

Public Document Pack

**Minutes of a meeting of the
Adur Planning Committee
8 August 2022
at 7.00 pm**

Councillor Carol Albury (Chair)
Councillor Joe Pannell (Vice-Chair)

Councillor Vee Barton
Councillor Jim Funnell
Councillor Carol O'Neal
Councillor Julian Shinn

*Councillor Mandy Buxton
Councillor Jeremy Gardner
*Councillor Dan Flower

*Absent

Officers: Planning Services Manager, Adur Planning Policy Manager, Senior Lawyer and Democratic Services Officer

ADC-PC/15/22-23 Substitute Members

Councillor Jude Harvey substituted for Councillor Dan Flower
Councillor Paul Mansfield substituted for Councillor Mandy Buxton

ADC-PC/16/22-23 Declarations of Interest

There were no declarations of interest.

ADC-PC/17/22-23 Public Question Time

Bill Freeman on behalf of Adur Floodwatch Group & Lancing Manor SE Residents Network asked -

Please bear with me for a few moments whilst I give you the context of my question. Adur Floodwatch reported to the Adur drainage engineer last month that Manor Car Sales had flooding problems last winter. They are located on the A27 westbound behind the carwash next to the NMF development. Last winter, despite the lower than seasonal levels of rainfall and groundwater, this businesses forecourt for periods of time had ankle deep flooding across pretty much all their site. This is the first time this has happened in the 3 years they have been there. So what changes have taken place to cause this?

Change 1 A long, 12 feet high earth mound has been created east of the adjoining Mash Barn Lane. This may be temporary until the ground is reprofiled for the school site when we assume it will be brought back to original levels.

Change 2. The N Lancing drainage ditch runs from the Horsey Field west of Mash Barn Lane have been diverted now into the Northern Channel which overpumps into the River. The ditch into which that drainage originally flowed from the Horsey Field into the NMF ditch network has been filled in order to make ground for the commercial area originally designated for IKEA.

Change 3. The first phase of the Cala Homes development has taken place and we

understand that it, too, is having winter drainage problems requiring specialist attention. We are certain that this 1st phase development has contributed to the flooding in the Horsey fields last winter, despite the low levels of rainfall and groundwater. This also reported to Adur drainage engineer with photographic evidence.

As required by the NPPF para 167, developments should not cause such flooding problems elsewhere.

Question -

With the autumn months approaching, can planning committee confirm that these issues will be attended to as a matter of urgency, assessed and remedied before the heavy rainfall months of November to March are upon us?

Response -

Unfortunately due to the Lead Officer for this application being absent, it has not been possible for a draft response to be prepared prior to this meeting. As a consequence Officers will give an undertaking to provide a written response within 3 three working days.

Supplementary Question -

Drainage is an issue in Adur. Adur Drainage Officer is responsible for enforcement of ditches. Can you guarantee a similar calibre officer will be appointed?

Response -

As for the previous question.

Barbara O'Kelly, on behalf of Adur Residents Environmental Action (AREA) asked -

A new study, published in the European Respiratory Journal, has identified a link between lung health in under 10's and the proximity of parkland to their home, even when poor air quality is taken into account. Another study by the Barcelona Institute for Global Health, found that living close to greenery had a positive impact on the behaviour and health of children.

The NPPF states that developments should promote healthy lifestyles with open spaces

JAAP ref. SH8 states that development proposals will be required to provide HIGH QUALITY public open spaces and green infrastructure on site. I emphasise ON SITE.

The JAAP developments have, so far, not included HIGH QUALITY open spaces or quality play areas. Developers get around that by stating they will make S106 contributions to enhance green spaces and play parks some distance from the development, meaning children will have to cross the polluted, busy A259 to reach these areas. The walk beside this road is noisy and filthy, with pavements covered in dust and dirt.

Will the Council and planning committee research purchasing some land along the A259 to create a quality park especially suitable for children.

