



ADUR DISTRICT COUNCIL

28 October 2022

Adur Planning Committee	
Date:	7 November 2022
Time:	7.00 pm
Venue:	QEII Room, Shoreham Centre, Shoreham-by-Sea

Committee Membership: Councillors Carol Albury (Chair), Jeremy Gardner, Carol O'Neal, Vee Barton, Mandy Buxton, Dan Flower, Jim Funnell, Joe Pannell (Vice-Chair) and Julian Shinn

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 04 November 2022**.

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 03 November 2022**.

Where relevant notice of a question has not been given, the person presiding may either choose to give a response at the meeting or respond by undertaking to provide a written response within three working days.

Questions should be submitted to Democratic Services – democratic.services@adur-worthing.gov.uk

(Note: Public Question Time will last for a maximum of 30 minutes)

4. Confirmation of Minutes

To approve the minutes of the Planning Committee meeting held on 5th September, 28th September and 3rd October 2022, 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 3 - 28)

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

Part B - Not for publication - Exempt Information Reports

None.

Recording of this meeting

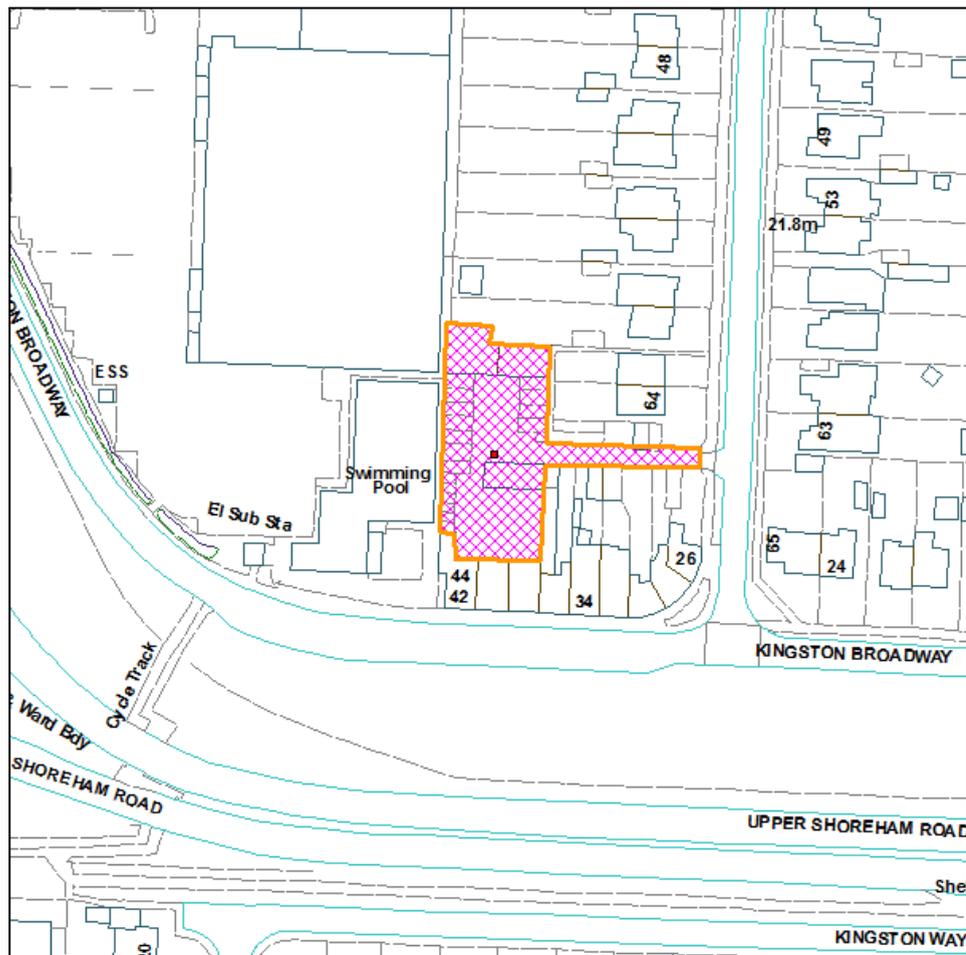
Please note that this meeting is being live streamed and a recording of the meeting will be available to view on the Council's website. This meeting will be available to view on our website for one year and will be deleted after that period. The Council will not be recording any discussions in Part B 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:
Katy McMullan Democratic Services Officer 01903 221006 katy.mcmullan@adur-worthing.gov.uk	Caroline Perry Senior Lawyer & Deputy Monitoring Officer 01903 221081 Caroline.perry@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.

