



ADUR DISTRICT
C O U N C I L

27 May 2021

Adur Planning Committee	
Date:	7 June 2021
Time:	7.00 pm
Venue:	QEII Room, Shoreham Centre, Shoreham-by-Sea

Committee Membership: Councillors Carol Albury (Chair), Stephen Chipp (Vice-Chair), Dave Collins, Tania Edwards, Jeremy Gardner, Paul Mansfield, Steve Neocleous and Carol O'Neal

NOTE:

Anyone wishing to speak at this meeting on a planning application before the Committee should register by telephone (01903 221006) or e-mail democratic.services@adur-worthing.gov.uk before **noon** on **Friday 4 June 2021**.

Agenda

Part A

1. Substitute Members

Any substitute members should declare their substitution.

2. Declarations of Interest

Members and Officers must declare any disclosable pecuniary interests in relation to any business on the agenda. Declarations should also be made at any stage such an interest becomes apparent during the meeting.

If in doubt contact the Legal or Democratic Services representative for this meeting.

Members and Officers may seek advice upon any relevant interest from the Monitoring Officer prior to the meeting.

3. Public Question Time

So as to provide the best opportunity for the Committee to provide the public with the fullest answer, questions from the public should be submitted by **midday** on **Thursday 3 June 2021**.

Questions should be submitted to Democratic Services – 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 6 April 2021, 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 - 46)

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

7. Planning Appeals

None to report.

Part B - Not for publication - Exempt Information Reports

Recording of this meeting

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

For Democratic Services enquiries relating to this meeting please contact:	For Legal Services enquiries relating to this meeting please contact:
Heather Kingston Democratic Services Officer 01903 221006 heather.kingston@adur-worthing.gov.uk	Sally Drury-Smith Lawyer 01903 221086 sally.drury-smith@adur-worthing.gov.uk

Duration of the Meeting: Four hours after the commencement of the meeting the Chairperson will adjourn the meeting to consider if it wishes to continue. A vote will be taken and a simple majority in favour will be necessary for the meeting to continue.



ADUR DISTRICT
C O U N C I L

Planning Committee
7 June 2021

Agenda Item 6

Ward: ALL

Key Decision: No

Report by the Director for Economy

Planning Applications

1.

Application Number: AWDM/0558/21 **Recommendation – Approve**

Site: **Free Wharf, Brighton Road, Shoreham-By-Sea**

Proposal: **Application to Vary Condition 1 of previously approved AWDM/1497/17. Amendment: Change location of part of the basement under block G and H and redistributing to area under block A.**

2.

Application Number: AWDM/0998/19 **Recommendation – Approve**

Site: **The Joyful Whippet, Steepdown Road, Sompting**

Proposal: **Demolition of existing Public House and construction of 6no. 3 bed dwellings and associated parking (AMENDED PLANS received showing changes to design and position of houses 1-&2 including addition of front and rear dormers; addition of rear dormers to houses 3-6; revisions to parking layout and formation of pedestrian access from Steepdown Road).**

3.

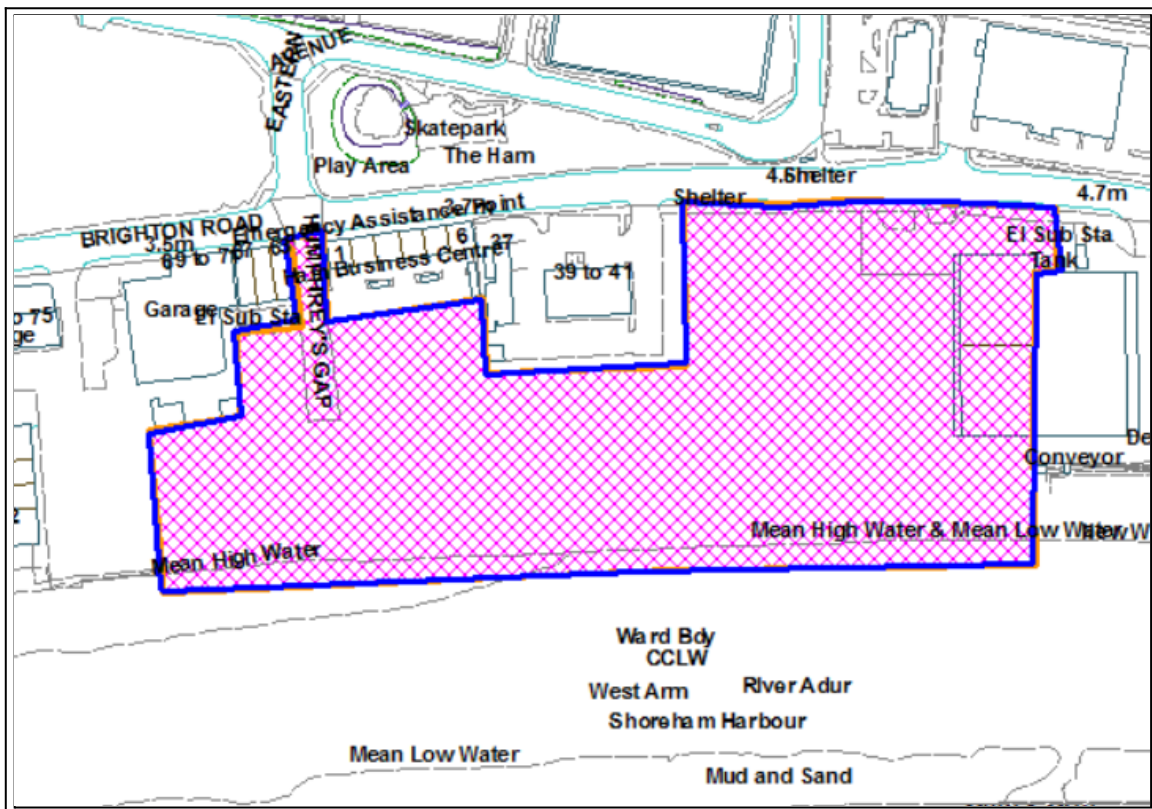
Application Number: AWDM/0126/21

Recommendation – Approve

Site: Unit 5, 52 Dolphin Road, Shoreham-By-Sea

Proposal: Change of use of Units 2-5 from Use Class B1 to food production (Use Class B2) and ancillary offices.

Application Number:	AWDM/0558/21	Recommendation - Approve
Site:	Free Wharf, Brighton Road, Shoreham-By-Sea	
Proposal:	Application to Vary Condition 1 of previously approved AWDM/1497/17. Amendment: Change location of part of the basement under block G and H and redistributing to area under block A.	
Applicant:	Southern Housing Group	Ward: St Marys
Agent:	Mr Jon Murch - Davies Murch	
Case Officer:	Mr Stephen Cantwell	



Not to Scale

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Introduction and Proposal

The proposal is to vary condition no. 1 (Approved Plans) of planning permission reference AWDM/1497/17 submitted in 2017 and approved on 9 August 2018. The existing permission is for redevelopment of the Free Wharf site which lies between Brighton Road and the River Adur, it lies within the Shoreham Regeneration Area. An approved layout plan is shown below at Figure 1. The approved development includes:

- Redevelopment to provide ten buildings (identified as blocks A-H), containing 540no. one, two and three bedroom flats. This has recently increased to 548no. under planning application AWDM/2037/20.
- Commercial space of 2,707sqm for a range of ground floor retail, office/business, cafes/restaurants), and D1 (non-residential institutions). This has recently been reduced to 2189sqm under planning application AWDM/2037/20.
- Reconstruction of the river wall; construction of mooring pontoons, an observation platform; open space and a riverside pedestrian/cycle route. Provision is also made for a wider pavement at Brighton Road to include a roadside cyclepath.

The development also includes 512 parking spaces; including 438 in a large basement beneath all but one of the riverside blocks A-F (i.e excluding riverside Block A), and beneath part of the two Brighton Road frontage blocks (G1/G2 & H), which form phase 1 of the development. Of the total spaces, 438 spaces are for residents and 74 for the commercial space/visitors. There are also 596 cycle parking spaces.

The extent and configuration of the basement car park is proposed to be amended by the current application. If approved it would then extend under all of the riverside blocks including block A, but no longer beneath the frontage blocks G, G1 & H at Brighton Road, thereby removing the approved internal access arrangements between basement parking and these blocks.

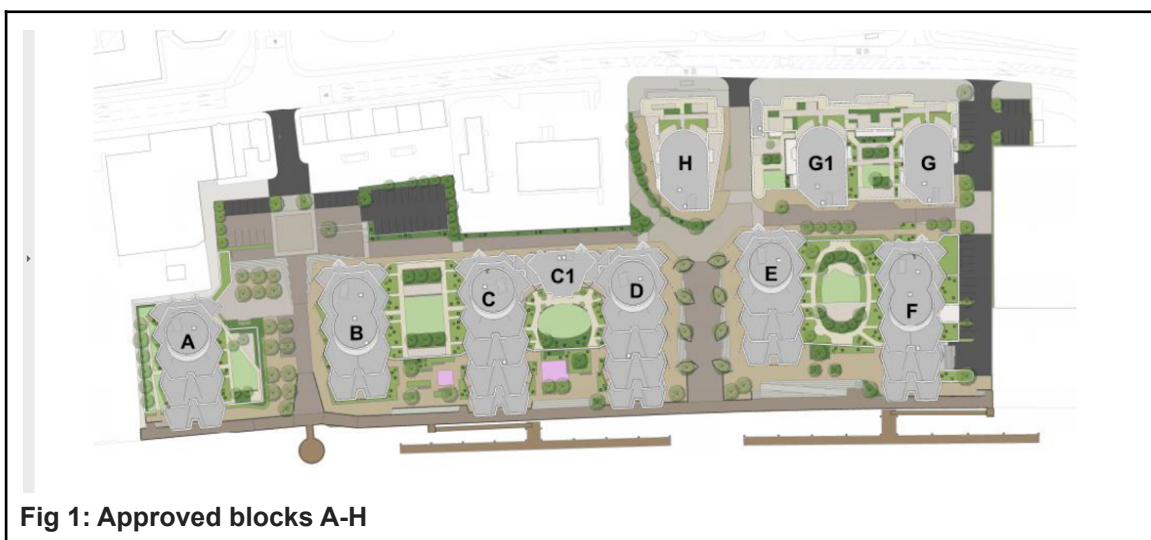


Fig 1: Approved blocks A-H

The approved basement car park is shown below, providing 438 of the total 512 car parking spaces. Part of the basement area extended partially below frontage blocks G1/G2 and H. The current proposal is shown below it, extending under riverside block A but no longer beneath the frontage blocks. The total area of the basement increases marginally by 420sqm from 13,946sqm to 14,366sqm (3% increase). The total number of spaces is unchanged.