Question:

Will you seriously consider using your power to insist that:

1. Current developments revise their plans to include quality play areas and green

spaces;

2. Any future developments follow medical evidence, the NPPF and requirements in the JAAP plan and include high quality public open space and play areas in their plans.

It is up to you, as the Local Planning authority to enforce and implement these regulations.

Response:

1) Policy CA7: Western Harbour Arm of the JAAP document states:

Where open space requirements cannot be met on site, development will be expected to contribute towards the creation of the proposed green corridor along the A259, and/or existing open spaces, such as The Ham and Kingston Beach.

In accordance with S38(6) Planning and Compulsory Purchase Act 2004 any determination has to be made in accordance with the Local Plan unless material considerations indicate otherwise.

A range of open space provision has been secured from the developments within the Western Harbour Arm as follows:

AWDM/1497/17 Free Wharf - include a range of green infrastructure including planting beds, throughout the site, with public access

AWDM/0204/20 Kingston Wharf includes four areas of communal gardens and play space

Developments within the Western Harbour Arm will also bring forward a range of public realm improvements, including the riverside walkway.

(Please note that the Adur Civic Centre does not lie within the Shoreham Harbour Regeneration Area or Western Harbour Arm allocation - see map page 118 of the Joint Area Action Plan: <https://www.adur-worthing.gov.uk/media/Media,156282,smxx.pdf>)

The planning authority is not able to require changes to existing planning permissions.

2) A review of the Shoreham Harbour Regeneration Area Western Harbour Arm will form part of the wider Adur Local Plan review. This will provide an opportunity to look at the provision of open space at the Western Harbour Arm, as well as the Local Plan policy for open space provision, to inform developments coming forward.

Supplementary question -

I have read guidance from the Royal Town Planning Institute, Fields in Trust and the Children's Commission for England.

The Children's Commission for England recommends that planning guidance should specifically include children's need for safe open spaces and play opportunities. We have a childhood obesity crisis and expecting children to live in a development area with inadequate safe space to exercise and interact is wrong.

Has Adur Council incorporated this recommendation specifically relating to open space and play areas for children into their planning guidance to make clear to developers what

they expect and that you will not be fobbed off by accepting S106 monies to improve play areas far removed from the development? If you have not, will you do so?

Response -

The Adur Local Plan does already contain Policy 32 on open space, recreation and leisure, which sets out a broad policy approach to open space including play areas and also sets out standards which are used to require open space in development. We see this as very important but it is not always possible for us to achieve open space on site and where relevant we can ensure that monies are taken to spend on open spaces and play areas in the vicinity of that development. There is also a review of the Adur Local plan in progress.

The Officer also gave an undertaking to provide a fuller written response within 3 three working days.

ADC-PC/18/22-23 Confirmation of Minutes

RESOLVED, that the minutes of the Planning Committee meeting held on 06 June 2022 be confirmed as a correct record and that they be signed by the Chairman.

ADC-PC/19/22-23 Items Raised Under Urgency Provisions

There were no items raised under urgency provisions.

ADC-PC/20/22-23 Planning Applications

The planning applications were considered, see attached appendix.

ADC-PC/21/22-23 Adur Local Plan Members Working Group

The Adur Planning Policy Manager delivered the report explaining that the recommendation was to re-establish the Adur Local Plan Members Working Group with a format of members that reflects the format of the council, i.e. 4 Conservative Members, 2 Labour, 1 Independent and 1 Green.

Members expressed approval for this proposal and were keen that it should be up and running as soon as possible.

The meeting ended at 8.00 pm

Chair

Application Number:	AWDM/0930/22	Recommendation - Approve
Site:	Seaside Primary School, Freshbrook Road, Lancing	
Proposal:	Construction of a new sports hall with dry changing rooms, sports storage, accessible WC, and plant room, open air-source heat pump enclosure, and minor modifications to the existing footpath. Application to Vary Condition 1 (approved plans) of previously approved AWDM/1732/21. Amendments: Reduction in overall building height, additional grilles for ventilation, reduction in number but increase in size of hall ventilation units, external wall lighting, change enclosure of air source heat pumps, reduction in floor area	
Applicant:	New Horizons Academy Trust	Ward: Widewater
Agent:	Melissa Hitchcock - Burns Guthrie and Partners	
Case Officer:	Peter Barnett	

The Planning Services Manager delivered the presentation explaining that he had received no further information since the report had been written.

