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Minutes of a meeting of the
Adur Planning Committee
8 November 2021
at 7.00 pm

Councillor Carol Albury (Chair)
Councillor Stephen Chipp (Vice-Chairman)

Councillor Dave Collins
Councillor Tania Edwards
Councillor Jeremy Gardner

Councillor Paul Mansfield
Councillor Steve Neocleous
Councillor Carol O'Neal

****Absent**

Officers: Head of Planning and Development, Planning Services Manager, Senior Lawyer and Democratic Services Officer

ADC-PC/54/21-22 Substitute Members

There were no substitute members.

ADC-PC/55/21-22 Declarations of Interest

Cllr Mansfield declared a personal interest in item 5, as he resided at 2 Avon Close and rented a garage from the Council within the proposed development site.

ADC-PC/56/21-22 Public Question Time

There were no questions raised under Public Question Time.

ADC-PC/57/21-22 Confirmation of Minutes

RESOLVED, that the minutes of the Planning Committee meeting held on 4 October 2021 be confirmed as a correct record and that they be signed by the Chairman.

ADC-PC/58/21-22 Items Raised Under Urgency Provisions

There were no items raised under urgency provisions.

ADC-PC/59/21-22 Planning Applications

The planning applications were considered, see attached appendix.

ADC-PC/60/21-22 Planning Appeals

There were none to report.

The Chairman closed the meeting at 20.48, having commenced the meeting at 19.00.

Chairman

Application Number: AWDM/1154/21	
Site:	Land Opposite 269 To 287 Old Shoreham Road, Southwick (Former Eastbrook Allotments site)
Proposal:	Erection of extension to south and west of existing Garden Centre, providing Internal Retail Area, Warehouse and associated Goods Delivery Yard. Extension and landscaping of External Retail Area to west of Garden Centre including new security fencing to Western boundary. Demolition of existing frost canopies and erection of new semi-enclosed glass roof frost canopy. Diversion of existing Public Right of Way. Creation of new vehicle access from Old Shoreham Road. Internal alterations including relocation of Offices and replacement of existing Goods Lift.

The Head of Planning and Development outlined the application, which included various plans and photographs to assist the Committee's consideration of the matter.

At the conclusion of the presentation, he confirmed the Officer's recommendation was for approval.

Members raised queries with the Officer which included whether the opening hours of the Garden Centre would be altered. The Officer confirmed that there was no indication of this in the application but the hours of construction were covered within the report.

Another query was in relation to ownership of the footpath. The Officer stated that the re-routed footpath would belong to the applicant but because it was a right of way it would be protected.

There was further representation from a registered speaker in support of the application.

During debate, Councillors noted that there appeared a break in the footpath to allow delivery vehicles and queried whether there would be provision for traffic slowing. The Officer advised that the applicant would be required to ensure there was suitable vision around the access crossing to ensure the safety of pedestrians.

The Committee Members voted unanimously in favour of the application.

Decision

That the planning application be **APPROVED**, subject to receipt and consideration of comments from Brighton and Hove City Council, and to the following conditions:-

1. Approved Plans
2. Standard 3 year time limit
3. Construction Management Plan
4. Car parking
5. Cycle parking
6. Travel Plan
7. Precautionary contaminated land
8. Compliance with the AQ Assessment and Emission Mitigation Assessment
9. Hours of construction
10. External lighting
11. The developer must agree with Southern Water, prior to commencement of the development, the measures to be taken to protect the public sewers
12. Construction of the development shall not commence until details of the proposed means of foul sewerage disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water
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. 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
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. 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.
15. Immediately following implementation of the approved surface water drainage system and prior to occupation of any part of the development, the developer/applicant shall provide the local planning authority with as-built drawings of the implemented scheme together with a completion report prepared by an independent engineer that confirms that the scheme was built in accordance with the approved drawing/s and is fit for purpose. The scheme shall thereafter be maintained in perpetuity
16. External materials