Agenda Item 6

Application Number:	AWDM/0607/22	Recommendation - Approve
Site:	Garage Compound Rear Of Kingston Broadway Hawkins Road Shoreham-by-Sea	
Proposal:	Demolition of existing buildings (B1 and B8) and construction of 5no. two bedroom Live/Work mews dwellings.	
Applicant:	Mr Ben Hurd	Ward: Hillside
Agent:	7 Surveying & Construction Management Ltd	
Case Officer:	Peter Barnett	



Not to Scale

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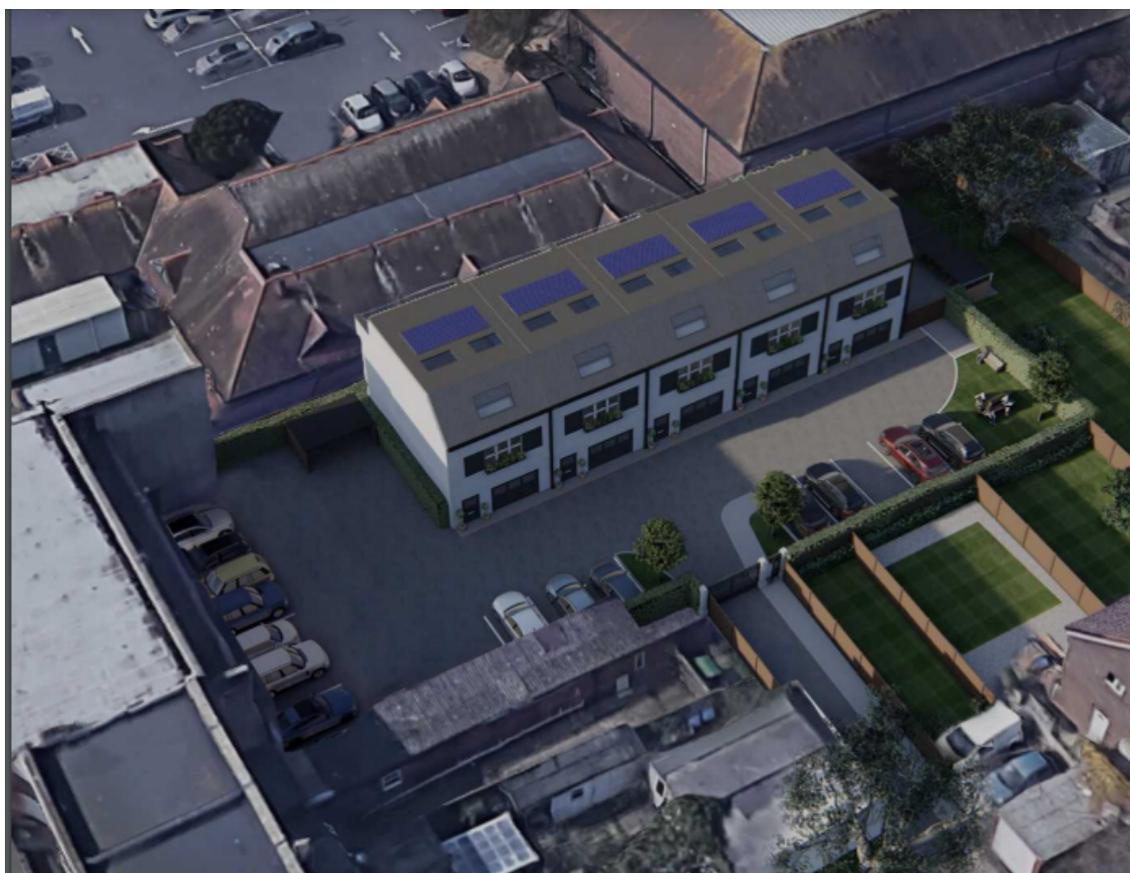
Proposal, Site and Surroundings

The application site is a backland site which is accessed via a private road off Hawkins Road. It currently contains a number of garages and includes a car repair and MOT station.

The site is surrounded on all sides by existing development. To the north and east are the rear gardens and houses in Hawkins Road. To the south is a three-storey block of shops with flats over (Kingston Broadway) and to the west is Wadurs swimming pool and the Next store.

It is proposed to remove the garage buildings and to redevelop the site to provide a terrace of 5no. two bedroom Live/Work mews dwellings on three floors. The ground floor will contain the commercial floorspace with the bedrooms on the first floor and an open plan living area on the top floor with west facing balcony. The building has a two storey form with a pitched roof containing a rooflight when viewed from the front (east). The layout plan shows the building running north-south along the western boundary, abutting Wadurs pool. Fifteen surface parking spaces are shown along the eastern and southern boundaries.

The building measures 9.5m tall, 10.9m wide and 30m long. It is 6.8m tall to the bottom of the front roofslope. The building is to be finished using render with a slate effect roof.