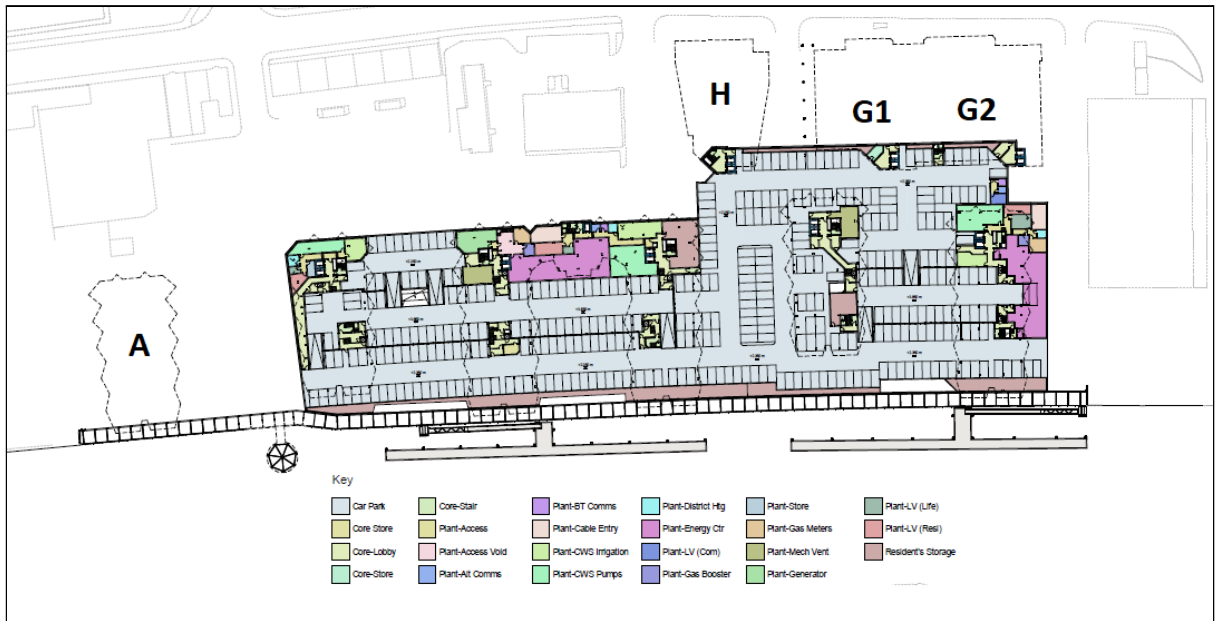


Fig 2: Approved basement car park

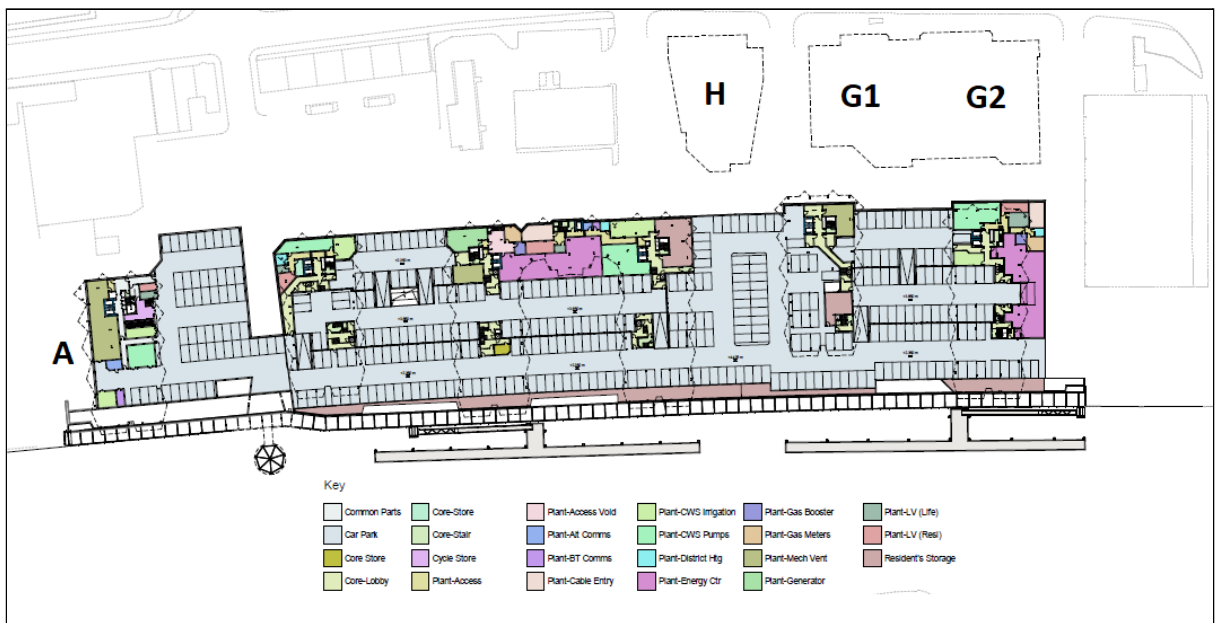


Fig 3: Proposed basement car park

The plan shows the location of the additional basement car park is at the south-west part of the site beneath the location of the approved block A. Vehicular access into the basement would be via ramp access to the south-east corner of the site as originally approved, with the proposed extension to the basement being accessible internally.

In terms of pedestrian access the proposal would remove the internal staircase and lifts between the first phase buildings G1/G2 & H and basement. A total of 15 undercroft spaces at ground floor of block G1/G2 would remain directly accessible and a further 14no. open-surface spaces nearby would bring this total to 29no. Further information is awaited concerning the pedestrian accessibility of the amended basement parking as proposed, for residents of the first phase.

Enabling ground works are now underway. Phase 1 comprises the frontage blocks G1/G2 & H. Members will recall that a recent full application (AWDM/2037/20) and a s73 (variation of condition) application (AWDM/2037/20) in respect of these blocks, were considered at the Committee meeting of 8th March. These made some relatively small changes to their external appearance and allowed a variation to the provision of heating, pending the wider communal/district heating solution. They received resolutions to grant approval, subject to appropriate variations of the original legal agreement, which is currently nearing conclusion.

Site and Surroundings

The site is located within the Western Harbour Arm of Shoreham Harbour, to the south of Brighton Road, Shoreham. It comprises 2.95 hectares, and is broadly rectangular with frontages onto both the A259 Brighton Road and River Adur. The site's northern border, with Brighton Road, is interrupted to exclude Kwik Fit, The Whale Car Wash and the Ham Business Centre. It was formerly used for industrial purposes, including importing aggregates / marble. The warehouse buildings that previously occupied the site have now been demolished.

Land to the east remains in industrial/marine-related use, including a range of large sheds. To the west between Humphreys Gap and Surry Hard is a car dealership and business premises. The redeveloped Parcelforce site and Sussex Yacht Club is further to the west, and then the edge of Shoreham town centre. To the north and east are the 'the Ham' public open space and commercial uses along Brighton Road.

Relevant Planning History

AWDM/1497/17 - Redevelopment of the site to provide ten buildings, containing 540 new homes (of which two will be studios, 179 x one bed, 323 x two bed and 38 x three bed), 2,707sqm of commercial floor space at ground floor level within use classes, A1 (retail), A3 (cafes and restaurants), B1 (business) and D1 (non-residential institutions). The development also includes 512 parking spaces, of which 438 will be for residents and 74 will be for the commercial space/visitors, reconstruction of the river wall, construction of mooring pontoons and observation platform at the end of Humphrey's Gap, provision of a riverside pedestrian/cycle route, areas of semi-private and publicly accessible open space, internal access roads, 596 cycle parking spaces and associated ancillary areas. **Approved - 09/08/2018**

AWDM/0255/19 - Approval of Details Reserved by Conditions 8 (Surface water drainage); 10 (Contamination Assessment) and 11 (Foundation Design) of application number AWDM/1497/17. **Approved - 09.04.2020**

AWDM/0205/19 - Approval of Details Reserved by Condition 13 (Archaeological investigation) of application number AWDM/1497/17. **Approved - 14.04.2020**

AWDM/1721/20 - Application to vary hours of work approved under condition 33 of planning permission reference AWDM/1497/17 (under Section 74B of the Town and Country Planning Act 1990) up until 28 February 2021 to allow construction work to be undertaken between the hours of 08:00hrs and 19:00 hrs Monday to Friday, and 09.00 hours to 18.00 hours on Saturday. There will be no works on Sundays or Bank Holidays. **Approved - 02.11.2020**

AWDM/0841/20 - Approval of Details Reserved by Condition 9: Details of foul and surface water drainage of approved application AWDM/1497/17. **Approved - 16.12.2020**

AWDM/1952/20 - Application to vary conditions no.1 (Approved plans) and no.26 (Energy Strategy) of planning permission reference AWDM/1497/17: Condition 2 - Amendments to the facade material from previously approved corium to brick, changes to the balcony design and other minor internal layout and elevational changes. Condition 26 - Amendments to the approved energy strategy.

Resolved to be approved by committee on 8 March 2021 (currently awaiting completion of associated s106 legal agreement)

AWDM/2037/20 - Erection of a six to eight storey building comprising 782sqm of office space (Class E (g)(i)) floorspace and 97 residential homes, resident's concierge, car and cycle parking, refuse and landscaping (an alternative to the building previously approved as part of planning permission AWDM/1497/17)

Resolved to be approved by committee on 8 March 2021 (currently awaiting completion of associated s106 legal agreement)

AWDM/0637/21- Application for Approval of Details Reserved by Condition 10 (Part discharge interim verification of enabling works) of previously approved AWDM/1497/17.

Pending consideration

Consultations

West Sussex County Council:

WSCC Highways: No changes are proposed to the permitted access arrangements or the overall number of car parking spaces - No objection.