17. Hard and soft landscaping
18. Boundary treatment
19. Sustainability
20. Noise mitigation in the form of a 1.8m noise barrier along the western boundary. and a barrier around the jetwash station to be provided
21. No development until Ecological Management Plan submitted to include details of reptile translocation and mitigation of impact on badgers
22. Hours of opening
23. Waste provision

Application Number: AWDM/1032/21	
Site:	Land Opposite 269 To 287 Old Shoreham Road, Southwick (Former Eastbrook Allotments site)
Proposal:	Proposed redevelopment of the former allotment site to create a new purpose built Car Showroom and service centre, with associated sales display space and 103 staff and customer car parking spaces. Formation of new public footpath to connect to existing footpath on east boundary.

The Head of Planning and Development outlined the application, which included various plans and photographs to assist the Committee's consideration of the matter.

The Officer clarified that the CGI image was the image shown to the public under consultation but did not match the plans submitted with the application.

At the conclusion of the presentation, he confirmed the Officer's recommendation was for approval.

Councillors raised a question regarding the increased lighting on the site and how it would affect the residential properties opposite. The Officer stated that a condition for motion sensor lighting, as well as restricting hours of lighting, had been sought.

There was further representation from a registered speaker in support of the application.

Councillors raised concerns regarding the CGI image differing from the plans shown in the presentation. The Officer confirmed that some improvement in the appearance of the proposed building would be sought and suggested a delegation to secure improvements. Councillors agreed that they would like very strong representation to ensure that those enhancements would be completed.

Decision

The Planning Committee agreed that the decision to **APPROVE** be delegated to the Head of Planning and Development to secure design improvements to the proposed showroom/servicing building; resolve the requirement for a Travel Plan monitoring fee; await receipt of comments from Brighton and Hove City Council; and be subject to the following conditions, which included agreed additional conditions to control the hours of illumination for the showroom and a requirement to meet BREEAM very good:-

1. Approved Plans
2. Standard 3 year time limit
3. Construction Management Plan
4. Car parking
5. Cycle parking
6. Travel Plan
7. Precautionary contaminated land
8. Compliance with the AQ Assessment and Emission Mitigation Assessment
9. Hours of construction
10. External lighting
11. The developer must agree with Southern Water, prior to commencement of the development, the measures to be taken to protect the public sewers
12. Construction of the development shall not commence until details of the proposed means of foul sewerage disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water
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. 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
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. 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.
15. Immediately following implementation of the approved surface water drainage system and prior to occupation of any part of the development, the developer/applicant shall provide the local planning authority with as-built drawings of the implemented scheme together with a completion report prepared by an independent engineer that confirms that the scheme was built in accordance with the approved drawing/s and is fit for purpose. The scheme shall thereafter be maintained in perpetuity
16. External materials
17. Hard and soft landscaping
18. Boundary treatment
19. Sustainability
20. Noise mitigation in the form of a 1.8m noise barrier along the western boundary. and a barrier around the jetwash station to be provided

21. No development until Ecological Management Plan submitted to include details of reptile translocation and mitigation of impact on badgers
22. Hours of opening
23. Waste provision
24. To control the hours of illumination for the showroom
25. To meet BREEAM rating very good.

Application Number: AWDM/2044/20	
Site:	Former Riverbank Business Centre, 39 Old Shoreham Road, Shoreham-By-Sea (Ropetackle North)
Proposal:	Application to vary Condition Number 26 of previously approved AWDM/0935/13. Amendment: retail store to be utilised as a convenience store to be open for trade or business other than between the hours of 7.00 am and 10.00 pm on a 7 day per week basis, including Public Holidays.

The Planning Services Manager outlined items 6.3 and 6.4 together as they were identical.