Relevant Planning History

SU/196/03 - Redevelopment With Two-Storey Block Of 8 One-Bedroom Flats & 17 Parking Spaces (Outline With Access & Siting Details) - application refused

SU/249/04 - Redevelopment With Two-Storey Block Of 8 One-Bedroom Flats & 17 Parking Spaces (Outline With Access Details) - application refused and appeal dismissed

ADC/0737/07 - Redevelopment with 4 one-bedroom flats and 2 two-bedroom townhouses with integral garages, with associated parking for flats at No's. 44 A-D Kingston Broadway (outline including access details) - application refused for the following reasons:

- 1. Having regard to the limited area of the site and its 'backland' relationship to existing residential properties, the proposal would give rise to an unneighbourly form of development which would be detrimental to the residential amenities and environment of the locality, adversely affecting the privacy and quiet enjoyment of the neighbouring rear gardens and representing an over-intensive use of the site out of keeping with the character of the area. It therefore conflicts with policies AG1 and AH2 of the Adur District Local Plan and DEV1 and LOC1 of the West Sussex Structure Plan.*
- 2. The proposal does not incorporate adequate standards of residential amenity for the proposed flats owing to poor layout, poor outlook and insufficient usable amenity space and it therefore conflicts with policies AH2 of the Adur District Local Plan and DEV1 of the West Sussex Structure Plan.*

A subsequent appeal was also dismissed.

Consultations

West Sussex County Council: The Highways Authority has no objection subject to conditions relating to vehicle parking and turning, cycle parking, EV charging spaces. Comments:

Access Arrangements

The site is located off Hawkins Road, an unclassified road subject to a speed restriction of 30 mph. No alterations are proposed to the existing access arrangement. An inspection of data supplied by WSCC by Sussex Police over a period of the past five years reveals that there have been no incidents of personal injury accidents (PIA) reported to the site access which indicates the site access has been operating in a safe manner in its present form. Upon inspection of the WSCC maps, in accordance with Manual for Streets standards, visibility splays of 2.4m x 43m are achievable along both sides of Hawkins Road. This is considered adequate for the posted speed of 30mph speed limit.

Car and Cycle Parking

WSCC's Parking Standards are used to determine the level of car and cycle parking required for the proposed development. A total of 9 nos. car parking spaces are required whereas provision for 17 nos. parking spaces are made, including the 8 nos. existing parking spaces. This level of car parking is considered more than adequate to accommodate the parking demand for both the residential and working element of the proposed development.

A total of 20% of the parking spaces will be fitted with EV charging points, whilst ducting will be installed for the remainder of spaces for future EV upgrades. Safe and secure bicycle parking provision is made for 10 nos. bicycles within a bike store to the north of the site. WSCC's Cycle Parking standards require provision for 5 nos. only; hence, these additional spaces would encourage sustainable travel among residents and visitors of the development.

Delivery and Servicing Arrangements

A communal bin collection point is provided to the south of the site for easy servicing on the day of collection. The largest service vehicle likely to visit the site is a refuse vehicle. Swept path diagram attached within one of the appendices of the TS shows the largest refuse vehicle currently in operation reversing into the access road of the site so that refuse bins can be emptied clear of the highway. The refuse vehicle is then able to leave the site in forward gear. Emergency vehicles such as a fire applicant and a delivery type van are able to enter and leave the site in forward gear. This shows the access is fit for purpose.

Trip Generation and Highway Impact

TRICS database has been interrogated to estimate the number of trips generated by the existing B1 and B8 uses and future uses as a live / work mews dwelling. The calculation estimates the daily traffic movements are the same and that the peak periods are also similar. Live / work dwellings tend to generate less traffic in the peak periods as residents do not have to commute to their place of work, although it is recognised that some of the units may generate additional visitors or may employ another person. Therefore, the LHA considers the resultant traffic from the future uses does not cause a detrimental impact on the operation of the local highway network.

Sustainability

The site is situated in a sustainable location within walking/cycle distance of local services and amenities. The well-lit footways along both sides of Hawkins Road connects onto a wider footway network providing good pedestrian connectivity. The site is within walking distance of public transport services, with regular buses available from nearby Upper Kingston Lane and Kingston Way. Southwick Train Station is located approximately 1.5km southeast of the site.

Conclusion

The Local Highway Authority (LHA) does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (NPPF), paragraphs 110 -113, as revised 20th July 2021. Therefore, there are no transport grounds to resist this proposal.

Adur and Worthing Councils: Technical Services: Flood risk- The application site is within flood zone 1, areas adjacent to the site are at risk of surface water flooding and a surface water flow path is present over the access to the site. **Surface water drainage**- we have the following comments on the submitted drainage strategy.