Lead Local Flood Authority: Updated drainage strategy requested to demonstrate

consistency with earlier [approved] version

Adur & Worthing Councils:

Environmental Health (Private Sector Housing): No comments

Environmental Health (Public Health): No objection

Drainage Engineer: No comments

Environment Agency: No objection

Marine Management Organisation: No objection. Guidance provided on the separate Marine licensing process.

Natural England: No comments received

Adur District Conservation Advisory Group: No comments received

Shoreham Port Authority: No comments received

Southern Water: No objection

Representations

No neighbour representations received

Relevant Planning Policies and Guidance

Adur Local Plan (2017):

Policy 2: Spatial Strategy

Policy 3: Housing Provision

Policy 4: Planning for Economic Growth

Policy 8: Shoreham Harbour Regeneration

Policy 11: Shoreham-by-Sea

Policy 15: Quality of the Built Environment and Public Realm

Policy 16: A Strategic Approach to the Historic Environment

Policy 17: The Historic Environment

Policy 18: Sustainable Design

Policy 19: Decentralised Energy, Stand-alone Energy Schemes and Renewable Energy

Policy 20: Housing Mix and Quality

Policy 22: Affordable Housing

Policy 28: Transport and Connectivity

Policy 29: Delivering Infrastructure

Policy 30: Green Infrastructure

Policy 31: Biodiversity

Policy 32: Open Space, Recreation and Leisure

Policy 34: Pollution and Contamination

Policy 35: Water Quality and Protection
Policy 36: Flood Risk and Sustainable Drainage

Shoreham Harbour Joint Area Action Plan (2019):

Policy CA7: Western Harbour Arm
Policy SH1: Climate change, energy and sustainable building
Policy SH3: Economy and employment
Policy SH4: Housing and community
Policy SH5: Sustainable travel
Policy SH6: Flood risk and sustainable drainage
Policy SH7: Natural environment, biodiversity and green infrastructure
Policy SH8: Recreation and leisure
Policy SH9: Place making and design quality
Policy SH10: Infrastructure requirements

Material Considerations

Sustainable Energy SPD (August 2019)
Shoreham by Sea Conservation Area Character Appraisal & Management Strategy (ADC 2008)
'A Strategy for Shoreham Renaissance' (ADC 2006)
WSCC Guidance on Parking at New Developments (Sept 2020).
National Planning Policy Framework (February 2019)
Planning Practise Guidance

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.

Environmental Screening

The 2018 approved scheme (AWDM/1497/17) was supported by an Environmental Statement (ES) under Environmental Impact Assessment Regulations. The proposed amendments sought under this planning application do not generate any additional or different likely significant effects to those reported upon within the previous ES.

Planning Assessment

Principle of development

Proposed Changes to Approved Plans (Condition 1) of AWDM/1497/20

The principle of the redevelopment of the site to provide ten blocks for up to 548 homes with associated basement, and provision of 512 car parking spaces, was established in 2018 under planning permission AWDM/1497/20; also by the recent application AWDM/2037/20 (resolution to approve 8th March 2021), which added eight extra flats (to the original 540no.) by re-assigning some of the original commercial space of the 2018 approval.

This proposal would relocate part of the previously approved basement with a minor increase in size (additional 420sqm/3% increase) and would still ensure the provision of 512 car parking spaces (no net loss).

The change is required because Blocks G1/G2 & H are the first to be constructed. As approved they would provide only a small part of the basement to which vehicular access would only have been provided in a later phase. The applicant states that this would be impractical, as well as inefficient and expensive in terms of build programme. Whilst the proposal maintains the amount of spaces, which is acceptable in principle, further information regarding pedestrian accessibility for future residents of the first phase (G1/G2 & H), is awaited.

Highways Matters

As shown in figure 4 below, this proposal would relocate part of the previously approved basement area, containing 54 parking spaces (hatched red), from under block G1/G2 & H to the area under block A at the south-west part of the site (hatched blue).



Fig 4: Proposed relocation of parking spaces (blue = proposed, red = removed).

There is no reduction in car parking provision (512 spaces) when compared to

the approved scheme. It is noted that at the time of the 2018 consent, it was envisaged that all of the surface car parking (74 in total) was for use in connection with the commercial floor space and for visitors, with the basement/undercroft parking being for residential occupiers.

It is intended to incorporate the same vehicular access arrangements to the basement car parking area located to the south-west corner of the site via ramped access. This means that the basement area would be located approx 12m further south from the first phase blocks G1/G2 & H. In terms of pedestrian access the proposal would remove the internal staircase and lifts between the first phase buildings G1/G2 & H and basement. A total of 15 undercroft spaces at ground floor of block G1/G2 would remain directly accessible and a further 14no. open-surface spaces nearby would bring this total to 29no, some of which are likely to be for commercial users Further information is awaited concerning the pedestrian accessibility of the amended basement parking as proposed, for residents of the first phase. Update to be provided.

The County Highway Authority have considered the proposal and raise no objections subject to conditions to secure the access, car and cycle parking, and a construction management plan. A travel plan and provision to secure a strip of frontage land for pavement/cycle path widening are subject of the legal agreement which is being varied as part of the Committee resolutions of 8th March (AWDM/1952/20 & AWDM/2037/20) and this variation would be extended to encompass the current application if approved.

In terms of the allocation of parking spaces, this is a matter controlled under planning conditions 6 & 21 which respectively require a full phasing plan before the commencement of development (excepting the ground works) and that parking is provided before respective parts of the development are occupied. Similar conditions would be imposed on this proposal to ensure sufficient parking is provided to meet the needs of the development.

For these reasons, the proposal would not have a materially adverse impact on highway matters by comparison with the approved scheme.

Character and Appearance

The proposal, providing a reconfigured and extended basement, would not result in any change to the above ground building massing or footprint for the consented scheme as such would not harm the character and appearance of the area.

Planning Obligations

The 2018 scheme secured a package of s106 obligations including 30% affordable housing and financial contributions towards highways, sustainable transport improvements, education, health, fire & rescue and environmental improvements. The deed of variation which is being drawn up under the

Committee resolutions of 8th March can be extended to ensure that obligations also attach to this current application, if approved.

Other Matters

The lead flood authority has requested information to ensure that the proposal remains consistent with the previously approved drainage strategy and an update will be given on this point.

The application does not appear to raise any other issues beyond those previously considered under the approved scheme of 2018 and the amended applications considered on 8th March 2021.

Conclusion

The proposal seeks to address one of the practicalities of implementing this complex development cost-effectively and in a phased manner. Overall, the proposed changes would continue to ensure the provision of an appropriate amount of car parking for the development site as a whole. This is subject to satisfactory clarification of access for future residents of phase 1. An update will be given on this matter and in respect of the drainage strategy.

In terms of design and form, the proposed changes below ground would not affect the character and appearance of the area.

Recommendation

Subject to satisfactory future resident access arrangements, to delegate authority to the Head of Planning and Development to GRANT planning permission subject to:

- 1) Completion of a s.106 Deed of Variation to ensure that the development as varied remains subject to obligations previously as required;
- 2) In the event that the S106 legal agreement has not been completed by 7 December 2021 or an extension of time has not been agreed between the Authority and applicant The Head of Planning and Development shall have delegated authority to REFUSE planning permission for lack of the provisions required under these obligations, and
- 3) Subject to the following conditions, with delegated authority to the Head of Planning and Development to amend, as required, to address relevant technical issues:-

Planning Conditions

01. The development hereby permitted shall be carried out in accordance with the approved plans

Reason: For the avoidance of doubt and in the interests of proper planning.

02. The development hereby permitted shall begin before the 9 April 2023.

Reason: As required by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

03. The development shall be carried out in accordance with the details of the enabling works approved by the Local Planning Authority on 15 November 2018 (approved documentation listed under application reference AWDM/1497/17) unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure that the proposed development is satisfactorily provided with required infrastructure in accordance with paragraph 156 of the National Planning Policy Framework.

04. The development shall be carried out in accordance with the archaeological scheme of investigation approved by the Local Planning Authority on 15 November 2018 (approved documentation listed under application reference AWDM/1497/17) unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure appropriate investigation and recording of archaeological heritage assets on the site prior to commencement of new building works. Policy: National Planning Policy Framework paragraphs 135, 141; Adur Local Plan 2017 Policy 16.

05. The development shall be carried out in accordance with the Construction Management Plan (in relation to enabling works) approved by the Local Planning Authority on 15 November 2018 (approved documentation listed under application reference AWDM/1497/17) unless otherwise approved in writing by the local planning authority.

Reason: In the interests of highway safety and the amenities of the area.

Phasing Programme

06. Prior to commencement of any works on site, save for those identified as Enabling Works in Condition 03. to 05., a phasing programme shall be submitted to and agreed by the Local Planning Authority. The planning conditions shall be submitted in accordance with that phasing programme.

Reason: To ensure the comprehensive phased development of the site in accordance with the general and site specific policies set out in the Adur District Local Plan 2017 and Joint Area Action Plan.

Pre-Commencement Main Site Works Excluding Enabling Works

07. No development shall take place, excluding Enabling Works, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters,

- the anticipated number, frequency and types of vehicles used during construction,
- the method of access and routing of vehicles during construction,
- the parking of vehicles by site operatives and visitors,
- the loading and unloading of plant, materials and waste,
- the storage of plant and materials used in construction of the development,
- the erection and maintenance of security hoarding,
- the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
- details of public engagement both prior to and during construction works.

Reason: In the interests of highway safety and the amenities of the area.

08. The development shall be carried out in accordance with the Surface Water Drainage details approved by the Local Planning Authority on 9 April 2020 under application reference AWDM/0255/19 unless otherwise approved in writing by the local planning authority.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with Policy 36 of the Adur Local Plan 2017.

09. The development shall be carried out in accordance with the Foul and Surface Water Drainage details approved by the Local Planning Authority on 16 December 2020 under application reference AWDM/0841/20 unless otherwise approved in writing by the local planning authority.

Reason: To ensure that the proposed development is satisfactorily drained.