The Officer further advised item 6.3 was on behalf of One Stop and item 6.4 at present had no named user. Item 6.3 was submitted late in 2020 when the majority of the Ropetackle development had been unoccupied and had no objections. Item 6.4 had been submitted some months after and at the time of the report 17 objections had been received, and had now increased to 23.

The Environmental Health Officer had also raised no objection to item 6.4 and the Officer advised the applicant had agreed to an amendment of the hours to 7am to 10pm, not as stated within the report.

There were three registered objectors who spoke of concerns that a convenience store would impact negatively on residents with regards to issues of noise and light pollution, anti-social behaviour, parking issues and increased traffic.

During debate, Councillors concurred with the objectors that the proposed increase of opening hours had the potential to be disruptive to residents.

Decision

That the planning application be **DEFERRED** to consider a further reduction in opening hours.

Application Number: AWDM/1801/21	
Site:	Former Riverbank Business Centre, 39 Old Shoreham Road, Shoreham-By-Sea (Ropetackle North)
Proposal:	Application to Vary Condition 26 of previously approved AWDM/0935/13. Amendment: to allow the retail store to be used as a convenience store to allow for extended opening hours from 7am to 10pm seven days a week (including bank holidays).

Decision

That the planning application be **DEFERRED** to consider a further reduction in opening hours.

Application Number: AWDM/1063/21	
Site:	Garage Site Off Avon Close And West Of 19 Sylvan Road, Sompting
Proposal:	Demolition of garage blocks and construction of 6 dwellings (4 x 2 storey dwellings and 2 x single storey bungalows) with access off Sylvan Road and Avon Close.

The Planning Services Manager outlined the application, which included various plans and photographs to assist the Committee's consideration of the matter.

The Officer stated he had received confirmation that Southern Water, having seen further details, raised no concerns.

There were no registered speakers on this application.

Councillors asked for confirmation that the proposed dwellings were for people on the housing register; that the Twittens were remaining and that any future extensions on the properties would not be permitted. The Officer confirmed that this was the case.

Following debate the Committee Members voted unanimously in favour of the application.

Decision

That the planning application be **GRANTED**, subject to the following conditions:

1. Approved Plans
2. Full Permission
3. 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.

4. 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.
5. No part of the development shall be first occupied until such time as the vehicular access serving the development has been constructed in accordance with the details shown on the approved plan. Reason: In the interests of road safety.
6. No part of the development shall be first occupied until the car parking has been constructed in accordance with the approved site plan. These spaces shall thereafter be retained at all times for their designated purpose.

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

7. No development shall be commenced until such time as plans and details have been submitted to and approved in writing by the Local Planning Authority showing the site set up during construction. This shall include details for all temporary contractors buildings, plant and stacks of materials, provision for the temporary parking of contractors vehicles and the loading and unloading of vehicles associated with the implementation of this development. Such provision once approved and implemented shall be retained throughout the period of construction.

Reason: To avoid undue congestion of the site and consequent obstruction to access.

8. No part of the development shall be first occupied until covered and secure cycle parking spaces 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.

9. The developer must advise the local authority (in consultation with Southern Water) of the measures which will be undertaken to divert the sewers, prior to the commencement of the development.
10. No works or development shall take place until full details of all hard and soft landscaping works and the proposed times of planting have been approved in writing by the Local Planning Authority and all soft landscape works shall be carried out in accordance with those details and at those times. Any plants which within a period of five years from the time of planting die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local

Planning Authority gives written consent to any variation.

11. No additional windows shall be installed in the western elevations of the dwellings hereby approved.
12. Approval of Materials.
13. Removal of permitted development rights for any extensions/alterations.
14. Hours of Construction to be limited to 0900 to 1700 hours Monday to Friday, 0900 hours to 1300 hours on Saturday and no working on Sundays or Bank/Public Holidays.

Informatives

Infiltration rates for soakage structures are to be based on percolation tests undertaken in the winter period and at the location and depth of the proposed structures. The 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 details regarding our requirements are available on the following webpage

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

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