This application, which had already been given planning permission late in 2021, now sought some amendments to that permission including a smaller floor size and height of the building plus different grill sizing and external wall lighting.

Officers raised questions regarding condition 6 in the report which referred to noise levels. It was ascertained that the wording of this condition was an error and should read 37 dB and not 53 dB.

Other questions were raised about whether the level of external lighting was to be below hedge height which the Officer confirmed was the case.

There was one registered speaker objecting to the application. Their representation focused around increased noise levels and asked for a deferral to allow the applicant to devise a plan to reduce these levels.

During debate members discussed reasons for the proposed amendments and concluded they were due to cost issues. Noise levels were discussed in detail as well as designated parking areas for construction workers.

Members proposed a deferral to allow the applicant to provide more information regarding lighting and noise levels. This proposal was seconded and voted on but not carried, having a vote of 3 in favour and 6 against.

The Officer confirmed for members that conditions 3 and 6 could be amended to specify the correct noise levels allowed and that a designated on site parking area for construction workers was supplied. Members considered these amendments and a proposal was made to approve with the amended conditions. This was seconded, voted on and carried with a vote of 6 in favour, 2 against and 1 abstention.

Approved subject to conditions:-

1. Approved Plans
2. Standard Time Limit
3. Construction Management Plan (to be amended)
4. The sports hall hereby approved shall be for school use during term time only and shall not be hired out or used by external groups at any time. The hall shall only be used between 7.30am and 6pm Monday to Friday and shall not be used at weekends or during school holidays. The ventilation louvres on the western elevation shall not be opened until 8am at the earliest.
5. Works of construction or demolition, including the use of plant and machinery, necessary for implementation of this consent shall be limited to the following times.
Monday - Friday 08:00 - 18:00 Hours
Saturday 09:00 - 13:00 Hours
Sundays and Bank Holidays no work permitted
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.
The development shall be carried out in full accordance with the Noise Impact Assessment by Anderson Acoustics dated 7 July 2022 and all works which form part of the approved scheme shall be completed before the permitted use commences.
6. The level of noise breakout from the sports hall when in use shall not exceed 53dB LAeq,15min at the monitoring position specified in section 4.2 of the Noise Impact Assessment (Anderson Acoustics ref. 5343_002R_2-0_PA dated July 2022). (to be amended)
7. The cumulative noise level from all ASHPs and ventilation plant listed in Table 5-1 of the Noise Impact Assessment (Ref: 5343_002R_2-0_PA dated 7 July 2022) hereby permitted shall comply with the levels specified within the Noise Impact Assessment. A test to demonstrate compliance with the scheme shall be undertaken within one month of the scheme being implemented. All plant shall be maintained in accordance with manufacturers guidance and any future plant shall also meet the specified levels within the approved scheme
8. 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.

9. 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.
10. No development shall be carried out unless and until a schedule of materials and finishes to be used for the external walls (including windows and doors) and roof of the proposed building has been submitted to and approved in writing by the Local Planning Authority and the development shall be completed in accordance with the approved schedule.
11. No external lighting or floodlighting shall be installed except in accordance with the approved plans. The lighting shall not be switched on outside of the approved opening hours for the hall.
12. The development shall be carried out in full accordance with the Energy Statement by Delta Green dated 28th July 2021 submitted with AWDM/1732/21
13. The windows in the west elevation of the building hereby permitted shall at all times be glazed with obscured glass.
14. The door in the south elevation of the building hereby permitted shall remain closed except in emergencies and shall not be used for general access or ventilation.

This page is intentionally left blank