1. The drainage strategy states that infiltration is possible. Until on site winter groundwater monitoring and winter infiltration testing is completed it is not possible to assess if infiltration is possible within the layout as proposed. An infiltration rate of 1×10^{-5} m/s has been assumed in calculations, it is not clear if this will be achievable in practice. It is not directly clear from calculations if the infiltration rate has been applied to the base of the soakaway, if it has a higher factor of safety will be required. Rainfall ratio is also low in calculations. The high level drainage layout as proposed has a soakaway proposed directly on the property boundary, this is not appropriate. As a minimum soakaways must be located 5m from buildings and the highway, and 2.5m from boundaries. There are 2 no public surface water sewers in the vicinity, with only foul sewers available. As per WSCC LLFA policy we would not support any proposals to discharge surface water to the foul sewer.
2. The suitability of infiltration depends upon if contamination is identified by on site investigations and any mitigation measures proposed.
3. BGS logs indicate that chalk is present in the area at relatively shallow depths. If this is the case on site then it will be necessary for a dissolution assessment to be undertaken. It may be that the usual 5m easement to soakaways needs to be increased to at least 10m, if this is the case then it does not appear that there would be sufficient space for surface water drainage with your proposals as they currently stand.
4. It is unclear how adequate treatment of surface water will be provided prior to discharge. The checklist refers to ground contamination, not treatment of surface water generated by the development. Please refer to CIRIA SuDS manual chapter 26 for further information.

Given the above points we OBJECT to this application and REQUEST FURTHER INFORMATION IS SUPPLIED. Insufficient evidence has been submitted to demonstrate that a policy compliant design can be achieved. Further information is required prior to determination as it is not clear that drainage can fit within the proposed layout and be secured via conditions. To overcome this objection the applicant should: 1. Submit results of winter infiltration testing and winter groundwater monitoring. 2. Submit results of on site ground investigations relating to

contamination. 3. Submit a revised drainage strategy using the obtained on site results which fully complies with policy. Please re-consult Technical Services for further comments should you decide to determine the application prior to the submission of further information.

Subsequent comments following receipt of further drainage information from the applicant: 1. Flood risk- The application site is within flood zone 1, areas adjacent to the site are at risk of surface water flooding and a surface water flow path is present over the access to the site.

2. Whilst the previous comments made on 10/05/2022 state the requirements of current policies, as the drainage strategy provided is based upon assumptions from a desk study and geology information. This is an existing brownfield site with limited access to facilitate the investigations and monitoring that is required to meet these policies. Southern Water have indicated in correspondence provided by the applicant that there are private surface water sewers which they have the option to connect to, and should investigate and, if connection to a foul sewer proves to be the only viable means of disposal, they would have no option but to accept such discharge at a rate determine by the LLFA in consultation with Southern Water. This is however not something I would encourage.

3. Surface water from the site is currently discharged to soakaways and records indicate that no surface water flooding has occurred to date.

Considering points 2 and 3 you may therefore take the view that the surface water and flood risk element of this application can be covered by conditions.

Public Health:

Contaminated Land

A Phase I Geoenvironmental Desk Study (P4277.1.0 Date: 7 July 2021) has been submitted with this application. This assessment has identified potential pollutant linkages and recommends a Phase II geoenvironmental investigation is undertaken to allow an assessment of the underlying ground conditions to determine if potentially complete pollution linkages are present. I would recommend the addition of contaminated land conditions.

Noise

An Environmental Noise Assessment (ref. RP 220131 dated 31/01/2022) has been submitted with this application. This Noise assessment monitored existing noise levels at the site during daytime and nighttime hours over a 24 hour period. This noise assessment included noise from the existing garage which is to be demolished as part of the current application. Appendix A notes that the garage was a dominant noise source during the daytime, so is likely to have influenced daytime noise levels. A comparison of noise levels with and without the garage operating should have been undertaken. Modelling of the noise levels on the different facades at the different floor heights and within the external amenity area has not been undertaken. There is no mention of plant noise associated with the adjacent sites. Photos shown in Fig 6.2 appear to show a louvred section of the swimming pool roof to the rear of

the microphone. Is this associated with any plant? Is there any external plant serving the shops to the south? The north of the development site is relatively close to a large area of roof mounted plant serving Next. As noise monitoring was undertaken to the south of the site, the impact of noise from this source has not been accurately assessed and there is no discussion about this potential noise source. I do not consider this assessment to be an accurate representation of the noise levels that future occupiers will be exposed to at this site. Further information is required before I am able to agree to the scheme. Additional noise monitoring should be undertaken to capture all potential noise sources over a longer period of time to monitor noise when the garage is not operating so more accurate predictions and noise modelling can be undertaken. As the proposed ground floor commercial uses could include external plant, it would be advisable for the applicant to include an assessment of existing background noise, having regard to the principles of BS 4142:2014+A1:2019, which can be used as a baseline for the rating level of any future plant.

I would recommend restricting the hours of use of the commercial units to 07:00hrs - 23:00hrs Mon - Sat, 09:00hrs - 21:00hrs Sundays.

Given the proximity of this development site with existing residential dwellings I would advise the following conditions: Construction Management Plan, Hours of work

Subsequent comments: I am now satisfied with the recommendations provided within the amended Environmental Noise Assessment (RP 220610 dated 17.06.22). If permission is granted for this development I would recommend the following conditions:

The development hereby permitted shall be carried out in full accordance with the recommendations of the Environmental Noise Assessment (RP 220610 dated 17.06.22) and all works which form part of the approved scheme shall be completed before the permitted dwelling is occupied. Following completion of the scheme and prior to occupation, a test shall be undertaken to demonstrate that the attenuation measures proposed in the scheme are effective and protect the residential unit from noise.