10. The development shall be carried out in accordance with the

Contamination Assessment (including any remediation schemes) approved by the Local Planning Authority on 9 April 2020 under application reference AWDM/0255/19 unless otherwise approved in writing by the Local Planning Authority, and prior to the first occupation of any part of development affected by any remediation scheme, following completion of measures identified in the approved remediation scheme, a verification report must be submitted to and approved in writing of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy 34 of the Adur Local Plan. These details are required prior to commencement in order that any changes to satisfy this condition are incorporated into the development before the design is too advanced to make changes.

11. The development shall be carried out in accordance with the Foundation Design details approved by the Local Planning Authority on 9 April 2020 under application reference AWDM/0255/19 unless otherwise approved in writing by the local planning authority.

Reason: To prevent development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution in accordance with the National Planning Policy Framework. Piling or any other foundation designs using penetrative methods can result in risks to potable supplies from, for example, pollution / turbidity, risk of mobilising contamination, drilling through different aquifers and creating preferential pathways. Thus it should be demonstrated that any proposed piling will not result in contamination of groundwater.

12. No below ground work, apart from the Enabling Works shall take place until the following details shall be submitted to and approved in writing by the Local Planning Authority and all development pursuant to this permission shall be carried out in accordance with the approved details:

- Details which identify the supply of all space heating and hot water in the buildings.
- Details which identify and safeguard plant room space for the future installation of heat interface equipment, and/or other plant, required for future connection to a future heat network
- Details of a safeguarded pipe run into, through, and out of the site to connect the plant rooms with the proposed heat network
- A strategy to facilitate the connection of the network to the development; and,

- A strategy to facilitate access to the site and plant rooms for the heat network developer to carry out works required to connect the site to the Shoreham Heat Network, lay underground infrastructure within the roads, footpaths, open space and public areas of the development, and carry out repair and maintenance work to any heat network infrastructure

Reason: To enable the delivery and operation of the planned Shoreham Heat Network having regard to Policies 8 and 19 of the Adur Local Plan and Policy SH1 of the Shoreham Harbour Joint Area Action Plan.

13. The development shall be carried out in accordance with the overarching archaeological scheme of investigation approved by the Local Planning Authority on 14 April 2020 under application reference AWDM/0205/19 unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure appropriate investigation and recording of archaeological heritage assets on the site prior to commencement of new building works. Policy: National Planning Policy Framework paragraphs 135, 141; Adur Local Plan 2017 Policy 16.

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

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

15. No above ground works, excluding Enabling Works, shall take place until the following details shall be submitted to and approved in writing by the Local Planning Authority and all development pursuant to this permission shall be carried out in accordance with the approved details:

a) particulars and samples of the materials to be used on all external faces of the building;

b) details of all elevations to show typical details of all external components including details of drainage;

c) details of the balconies (including 1:20 scale sectional drawing, RAL colour, finish and glazing details) and wind mitigation measures including details of drainage;

d) details of ground floor elevations including entrances;

e) details of escape doors, gates, doors bin storage entrance and bicycle storage entrance;

- f) details of soffits, handrails and balustrades;
- g) details of ground level surfaces including materials to be used;
- h) details of external lighting attached to the building including anti-collision lights, lighting to the soffits and lighting to pedestrian routes;
- i) details of plant and ductwork to serve the commercial uses;
- j) details of ventilation and air-conditioning for the commercial uses;

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

16. Prior to the commencement of any development above ground level, excluding Enabling Works, details of the landscaping shall be submitted to and approved in writing by the Local Planning Authority. The details shall include:

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

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

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

17. No part of the development shall be first occupied until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan once approved shall thereafter be implemented as specified within the approved document. The Travel Plan shall be completed in accordance with the latest guidance and good practice documentation as published by the Department for Transport or as advised by the Highway Authority.

Reason: To encourage and promote sustainable transport.

18. No part of the development shall be first occupied until such time as until a Servicing Management Plan has been submitted and approved in writing by the Local Planning Authority. This shall set out the arrangements for the loading and unloading of deliveries associated with the residential and commercial uses.

Once occupied servicing shall be carried out only in accordance with the approved plan.

Reason: To safeguard the operation of the public highway.

19. Prior to the basement car parking being brought into use, a plan shall be submitted to and approved by the Local Planning Authority detailing measures to incorporate facilities for charging plug-in and other ultra-low emission vehicles that will be provided in the public and private parking areas. The approved plans shall be implemented thereafter.

Reason: In accordance with Paragraph 34 of the National Planning Policy Framework.

20. No part of the development shall be first occupied until such time as the vehicular accesses, including the provision of advanced stop lines at the A259 Eastern Avenue traffic signals, has been constructed in accordance with the details indicatively shown on drawing number 5910-GA-002 revision I.

Reason: In the interests of road safety.

21. No part of the development shall be first occupied until the car parking spaces serving that respective part of the development have been constructed in accordance with the approved plans. These spaces shall thereafter be retained at all times for their designated use.

Reason: To provide car-parking space for the use.

22. No part of the development shall be first occupied until details of accommodation arrangements for the parking of all trade and service vehicles relating to both residents, commercial businesses and property maintenance activities within the site have been submitted to and approved in writing by the Local Planning Authority. The details thereby approved shall be adhered to in perpetuity.

Reason: In the interests of road safety.

23. No part of the development shall be first occupied until details of a cycle route to Shoreham town centre as indicatively shown on drawing number 5910-GA-005B revision C have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of road safety.

24. No part of the development shall be first occupied until cycle parking serving that respective part of the development have been provided in accordance with plans and details submitted to and approved by the Local Planning Authority.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies.

25. The proposed commercial units sharing a party element with residential premises shall be designed and constructed to provide resistance to the transmission of sound. The sound insulation shall be sufficient to ensure that NR25 is not exceeded in the proposed residential premises due to noise from the neighbouring commercial premises and shall be permanently maintained thereafter.

A test shall be carried out after completion but prior to occupation of the commercial units to show the criterion above have been met and the results shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the amenities of occupiers of the building in accordance with the following policy of the Local Plan Policy 16.

26. The commitments in the approved Energy Strategy and Statement Revision 1 dated 29th September 2017 and, in respect of Phase 1 only (Building G, G1 and H), Revision to Permitted Energy Strategy dated November 2020 provided under application reference AWDM/1952/20, shall be installed prior to the first occupation of the development in accordance with the Phasing Plan under condition 6 and shall be implemented in accordance with the approved strategy and retained as operational thereafter.

Reason: To ensure that the development incorporates renewable energy and contributes to meeting targets to reduce carbon dioxide emissions as set out in the approved Energy and Renewables Statement.

27. Prior to any part of the development coming into use the communal waste and recycling areas as shown on the approved plans will be available for use by residents and arrangements made for waste collection and clearance.

Reason: In the interests of Highway safety and neighbour amenity.

28. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) and the following mitigation measures detailed within the FRA:

Finished floor levels are set no lower than the above Ordnance Datum (AOD) identified within the FRA and approved drawings.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing/ phasing arrangements

embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the LPA.

Reason: The site is located partially within Flood Zones 3 and 2, according to our Flood Map. These indicate a high (0.5% AEP1) and medium (0.1% AEP) probability of tidal flooding, respectively. The 0.5% AEP (1 in 200 year) tidal flood level, including an allowance for climate change, is shown as 5.25m AOD. Furthermore, due to the close proximity of the site to the foreshore the site in a severe storm scenario will be vulnerable to overtopping, white water flooding and windblown debris. The above condition is therefore required in order to reduce the risk of flooding to the proposed development and future occupants.

29. External lighting in association with this development shall comply with Institution of Lighting Engineers Guidance Notes for the Reduction of Obtrusive Light, Obtrusive Light Limitations for Exterior Lighting Installations for Zone E2.

Reason: To safeguard the residential amenities of the local area in accordance with Policy 19 of the Adur Local Plan.

30. Notwithstanding the provision of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order with or without modification) planning permission shall be obtained before any change of use of the following components of the scheme:

- Building D - Restaurant (use Class E(b)) 281 m² GIA
- Building E - Restaurant ((use Class E(b)) 365 m² GIA
- Building F - Restaurant (use Class E(b))) 105 m² GIA; Yacht Facility (sui generis) 88 m² GIA
- Building G&G1 - Office (use Class E(g)(i)) 1,326m² GIA
- Building H – Commercial, Business and Service (use Class E(a)/(b)/(c)/public house, wine bars or drinking establishment (sui generis) GIA 541m²

to any use other than Use Classes as detailed in the Town & Country Planning (Use Classes) Order 2010 (or any Order revoking or re-enacting that Order with or without modification).

Reason: In order that the Local Planning Authority can retain control over further uses which it considers could be harmful to the vitality and viability of the designated centres in accordance with adopted Adur Local Plan 2017.

31. The commercial units shall only be open for trade in accordance with the following:

Class E(a)/E(c) use class between the hours of 07.00 and 23.00 Monday to Saturday and 09:00 to 23:00 on Sunday. Any unit greater than 280 sq.m will comply with the Sunday Trading Act 1994 (or subsequent replacement) on Sundays.

Class E(b)/Public house, wine bars or drinking establishment (sui generis) between the hours of 07.00 and 23.00 Monday to Thursday, 07.00 to 00.00 Friday and Saturday and 09:00 to 23:00 on Sunday. Any unit greater than 280 sq.m will comply with the Sunday Trading Act 1994 (or subsequent replacement) on Sundays.

Use Class E(g)(i) between the hours of 07.00 and 23.00 Monday to Saturday and 09:00 to 18:00 on Sunday. Any unit greater than 280 sq.m will comply with the Sunday Trading Act 1994 (or subsequent replacement) on Sundays.

Yacht Facility (sui generis) use class between the hours of 07.00 and 23.00 Monday to Saturday and 09:00 to 21:00 on Sundays.

Reason: To comply with Adur Local Plan Policy 16, and in accordance with the National Planning Policy Framework.

32. Deliveries to the commercial units shall only be made between the hours of 07.00 and 20.00 Monday to Saturday and 09.00 to 18.00 on Sundays.

