectivity Policy 29: Delivering Infrastructure Policy

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 effect of the proposal upon the character and appearance of the area.

The Civic Centre building was demolished in 2017 and up until the use of the site for the current purpose in late summer of 2019 was vacant. While the Council is actively seeking the redevelopment of the site, there is no current planning application for such redevelopment and so it can be assumed that any further use of the site is a number of months away. In the meantime, the former Civic Centre car park site has been developed and is now occupied by Focus. In itself, therefore, the use of a vacant site by an immediately adjoining occupier appears to be a sensible use of the land and given it is surrounded by hoardings at present, and will be so until the site is developed, the proposal has little visual impact. There is adequate existing access to the site and, as stated by the County Council, the number of vehicles using the site is less than was the case when the Civic Centre was operational, and accordingly there is no objection on highways grounds either.



As such, therefore, the application itself is quite straightforward. There is a wider concern, however, that the proposal has proven necessary as it was evident that when the office building opened, there was considerable additional pressure on surrounding roads, where parking is largely unrestricted, despite the proximity of the site to both the railways station and regularly serviced bus routes.

Focus is a very successful local employer and it would seem likely that when the use of the current site ceases, pressure on local parking will occur again. It is essential, therefore, that during this period where additional off road parking is available the robustness of the company Travel Plan is further improved to ensure that the alternative transport modes close to the site are used as extensively as possible.

In this respect, a temporary planning permission is considered appropriate, not only to avoid prejudicing the future redevelopment of the site (although this is in the Council's control anyway as landowner) but also to ensure that by the time of the expiry of the permission, sufficient progress has been made to ensure that a robust Travel Plan is in place.

## **Recommendation**

To GRANT planning permission subject to the following conditions:

- 01 Approved Plans
- 02 Temporary Permission...31 March 2021

11<sup>th</sup> May 2020

## **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.

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