The noise level of any future external plant installed at this site should comply with the plant noise emission limits specified in section 6.3 of the Environmental Noise Assessment (RP 220610 dated 17.06.22). 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.

Private Sector Housing: No objection

Southern Water: Our records show the approximate position of our foul sewer within the development site. The exact position of the public asset must be determined on site by the applicant in consultation with Southern Water before the layout of the proposed development is finalised.

Representations

3 objections received from the occupiers of 58, 60 & 62 Hawkins Road:

- Loss of privacy - no properties currently face the rear of our property
- Height of buildings is a concern
- Loss of light/evening sun
- Almost no green space is provided
- Disproportionately large car park
- Increased traffic
- Two previous applications were refused and nothing has changed
- Quiet area will turn into a construction site

Relevant Planning Policies and Guidance

Adur Local Plan 2017 2, 3, 15, 18, 19, 20, 22, 25, 28, 34, 36

'Supplementary Planning Guidance' comprising: Development Management Standard No.1 'Space Around New Dwellings and Flats'
Sustainable Energy SPD (August 2019)

Adur Planning and Climate Change Checklist (June 2021)

Demonstrating Genuine Redundancy of Employment Sites (ADC 2019)

WSCC Guidance on Parking at New Developments (Sept 2020).

National Planning Policy Framework (July 2021)

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 proposal will see the loss of a commercial garage business and is arguably contrary to Policy 25 of the Local Plan which seeks to protect existing employment sites. The proposed dwellings are described as live-work units but these are not classified as employment units for the purposes of Policy 25.

Policy 25 states:

“the conversion or redevelopment of land or buildings, currently or last in class B1,

B2 or B8, for other uses will only be approved where:

(ii) It can be satisfactorily demonstrated that the site or premises is/are genuinely redundant and that no effective demand exists or is likely to exist in the future to use the land or buildings for B class uses. This should include the length of time the property has remained vacant, the attempts made to sell/let it, and the demand for the size and type of employment premises in the area.

Where part (ii) of the above criteria has been satisfied, a mix of uses will be considered. Employment generating uses should be considered as part of this mix of uses. Complete loss of employment uses will only be acceptable where it has been demonstrated to the satisfaction of the Local Planning Authority that partial employment use cannot realistically be achieved.”

In this case, the site has not been marketed and is still in use. However, the existing use is potentially unneighbourly, though noise, activity and parking congestion, and inappropriately located and its replacement with live-work units would potentially result in a more neighbourly use for the area, while also providing some employment benefits. It is understood that the existing businesses employ 3 staff while the proposal will result in 5 employment units of 48m² and would therefore see an increase in employment on the site, albeit in a different form. While the tests of Policy 25 (ii) have not been met it is considered that the retention of an employment use (Class E g) light industrial/workshop) on the site, together with the provision of residential units, enables a slight departure from the Local Plan.

On balance, it is considered that the redevelopment of the site in this manner can be supported in principle, subject to the usual other planning considerations which are discussed below.

Visual amenity

The site contains a mix of storage buildings, hardstanding and car parking and has little visual benefit to the area, even in its relatively secluded backland position. The proposal would clear the site and provide a terraced building of more substantial height and bulk. However, its design would be akin to a mews development and with its features such as render, slate, sash windows, shutters, timber doors at ground floor and block paving it is considered that there would be enhancement of the area.

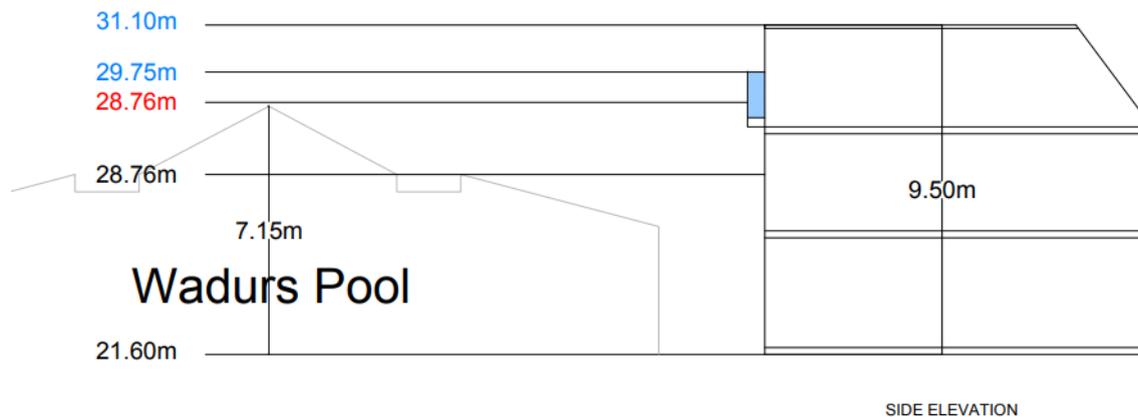
The layout has been further improved by adding more landscaping to soften the parking area and overall appearance. A small communal garden has been added to the north east corner as well as planted areas either side of the access into the parking area. Hedge planting is also shown along the south elevation and western boundary.