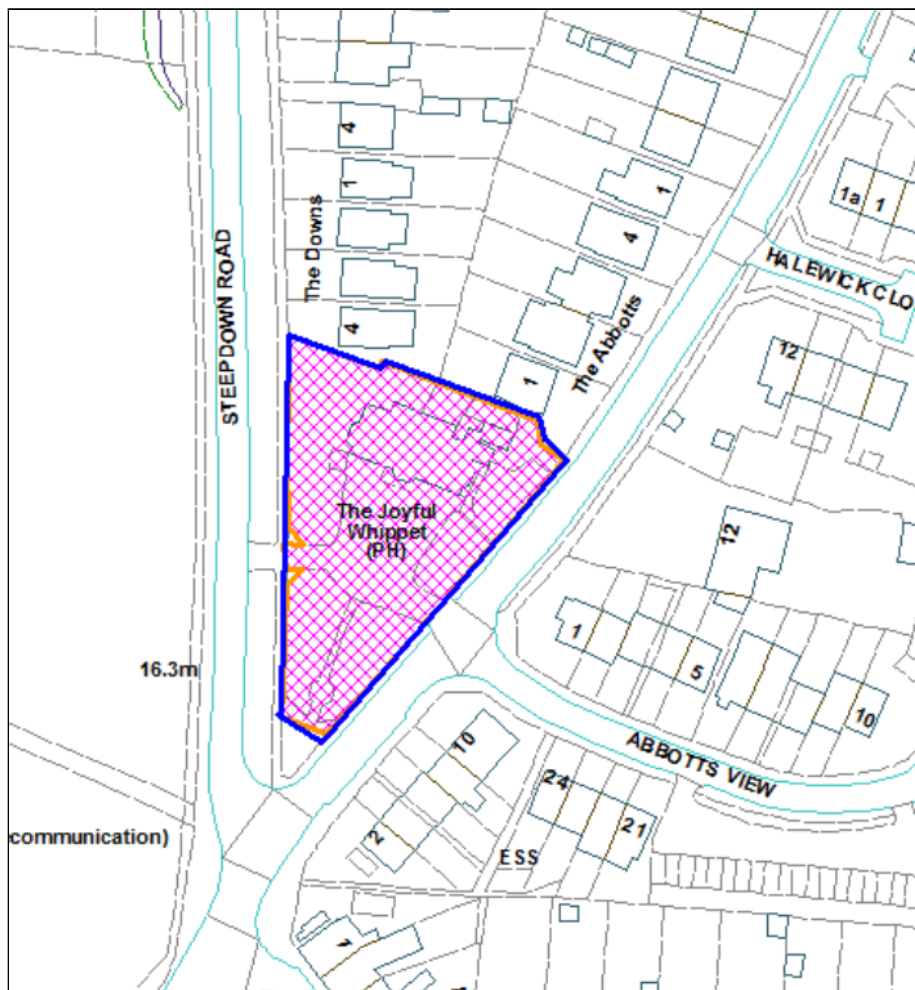
Reason: To safeguard the residential amenity of the area in accordance with the Adur Local Plan.

33. Demolition and construction works shall not take place outside 08.00 hours to 18.00 hours Mondays to Fridays and 09.00 hours to 14.030 hours on Saturday. There will be no construction on Sundays or Bank Holidays.

Any temporary exception to these working hours shall be agreed in writing by the Local Planning Authority at least five days in advance of works commencing. The contractor shall notify the local residents in writing at least three days before any such works.

Reason: To safeguard the residential amenity of the area in accordance with Policy 19 of the Adur Local Plan.

Application Number:	AWDM/0998/19	Recommendation - Approve
Site:	The Joyful Whippet, Steepdown Road, Sompting	
Proposal:	Demolition of existing Public House and construction of a terrace of 4no. 4 bed dwellings, 2no. detached 3 bed chalet bungalows and associated parking	
Applicant:	Mr Mehmood	Ward: Cokeham
Agent:	Mr Tyrone Coursaris	
Case Officer:	Peter Barnett	



Not to Scale

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Proposal, Site and Surroundings

The Joyful Whippet pub is a prominent building located on rising land between Steepdown Road and Halewick Lane. It is a very visible building due to its size, elevated position and proximity to the A27. Unfortunately its use as a pub has declined over the years to the extent that it closed in May 2020. The site is triangular, narrowing at its southern end. The pub is located at the north end of the site and there is a car park in the central part of the site with a grassed area at the southern end. The site is accessed from both Steepdown Road and Halewick Lane.

This application seeks to demolish the pub building and to redevelop the site to provide six dwellings. The plans have been amended since the original submission which was for a block of six flats and four detached dwellings.

The amended scheme shows a terrace of four 4 bedroomed dwellings running across the lower part of the site from east to west but set back from the southern end, maintaining an open grassed area in front of the proposed dwellings. A pair of detached chalet bungalows is also proposed at the northern part of the site, facing Steepdown Road. Car parking and vehicular access is provided off Halewick Lane on the east side. 12 parking spaces are to be provided.

The front terrace has been designed with the end units stepped back, with bay and porch features and tile hanging at first floor to provide a contrast with the middle pair. The dwellings have gable ends, parapet walls dividing each unit and chimney features to add interest. Each dwelling has accommodation in the roofspace served by a rear dormer.

The detached dwellings to the north also also have porch and bay features plus gabled roofs, but more closely relate to the design of the chalet bungalows in Steepdown Road to the north, with lower eaves and a pair of pitched roof dormers at the front and rear. A pedestrian access will be formed from Steepdown Road across the middle of the site to Halewick Lane.

The front of the site is to be left open as a communal 'garden', separated from the terraced houses by a footpath. The existing hedge around the southern end of the site is to be retained to prevent access by the general public.

The site has residential dwellings to the north, comprising chalet bungalows with rooms in the roof, and east (two storey dwellings) with gabled ends. There are fields to the west forming part of the South Downs National Park.

Relevant Planning History

None

Consultations

West Sussex County Council: The **Highways Authority** has no objection.

Comments on **amended plans:** 1. The aisle width in the car parking area is over 6m. As such WSCC are satisfied cars can enter and exit the spaces easily, and they will be able to enter turn and exit in forward gear.

2. Footpaths within the site, whilst not on the highway are now wider which will help with the overall movement within these areas as before they were quite narrow.

3. The re-use of the existing dropped kerbed access will now longer require the S278/Minor Works licence. However, a minor works licence may be required if this requires any upgrading. The applicant should contact the area office.

WSCC has reviewed the revised proposed site plan. Changes are made to the footpath which runs along the back of plots 3-6, and adjacent to plot 1-2. These should tie into the footpath on either side and consideration should be given to inclusive mobility to ensure gradients are provided which are usable for all.

Recommend conditions to secure access closure, Construction Management Plan, vehicle and cycle parking

The County **Archaeologist** has been in discussion with the applicant and advises that as trench excavation (with its clear evidence that archaeological features have previously been removed by old quarrying), and the trench report have been completed, no further on- or off-site archaeological investigation need take place in respect of the site. He also confirms his view that all archaeological requirements have now been addressed.

Local Lead Flood Authority: No objection. No FRA or Drainage Strategy has been included with this application. The Application Form states that the surface water from the site will be disposed of via 'existing watercourse'. Further information is required to clarify the drainage arrangements as there appears to be no existing watercourse to discharge.

Following the SuDS hierarchy and the spirit of SuDS implementation, betterment for surface water systems on the new developments should be sought. This could include retention at source through green roofs, rain gardens, permeable paving and swales prior to disposal to reduce peak flows. SuDS landscaping, could significantly improve the local green infrastructure provision and biodiversity impact of the developments whilst having surface water benefits too.

Development should not commence until finalised detailed surface water drainage designs and calculations for the site, based on sustainable drainage principles, for the development have been submitted to and approved in writing by the Local Planning Authority. The drainage designs should demonstrate that the surface water runoff generated up to and including the 100 year, plus climate change, critical storm will not exceed the run-off from the current site following

the corresponding rainfall event.

Development shall not commence until full details of the maintenance and management of the SuDS system is set out in a site-specific maintenance manual and submitted to, and approved in writing, by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved designs.

Adur and Worthing Councils: The **Environmental Health** Officer comments that the glazing specified in the Noise Assessment should be secured by condition along with details of the mechanical ventilation to be agreed once chosen, and a plan showing the positioning of the close boarded fences protecting external amenity space, also to be agreed.

Noise and dust from the construction activities may adversely affect the amenity of nearby residents unless safeguards are put in place. Recommend conditions to control hours of work and to require a Construction Management Plan.

Technical Services: Flood risk- The application is within flood zone 1, adjacent areas are shown to be at risk from surface water flooding. Surface water drainage must be carefully considered.

Surface water drainage - My predecessor previously commented on the lack of consideration of surface water drainage. These comments do not appear to have been addressed. There are no public surface water sewers in the vicinity of the site. Infiltration must be fully investigated and utilised if possible. Given that this is a full planning application and is looking to agree the layout and landscaping details we request that infiltration testing and groundwater monitoring is completed prior to determination of this application. If this information is not provided prior to determination it is likely that the layout and landscaping proposals will unduly bias the design of surface water drainage and could result in flooding being increased elsewhere.

We therefore wish to raise a holding objection. To overcome our holding objection the following information is required:

1. Results from winter groundwater monitoring
2. Results from winter infiltration testing completed in accordance with BRE DG 365 above peak recorded groundwater levels.
3. Provisional calculations based on infiltration test results and groundwater monitoring demonstrating that adequate space for surface water drainage is available.

If this information is provided and is adequate we will remove our holding objection and detailed design can be the subject of pre-commencement conditions.

Subsequent comments following receipt of groundwater monitoring

information: The further information does not meet all the requirements for me withdrawing my holding objection. No provisional calculations for the sizing of infiltration systems have been provided to demonstrate that there is sufficient room for surface water drainage.

If you are minded to approve this application please apply the following conditions:

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

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

and the accompanying informative:

“Infiltration rates for soakage structures are to be based on percolation tests undertaken in the winter period and at the location and depth of the proposed structures. The percolation tests must be carried out in accordance with BRE DG365, CIRIA R156 or a similar approved method and cater for the 1 in 10 year storm between the invert of the entry pipe to the soakaway, and the base of the structure. It must also 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. Adequate freeboard must be provided between the base of the soakaway structure and the highest recorded annual groundwater level identified in that location. Any SuDS or soakaway design must include adequate groundwater monitoring data to determine the highest winter groundwater table in support of the design. The applicant is advised to discuss the extent of groundwater monitoring with the Council's Engineers. 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"

I note that the applicant has completed winter groundwater monitoring results. These should be supplied with a discharge of conditions application. We will also need to see winter infiltration testing completed in accordance with BRE365, thus our standard condition wording is maintained.