It will be 2.35m taller than the Wadurs building and the top floor with balconies will be visible from the west. However, it will be viewed in the context of the Wadurs building and the taller Next store to the north and it is not considered that it will have an intrusive or harmful appearance.

Residential amenity - for proposed occupiers

The dwellings will have a floor area of 87m² which exceeds the nationally described space standards for new housing (79m² for a 2 bed 4 person dwelling over 2 storeys).

A 20m² 'rooftop garden' is provided in the form of a west facing balcony which will have views over the top of the Wadurs roof.



The large rear window at first floor will also gain light as the Wadurs roof reduces in height closest to the boundary. The ground floor rear window will receive less light and will have a limited outlook, but this area is shown as being a workshop/office and not habitable accommodation. The northernmost unit will have its outlook partly obscured by the taller Next store but it is considered that sufficient light and outlook will still be obtained over the lower Wadurs roof. This has been demonstrated in an Internal Daylight Assessment submitted with the application.

Noise from the Wadurs roof plant and traffic was a concern but the applicants have submitted a noise assessment which recommends the use of acoustic glazing and acoustically treated passive through wall ventilators at high level plus trickle vents in all habitable rooms. The Environmental Health Officer is satisfied with the findings subject to conditions.

While it is acknowledged that the proximity of the dwellings to the neighbouring commercial buildings to the west is tight, the building has been designed to ensure that sufficient light, outlook, amenity space and noise protection is achieved and it is considered that a reasonable standard of amenity will be provided for future residents.

This is a different form of development to that previously refused, with live/work units in a mews style with large balconies to provide outdoor amenity space rather than conventional houses with gardens. As a consequence, the form of development is considered to be appropriate in this location, making effective use of previously developed land by providing five residential units. The proposal complies with paragraph 120 of the NPPF which gives "substantial weight to the value of using

suitable brownfield land within settlements for homes.”

Residential amenity - effect on existing neighbours

There are houses to the east in Hawkins Road which back onto the site. The separation distance between the existing and proposed dwellings will be 24m. While the proposed building will have three storeys, when viewed from the front it is effectively two storeys, with a roofslope at the front containing obscure glazed rooflights serving the top floor. The distance complies therefore with the Council’s guidance as set out in DM Standard No. 1 which requires a minimum of 22m between two storey buildings.

The building sits to the north of the flats above the shops in Kingston Broadway at a distance of 11.3m. The Council’s guidance recommends a separation distance of 14m where the rear of one building faces the side of another. However, the windows of the flats are set back from the edge of the building by an external walkway approximately 1.5m wide, thereby resulting in 12.8m separation.

A Daylight and Sunlight Assessment was submitted with the application which found:

“It can be seen that the Visible Sky Component for most of the assessed windows at the 26 – 44 Kingston Broadway properties, comfortably pass the required BRE criteria. There are 6 windows that fall below the guidelines. The 6 affected windows are located under a deep overhanging balcony, and are additionally covered by pillars attached to the walkway.

For the Annual Predicted Sunlight Hours and the Winter Predicted Sunlight Hours all windows are predicted to meet BRE guidelines. It is important to note that APSH and WPSH assessment, according to BRE methodology, are not required for windows which have northern or predominantly northern exposure, however, it has been performed and wherever possible, achieved values have been tabulated.

Overall, the proposed development is predicted to have minimal impact on daylight availability of properties situated on 26 – 44 Kingston Broadway.”

Light to the affected flats is already reduced by shading from the external walkway and the development is not expected to reduce that light further. The closest part of the building to the south, which projects along the western boundary of the site contains a stairwell only and is not affected by this proposal. While there is a slight shortfall in the Council’s standard, there are no side windows in the proposed building and sufficient light and outlook will be maintained for existing residents.

The Assessment also found that light to the rear windows of the houses in Hawkins Road is not adversely affected by the proposal.

It is acknowledged that the development will be more intrusive than existing due to the height and mass of the building but at the distances involved it is difficult to argue that it will be overbearing or materially affect light and outlook for existing occupiers in Hawkins Road. The outlook will be improved to some extent by the removal of buildings that currently sit immediately on the rear boundaries with those dwellings.

New fence and hedging is proposed, plus additional landscaping, to provide a softer outlook.

The removal of the commercial garage use will also improve the amenity for residents through the cessation of potentially noisy activities and the removal of overspill parking on Hawkins Road. The proposed commercial uses in the work units will be those that can be carried out within a residential area without causing noise, fumes, etc (formerly Class B1, now Class E). It is recommended that a condition be imposed to ensure that the work units are linked to the occupiers of the dwelling above and that the use be limited to Class E(g) only which equates to the former B1 use.

Accessibility and parking

The site is accessed off Hawkins Road and no change to the access is proposed. 15 parking spaces are proposed to serve the dwellings and commercial units which is considered to be more than adequate. A total of 20% of the parking spaces will be fitted with EV charging points, whilst ducting will be installed for the remainder of spaces for future EV upgrades. Safe and secure bicycle parking provision is made for 10 nos. bicycles within a bike store to the north of the site.

There are no highway objections to the proposal.

Flood risk and Drainage

The site is within flood zone 1 and areas adjacent to the site are at risk of surface water flooding and a surface water flow path is present over the access to the site. Our Engineers initially objected to the application as there were no substantiated infiltration rates to support the sizing of infiltration devices and no evidence that proposals will not result in an increase in offsite flood risk or flood risk to the development. Winter monitoring of groundwater levels has not been possible to date as the site is covered in hardstanding and buildings and it is not practical or viable to carry out testing before planning permission is granted.

The Council's policy is to require monitoring before a decision is made on any application but the applicant's argument is reasonable in this case. Furthermore, the development will reduce the amount of impermeable hardstanding through the use of permeable paving and landscaping. Rainwater harvesting is proposed for the roof. The applicant has argued that there is betterment over the current situation and this is accepted by the Council's Technical Services team.

Should infiltration not be possible Southern Water have indicated in correspondence provided by the applicant that there are private surface water sewers which they have the option to connect to. They have indicated that if connection to a foul sewer proves to be the only viable means of disposal they would have no option but to accept such discharge at a rate determined by the LLFA in consultation with Southern Water.

While our Engineers are reluctant to accept this approach it is considered that there is a practical solution and that an acceptable surface water drainage scheme can be

provided. Further details are required but in the circumstances it is considered reasonable to require these to be subject to a pre-commencement planning condition rather than unreasonably delay a decision on the application. The applicant is keen for a decision now to allow him to take advantage of the upcoming winter monitoring season.

Sustainability

A Sustainability & Energy Statement has been submitted which states that PV panels are to be located on the roof, plus rainwater harvesting also on the roof. Air source heat pumps are also suggested as being feasible here. It is recommended that further details are secured by condition to ensure that the development reduces carbon emissions to an acceptable level, close to that specified in the Council's Climate Change Checklist (31%).

Contaminated land

The site is potentially contaminated and a Phase II geoenvironmental investigation is proposed to allow an assessment of the underlying ground conditions to determine if potentially complete pollution linkages are present. An appropriate condition is to be imposed to ensure this is carried out.