The **Planning Policy** Manager made the following comments on the original plans:

The site lies within the Built Up Area Boundary and therefore development is acceptable in principle.

I understand that the site was placed on the Adur & Worthing Councils' Asset of Community Value register in 2015; a moratorium period was subsequently declared, but no community group requested to purchase the building at that point.

Policy 33 of the Adur Local Plan 2017 relates to the loss of community facilities. It should perhaps first be considered whether the pub has acted as a 'social and community facility'. The definition of social and community facilities in the Adur Local Plan 2017 (Appendix 4) refers to 'pubs with community value'. This appears to be the only pub as such, north of the A27. However it is not clear to what extent the pub has/ had 'community value' in the wider sense of acting as a hub for activities, e.g. sports teams, rooms available for community hire, etc. The main evidence for its value as a social facility appears to relate to its geographic location.

Policy 33 states that development which would result in the loss of existing social or community facilities will only be permitted where:

- It can be demonstrated there is no demand for the facility within the area and the premises have been marketed for a reasonable period of time; or
- There is alternative provision available locally that is accessible, and at least equivalent in terms of quality; or
- The proposed development would provide an alternative social and community facility.

The information relating to marketing of the property appears limited; I understand more information has been requested. However the lack of a bid from the community previously would appear to indicate that there is limited demand for the facility in its present form.

With regards to housing mix, it appears that all 4 of the family homes are 4 beds.

Given the housing mix required by Policy 20 I would prefer that the family dwellings consist of at least some 3 bed homes in order to better reflect local needs.(Please see paragraph 4.27 of the Adur Local Plan 2017 for further details of the housing mix required in Adur).

The Design and Access Statement states that the proposed development will conform to the higher Building Regulations Standard M4(2) for accessible and adaptable dwellings, and the nationally described space standards (both required by Policy 20) as well as Lifetime Homes - this is welcomed.

The Design and Access Statement refers to environmental factors. Policy 19 requires that all new major development (10 dwellings or more) should incorporate renewable/ low carbon energy production equipment to provide at least 10% of predicted energy requirements. It is not demonstrated how this development would meet this policy requirement?

In addition the proposed development should be addressing the requirements of Policy 32 Open space, sports and leisure.

Sompting Parish Council: Comment on **amended plans:** Although we feel this latest amendment improves the appearance the Council would still like their comments submitted in December 2020 to be taken into consideration.

Previous comments: The Councillors considered the amended plans and although **do not object** would like to make the following comments:-

We were pleased to note that the proposed number of dwellings had been reduced from the original ten to six thereby allowing for larger gardens and less environmental impact.

There were also concerns raised that the proposal did not address in any detail the required standards for the Adur Council Climate emergency declaration or Sompting Parish Council's position which also aspires to net zero carbon emissions. There is no mention of any alternative heating source or the heat exchange process other than gas which is being phased out nationally for new builds in 2025. We feel this is an oversight that could be remedied and would like to see a notable percentage reduction in carbon emissions.

There are concerns re: flooding in the area particularly from surface water run off down Halewick Lane rather than via natural water courses and we would welcome an assessment by the relevant council departments concerning any perceived or actual flood risk given the location of the proposal. The implications for waste water management were also considered.

We welcomed the recognition of the nearby South Downs Conservation area and the developers understanding that the South Downs National Park Authority's 'Dark Sky Reserve' status. Should the proposal be accepted we would like to see a covenant forbidding any additional rooflights and/or outdoor lighting being installed by owners in future.

The retention of the surrounding granite wall is obvious but welcome as is the incorporation of a bike storage facility. It was pointed out that a central waste bin storage area has apparently not been allowed for in these plans. We would also like to see the current 'communal garden' proposal opened to public recreational use with seating, planting and the obvious restrictions.

Given the position of the development the majority of Councillors strongly felt that the amended plans lacked visual impact and were not reflective of what is being replaced.

As the 'Gateway' to North Sompting; the Committee felt the appearance of the four south facing houses was unimaginative and bland and should be enhanced; possibly by introducing a more interesting and dramatic roofline, curvature, steel or wood balconies to the proposed dwellings using local materials such as the flint panels as used at Street Barn to strengthen the facades. This development presents a unique opportunity for imaginative, impactful and prestigious architectural solutions which should not be missed.

The Committee noted that when this proposal goes before the ADC Planning Committee they should be informed and have a representative of Sompting Parish Council in attendance.

Southern Water: No objection. Southern Water requires a formal application for a connection to the public foul sewer to be made by the applicant or developer.

The Council's technical staff and the relevant authority for land drainage should comment on the adequacy of the proposals to discharge surface water to the local watercourse.

It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

South Downs National Park: Site is adjacent to western boundary of the National Park. The site is the context of an existing urban conurbation and on previously developed land. The redevelopment of this site in the context described is unlikely to have significant adverse impact on the setting of the National Park. However, appropriate and sensitive landscaping along the western boundary of the site would help provide a transition from built to open environment. Consideration should be given to the impact of lighting on the dark skies of the National Park.

Representations

Amended Plans: 3 letters of objection received from the occupiers of 4 The Downs Steepdown Road, 10 Halewick Lane, 1 Highview, Sompting:

- Loss of only public house serving North Sompting community
- No plans in place to replace this community facility

- Overdevelopment
- Loss of green space
- Building line brought forward significantly
- Significant change in character at prominent road junction
- Inelegant design with awkward roofline compared to existing pub building
- Existing building should be replaced with the four proposed three bedroom houses on the current building line, with the outer two having barn end roofline and the parking and green areas in front preserved as is
- The current proposal contains a number of unacceptable errors, leading to confusion as to the exact layout of the site plan, as such we expect these documents to be scrapped and updated to an accurate and realistic representation.
- The updated documents are ambiguous and confusing for a number of reasons. The orientation of the site plan is incorrect in multiple places and therefore it is difficult to know for sure where precisely the final properties will sit in relation to one another, as this is not a true and accurate representation of the site.
- We are unsure how far set back from the road the houses will be, and it appears as though the different sides of the houses are incorrectly labelled.
- Overdevelopment of the site, with the inclusion of properties 1 & 2 an unnecessary addition.
- From what we can glean from the proposed site plans, it seems as though the proposed property no.1 will be located only a metre from our fence boundary, with (possibly) a side window overlooking our downstairs cloakroom. Not only will this infringe upon our privacy, but our biggest concern is the loss of light, not just in our garden and conservatory, but our cloakroom window is our only source of natural light for that room and our hallway, if a property is built in such close proximity it will completely obstruct our access to natural light.
- The additional elevation of the properties will also infringe upon our privacy and security with direct line of sight from several rooms of the proposed houses into our garden and inside our home. Our conservatory is in frequent use, the proposed design will enable new neighbours to have an unobstructed view through both the side windows and roof.
- We are very concerned about the lack of driveways, as it is highly likely that residents will park on Steepdown Road rather than using the car park provided. This will make it far more dangerous for us and our neighbours to safely pull out from our driveways and will most likely result in the obstruction of the bus stop along that stretch of road.
- Will the communal garden be accessible to the general public, or is it for resident use only? With the loss of the Joyful Whippet as a communal space, ideally part of the new development would maintain some community feel and access.
- The terrace of four houses should be built in the footprint of the original building, and perhaps two on its side elevation.
- Car parking and communal area would have then been better placed to the South, thus eliminating a potential traffic hazard, which they will

currently have as shown on their plans.

- They have gone from the ridiculous idea of flats, but now are trying to increase accommodation by incorporating Dormers.
- Loss of view
- Object to the over development, but work needs to be commenced ASAP, due to the Rat Infestation which is due to all the rubbish being dumped on the site.
- Unnecessary overdevelopment of land.
- Future issues with parking and vehicle access.
- Missed opportunity and complete lack of vision:
- Here we have a gateway to a National Park and there is clearly a complete lack of imagination in terms of amenity planning and provision for the area by the Parish Council and South Downs Park Authority who cannot support the social and economic wellbeing of the local communities yet alone provide for those who want to visit.
- Loss of yet another public amenity / public house (with outdoor garden) to this area without meaningful remedy will impact on community identity and will not improve social and economic wellbeing.... Have those responsible for community planning not learnt anything from this pandemic?

1 letter received on behalf of Worthing Archaeological Society re-iterating request for an archaeological assessment to be carried out on this site before any work proceeds. It is an area of much archaeological importance.

Original Plans: 10 letters of objection received from the occupiers of 1 Highview, 38 Firle Road, 147 Brighton Road, 16 Abbots View, 24 Meadowview Road, 4 The Downs, Steepdown Road plus addresses in Worthing, Horsham and Ditchling:

- Loss of landmark building
- Loss of identity, character and personality of the area
- Loss of public house, community facility
- Isolation of community, restricts community interaction and communication
- Parking in Halewick Lane already congested
- Will lead to traffic choke point
- Should be at least 21 spaces on site rather than 14 proposed
- Not a sustainable location to justify reduced parking provision
- Proposal will change roofline to be asymmetric with flat top which does not fit in well with angled roofs of houses behind and backdrop of the Downs
- Prominent and elevated position – ideal location for a public facility
- Cluttered appearance
- Loss of ecology, hedgerow and grassed area which is not compensated for in the new plans
- Business argument for closure of pub is not convincing
- Lack of local amenities and facilities
- Overdevelopment
- Something more fitting and attractive should be sought
- No evidence has been submitted of any archaeological assessment of the site.
- Roman and Saxon pottery has been found in the area previously

- Loss of light to garden
- Loss of privacy
- Impact on air quality

Relevant Planning Policies and Guidance

Adur Local Plan 2017 Policies 2, 15, 18, 19, 20, 22, 28, 30, 33, 34, 35, 36
 ‘Supplementary Planning Guidance’ comprising: Development Management Standard No.1 ‘Space Around New Dwellings and Flats’
 Sustainable Energy SPD (August 2019)
 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) provides that 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 site lies in the Built Up Area but is not within a Conservation Area. The boundary with the South Downs National Park lies to the west of Steepdown Road. The existing public house had previously been protected as an Asset of Community Value but that protection ended in 2016. Nevertheless, the building is still a community facility and policy 33 of the Adur Local Plan seeks to resist the loss of existing social or community facilities unless:

- It can be demonstrated there is no demand for the facility within the area and the premises have been marketed for a reasonable period of time; or
- There is alternative provision available locally that is accessible, and at least equivalent in terms of quality; or
- The proposed development would provide an alternative social and

community facility.

For the purposes of this policy, social and community facilities may be defined as community venues, cultural buildings, places of worship, education and health facilities, and pubs where evidence demonstrates they have a community value.

The application is supported by a statement setting out the viability considerations and addressing the requirements of Policy 33.

It states that the owners sought advice from marketing agent Fleurets on 31 July 2017 to establish a reasonable rental yield to make a public house business viable. Fleurets confirmed that a rental yield of c. £35,000 per annum + VAT would be viable. The previous tenants were retained to run the pub but they could only afford to provide half that amount in rent. While not profitable, the pub remained open for security reasons following repeated incidents of fly tipping and other anti-social behaviour until a new tenant could be found.

In May 2020, the tenants vacated the premises following the Covid outbreak. The supporting statement explains that the Government was unwilling and unable to support a business where turnover and profit levels were insufficient and would not grant funding for a business which had been failing pre-Covid 19 times.

The report goes on to state that the former owners had the site placed on the open market in 2017 but there was a lack of any bid from the community throughout this 2017 marketing period (prior to the current owner's ownership). The opportunity to save the building as a community facility has therefore passed with the failure to retain it as an Asset of Community Value.

The applicants go on to advise that there are a total of 8 public houses located locally to the application site. It is arguable whether some of those can be classed as local, with the nearest being the Miller & Carter pub in North Lancing, The Crabtree in Lancing and the Marquis of Granby in Sompting, which is also shut at the time of writing. However, it should be noted that Policy 33 only requires one of the three requirements to be met, not all, and it is considered that the case for lack of viability has been adequately met.

It is therefore considered that the loss of the building as a pub and community asset, whilst regrettable, is acceptable in light of the lack of success in maintaining it as a pub and the lack of demand in taking it on for an alternative community use.

Visual amenity

The scheme has changed significantly from its original submission which was felt to be unsympathetic with a large block of flats at the southern end, which would have resulted in the loss of the open space.

The revised scheme is more modest, with a line of four dwellings across the southern part of the site and two smaller detached dwellings further north. The dwellings include attractive design features, including replicating the canopy

porch roof design found in the pub building.

The terrace is set back 22m from the southernmost point of the site allowing retention of the open space in front to soften the approach to the development and to retain a sense of the openness which the site currently provides. This open space is shown as being used as a communal garden for residents only and it is important that an appropriate condition is imposed to ensure that no buildings or structures are erected within this space in the interests of maintaining the visual amenities of the locality. Means of enclosure around the whole site will also be an important consideration, to be reserved by condition. It is considered that the existing hedge should be retained where possible as the most appropriate boundary treatment.

The terrace will come to within 1m of the side boundaries but it is considered that because the site widens to the rear, the houses will not appear cramped or imposing in the street scene. There is a wide grass verge in Steepdown Road to the west which ensures that the houses are set about 7m from the road on that side. They are closer to Halewick Lane but are angled away from the pavement and maintain adequate spacing to that side.

The detached dwellings fronting Steepdown Road will be on the same building line as the dwellings to the north. They will sit on higher ground than the pavement, as do those houses to the north, but they will be on lower ground than their neighbours and will have a lower ridge line as a result. Those units will not have vehicular access from Steepdown Road, ensuring that the existing flint wall can be largely retained, with a small opening formed for pedestrian access only. Hedge planting will soften the appearance of the houses further.

Objections have been received to the design and layout, with calls for the dwellings to be in the same position as the existing pub building. This was considered initially during application discussions but the dwellings would need to be brought further forward than the pub in order to provide appropriate rear garden space. There were also concerns about overlooking to the houses to the north.

The plans have been amended on several occasions as Officers have sought to improve the design of the terraced houses as they will form the most prominent features facing south towards the entrance to North Sompting. Measures secured include the stepping forward of the middle terraced units, removal of part hipped roofs, changes to window design and detailing, introduction of taller roofs with gable ends, introduction of chimneys, better window detailing, use of brick quoins and corbel course, tile hanging, bay windows and simple porch canopy.

The terrace will be set back from the front of the site to enable a landscaped open space to be provided in front, softening the approach to the development.

The detached units to the north have been designed to be read as an extension to the line of chalet bungalows in Steepdown Road, but not slavishly following their design. They will face west across farmland and the National Park on raised ground. The existing flint retaining wall is to be maintained with a small

opening formed for pedestrian access. Existing conifer trees will be removed and replaced with new landscaping to soften the edge of the development. Details of all boundary treatment and landscaping will be reserved by condition.

It is considered that the current design and layout is considered to strike a balance between making efficient use of an awkwardly-shaped brownfield site, while respecting the character and amenities of the area.

Residential amenity - for proposed dwellings

The 4 bed dwellings have a floor area of 126m² while the 3 bed dwellings have a floor area of 117m² which meets the nationally described space standards. Externally, the terraced houses will have rear gardens of between 12.5 and 13.5m depth, except for Unit 3 which has a shorter garden depth of 9.6m, but greater width. The detached dwellings will also have gardens of adequate depth, at front and rear, and overall the development will provide an acceptable standard of amenity for all future occupiers.

The distance between the rear of Unit 3 and the side of Unit 2 is 13m, which falls just short of the 14m specified in the Council's DM Standard No.1. However, Unit 2 is angled away from Unit 3 and set slightly further back so that its full side elevation does not face Unit 3 and the distance increases towards the rear. It is not considered that there will be any adverse impact on future occupiers and such a shortfall is not of such significance in this case. Such a compromise will assist in making best use of this brownfield site.

In terms of traffic noise from the A27, the applicants have submitted a Noise Impact Assessment which recommends appropriate mitigation measures including double-glazing and mechanical ventilation. The Council's Environmental Health Officer has no objection subject to this being secured by condition.

Residential amenity - effect on existing dwellings

The site sits to the south of dwellings in Halewick Lane and Steepdown Road. Those dwellings are chalet bungalows with rooms in the roof which face each other at relatively close distances (16.7m between the closest dwellings), at a slight angle. The proposed terrace will be over 30m from the northern boundary and will not cause a loss of amenity for those occupiers to the north.

The detached pair are closer to the northern boundary and will have a greater impact. Unit 1 will face 1 The Abbots, Halewick Lane at a distance of just under 19m, but will not face directly towards the rear of the property. Overlooking will be oblique, similar to the situation already experienced between dwellings in Halewick and Steepdown, and on balance, it is not considered that there will be a significant loss of amenity.

The relationship with 4 The Downs, Steepdown Road is also not considered to be so harmful as to warrant refusal. There will be approximately 4.5m between the dwellings with the existing dwelling angled away. Overlooking of the garden

may be possible but it will not introduce overlooking where it does not already exist.

There are no dwellings to the west or south while to the east, houses on the opposite side of Halewick Lane are sufficiently distant to not be adversely affected,

Accessibility and parking

12 parking spaces are to be provided in the north east corner of the site, using the existing access from Halewick Lane. This equates to 2 spaces per dwelling with no visitor parking, which will need to be accommodated on street. However, there appears to be sufficient capacity on the surrounding roads to be able to accommodate visitor parking without detriment to highway safety or loss of amenity.

Secure cycle storage is also to be provided for each dwelling. Four of the parking spaces should include charging points for electric vehicles.

West Sussex Highways has not objected to the proposal on highway safety grounds.

Flood risk

Following an initial holding objection from the Council's Engineer on the grounds of lack of information about surface water drainage, the applicants have commissioned winter ground water monitoring on the site. Four mini boreholes were dug and it was found that there was a concrete obstruction beneath one of them, as a result of previous quarrying and subsequently infilling at the site. The monitoring report suggests that groundwater identified within that borehole was likely to have sat within the overlying made ground above the concrete obstruction and was not representative of true groundwater level across the site. All other locations were noted to be dry on all visits. The report recommends that a Desk Study is carried out ahead of any development on site, including for determining the extent of the quarried area. It is likely that soakaways would not be suitable within this area.

The Engineer has been passed a copy of the groundwater report but she does not consider that there is sufficient information to enable her to remove her holding objection at this time. She has therefore recommended that detailed drainage conditions are imposed to ensure that an acceptable surface water drainage scheme is implemented.

Sustainable and resource efficient buildings

The proposal does not constitute major development and Policy 18 of the Local Plan only requires new dwellings to achieve a water efficiency standard of no more than 110 litres/person/day (lpd). The Sustainable Energy SPD also only

relates to major developments and development within Shoreham Harbour. Nevertheless, the applicants have provided a brief sustainability statement which covers items such as passive heating and cooling design with high efficiency and energy efficient features such as well insulated walls, floors and roof to minimise the use of mechanical ventilation, heating and cooling systems. The installation of energy efficient boilers and heating systems will contribute to the overall goal of reducing energy demands by 20%. Rainwater Harvesting will be optimised by using the rainwater for each house for the use of the future occupants to water gardens etc. The rainwater can be saved using water butts attached to the rainwater down pipes.

The application does not include any renewable energy technology but, at 6 dwellings only, the proposal does not constitute major development and Policy 18 of the Local Plan only requires new dwellings to achieve a water efficiency standard of no more than 110 litres/person/day (lpd). This can be controlled by condition.

Open Space

As the development is less than 10 dwellings there is no scope to secure any off site contribution towards open space provision. However, the scheme includes an area of communal open space at the front of the site for residents to use. The applicant has confirmed that a management company would deal with future maintenance of this area and a condition is recommended to agree a maintenance regime.

Recommendation

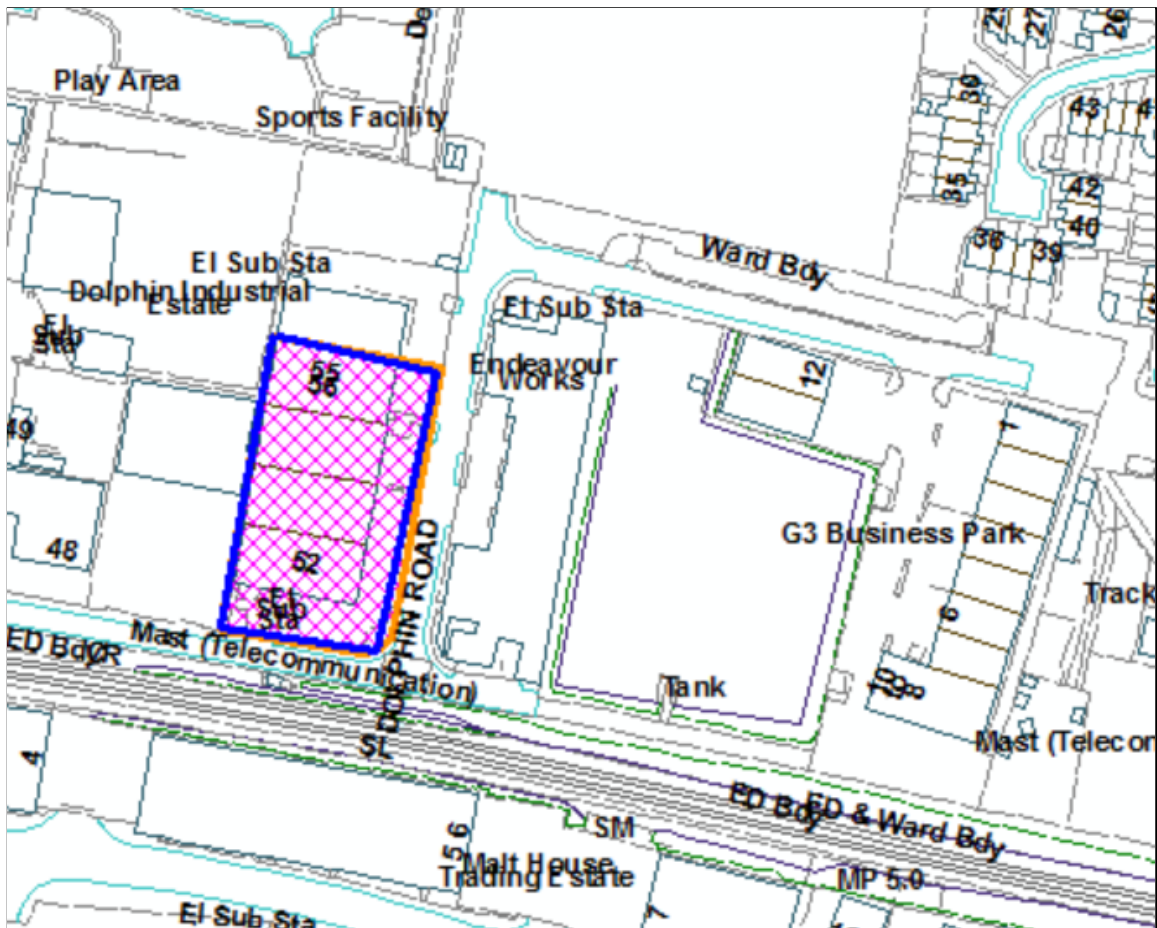
Approve

Subject to conditions:-

1. Approved Plans
2. Standard 3 year time limit
3. Materials
4. Boundary treatment
5. Landscaping
6. Parking
7. Cycle storage
8. Access closure
9. Water efficiency
10. CMP
11. Noise
12. Hours of work
13. 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.

14. 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.
15. No lighting
16. EV charging spaces
17. Waste storage location and design to be agreed
18. No buildings or structures in communal garden
19. Removal of PD
20. Maintenance plan for open space and requirement for ongoing maintenance and management.

Application Number:	AWDM/0126/21	Recommendation - Approve
Site:	Unit 5, 52 Dolphin Road, Shoreham-By-Sea	
Proposal:	Change of use of Units 2-5 from Use Class B1 to food production (Use Class B2) and ancillary offices.	
Applicant:	Higgidy	Ward: St Mary's
Agent:	DowsettMayhew Planning Partnership	
Case Officer:	Peter Barnett	



Not to Scale

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Proposal, Site and Surroundings

The application relates to four commercial units in a linear run of five that are aligned north-south, with a front elevation facing east, at the eastern end of Dolphin Road. The site is bordered to the north by an existing commercial unit within the same run, that is already occupied by the applicants, the food producers Higgidy. The applicants also occupy 57-60 Dolphin Road directly opposite the site.

The application buildings comprise 3 storey B1 commercial units that are brick built with horizontal weatherboarding on the recessed upper floor.

It is proposed to change the use of the units to Class B2. No external changes are proposed. The Design and Access Statement submitted with the application explains that:

“The buildings would be used in association with the company’s production of food, with the existing offices within the buildings occupied on an ancillary basis. The scheme would enable the expansion of this successful local company to meet increasing customer demand. The units would be occupied as an integral part of Higgidy’s operations. They would be used for food production, and ancillary purposes, including research and development, offices, and chilled and ambient storage.”

This is a Major application as the total floorspace involved is 2480m².

Relevant Planning History

AWDM/1880/15 - Demolition of 50 Dolphin Road and construction of new commercial building providing circa 2,450 sqm of B2 (general industrial) floorspace and circa 1,000 sqm of B1a (office) floorspace within a 3 storey building, with associated parking, plant room and landscaping.

The Planning Committee resolved to grant planning permission for the above application which was for new Higgidy premises on land to the north and northwest of the current application site, subject to a s106 Agreement being completed.

However, it was not possible at that time for the applicants to pursue the scheme and it was eventually withdrawn.

AWDM/1282/16 - Extension to existing hardstanding to provide 25 car parking spaces along eastern side of existing access road between 50 Dolphin Road and Middle Road to allow parking and restricted egress onto Middle Road - approved

AWDM/0318/21 - Single storey rear (east) extension to existing food manufacturing facility, including first floor roof terrace, external staircase and cage lift at southern end, new first floor door openings to serve proposed terrace, relocation and extension of vent extracts - approved (57-60 Dolphin Road).

Consultations

West Sussex County Council: No objection. Comments as follows:

Car Parking Spaces: There are currently 85 car parking spaces in 5 parking areas. Change of use of units 2-5 will result in an additional 28 car parking spaces.

Lorry Loading/Unloading: A tracking plan (Transport Note i-Transport IBT15647-001) has been provided showing the existing loading/unloading areas and HGV manoeuvres. This is not proposed to change as a result of this application. Note it is essential these areas are kept free of parked cars to continue to allow these manoeuvres.

Current and Expected number of Deliveries: At present it is estimated there will be 8 HGV's delivering to the site and 4 HGV's dispatching manufactured goods. As a result of these proposals it is estimated these numbers will increase to 12 delivering and 6 dispatching. A total of 12 additional HGV movements per day (two-way).

Staff numbers: An estimate of 24 additional production staff will occupy the new units. Office staff increase will be minimal and has reduced as a result of Covid-19. However a Staff Travel Plan should be developed.

The additional information is acceptable, no highway objection subject to conditions to secure car parking and a Travel Plan.

Adur & Worthing Councils: The **Environmental Health** officer has no objection

Representations

None received

Relevant Planning Policies and Guidance

Adur Local Plan 2017 Policies 2, 4, 15, 25, 28, 34
WSCC Guidance on Parking at New Developments (Sept 2020).
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

Policy 25 recognises the Dolphin Road Industrial Estate as a protected employment site where proposed conversions to uses other than employment (B1, B2 and B8 of the Use Classes Order) will be resisted. The upgrading of existing employment sites and buildings will be supported. Furthermore, the previous permission (AWDM/1880/15) demonstrated the Council's support for the growth and expansion of Higgidy, a successful local employer.

Given the site's proximity to existing Higgidy operations and Local Plan policy support for strengthening the local economy, it is considered that this proposal for B2 use fully accords with the aims of Policy 25 and the principle of the change of use is acceptable.

Accessibility and parking

The applicant has provided supporting information in the form of the D&A Statement and a technical note from their transport consultants to explain the traffic impacts of the proposal.

It is explained that *"the increase in food production that would be facilitated by the proposal would not, necessarily, result in a pro rata increase in traffic, as a result of the enabling of a rationalisation of traffic movements, such as in respect of the delivery of raw ingredients, and despatch of finished products."*

Higgidy currently occupies units immediately to the east of the application site, the commercial business unit to the north (Unit 1, number 56), used as a despatch facility, and a unit to the west which is used for the delivery of raw ingredients. The applicants believe that the proposed occupation of these additional units will be likely to lead to an overall reduction in traffic movements as activity associated with the existing occupiers (Pyroban) will cease.

The applicant's agent explains that there will be some new employment roles created but also existing staff will be relocated from the adjoining units. At present, Higgidy food production operates on a 24-hour basis, across a four shift rotation. Each shift is 12 hours, and comprises some 50 production staff on site at any one time. In addition to this are circa 60 office based staff; resulting in a theoretical maximum number of 110 people on site at peak time, during the normal working day. In practice, Covid-19 protocols mean many of the office-based staff now work from home, thereby significantly reducing this

number.

West Sussex Highways Officers have considered this, together with additional information on parking, loading/unloading, deliveries and staff numbers, as set out in their comments above, and they are satisfied that there will not be any adverse impacts on highway safety or an unacceptable increase in traffic numbers or parking demand and they have no objection to the proposal, subject to the provision of a Travel Plan.

Residential Amenity

The nearest residential properties are located some 90m to the north on Kingsland Close.

The proposed use will expand existing food manufacturing activities currently undertaken in the industrial units to the east, and to the north. There have been no complaints related to the existing activity and there is no reason to consider that the proposal will introduce activities that will lead to harm to residential amenity, especially in view of the separation distances to the nearest residential properties.

Nevertheless, in the interests of amenity, it is considered prudent to add a condition to require details of any extraction equipment should it be necessary in the future.

Recommendation

Approve

Subject to conditions:-

1. Approved Plan
2. Standard 3 year time limit
3. Car parking
4. Travel Plan
5. No extraction or other air handling plant or externally-sited machinery shall be installed until details of the plant and machinery (including details of mounting and noise attenuation measures) have been submitted to and approved in writing by the Local Planning Authority and they shall only be installed in accordance with the approved details. The acoustic attenuation measures shall be completed prior to use and thereafter retained permanently and maintained in good working order.

7th June 2021

Local Government Act 1972

Background Papers:

As referred to in individual application reports

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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.