Recommendation

Approve

Subject to conditions:-

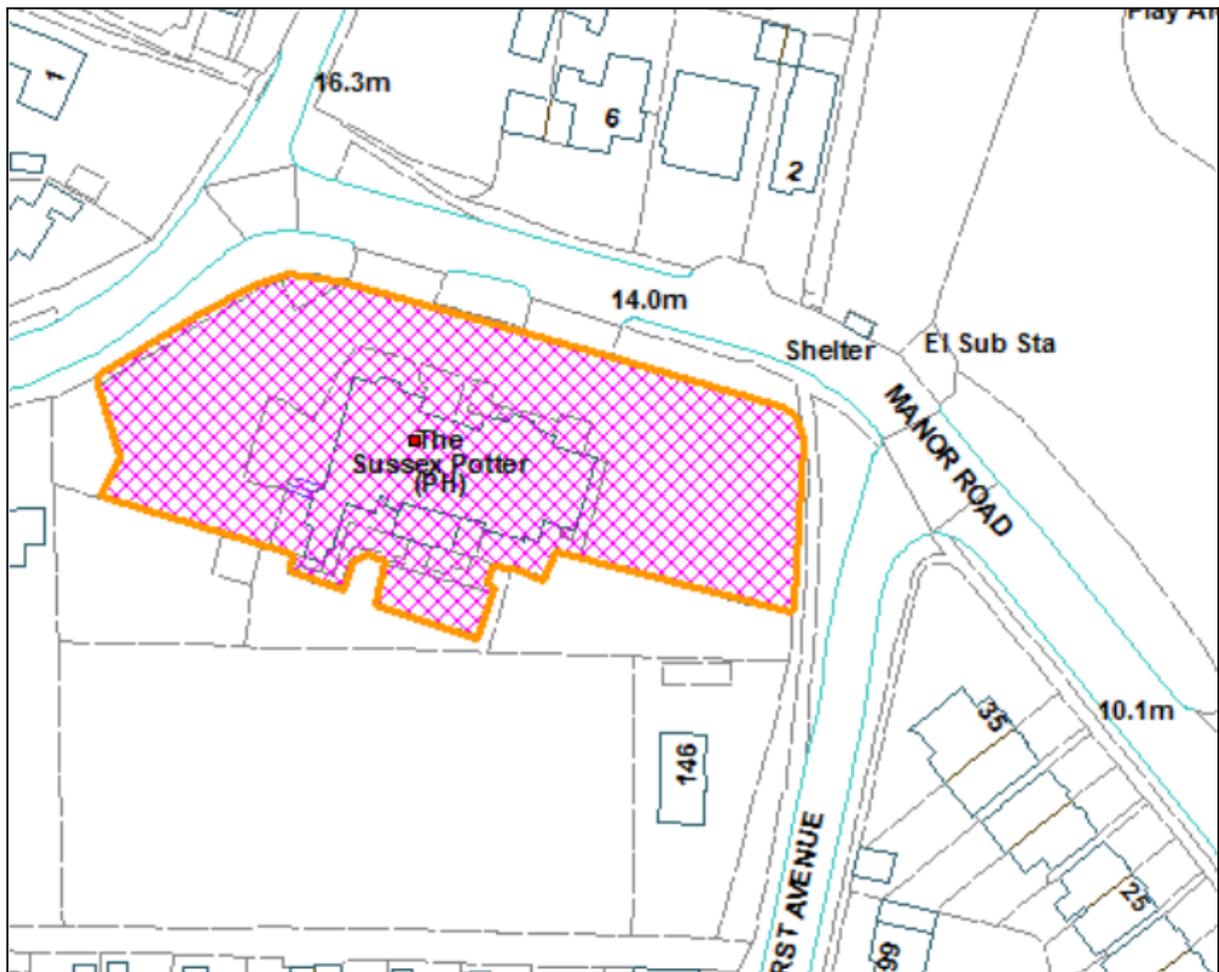
1. 3 year time limit
2. Construction and Demolition Management Plan
3. Details of surface water drainage to be submitted and agreed prior to commencement
4. The development hereby permitted shall be carried out in full accordance with the recommendations of the Environmental Noise Assessment (RP 220610 dated 17.06.22) and all works which form part of the approved scheme shall be completed before the permitted dwelling is occupied. Following completion of the scheme and prior to occupation, a test shall be undertaken to demonstrate that the attenuation measures proposed in the scheme are effective and protect the residential unit from noise
5. The noise level of any future external plant installed at this site should comply with the plant noise emission limits specified in section 6.3 of the Environmental Noise Assessment (RP 220610 dated 17.06.22). 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
6. Contaminated land
7. 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

8. No part of the development shall be first occupied until the vehicle parking and turning spaces have been constructed in accordance with the plans
9. 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 LPA
10. No part of the development shall be first occupied until Electric Vehicle Charging spaces have been provided in accordance with plans and details submitted to and approved by the LPA
11. External materials to be agreed
12. Details of sustainability measures to be submitted and approved prior to installation
13. The units hereby approved shall be live-work units with the ground floor commercial use tied to the upper floor residential use within the same unit and shall not be occupied independently. The commercial uses shall only be those falling within Class E(g) of the Use Classes Order
14. Landscaping details to be agreed
15. Hard Surfacing details to be agreed
16. Balcony screens

Application Number:	AWDM/0489/22	Recommendation - Approve
Site:	Miller And Carter, 43 Manor Road, Lancing	
Proposal:	The erection of 10 non illuminated signs to assist customers with the parking rules of the car park (part retrospective)	
Applicant:	Euro Car Parks	Ward: Manor
Agent:	Ms Clare Pilling	
Case Officer:	Peter Barnett	



Not to Scale

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Background and update

This application was reported to the Adur Planning Committee on 4th July 2022. Members accepted the principle of signage (as reduced in number from 15 to 10)

but the decision was deferred to enable the applicant to provide signs more in keeping with the Conservation Area.

Since that meeting the applicant has advised that the sign posts are to be painted black (rather than metallic grey as existing). The backs of the inward-facing signs (i.e. the parts of the sign that can be seen from the street) are also to be painted black with the backs of the outward-facing signs (i.e. the parts of the signs that face into the car park) are to be painted white. As previously agreed, the height of the signs is to be lowered to 2.35m (reduction of 1m) with the other perimeter signs at the front of the site reduced to 1.9m (a reduction of 1m). The signs themselves have not been changed in design.

It is these amendments that are now for consideration. For ease of reference the original report is repeated below, but updated to reflect the current amendments.

Proposal, Site and Surroundings

The application site relates to No.43 Manor Road, known as Miller and Carter, a public house/restaurant which is on the south side of Manor Road, within the North Lancing Conservation Area. The surrounding area is predominantly residential with dwellings located immediately opposite to the north, west and east, and to the south the large rear garden of 146 First Avenue runs adjacent to the southern boundary of the site. Further to the north east are the playing fields/sports pitches of Manor Park on the opposite side of the road.

Part retrospective consent is sought to retain 10no. non illuminated signs which have been installed within the car park. The application has been amended since its original submission to reduce the number of signs from 13 to 10 and to lower the height of the signs at the entrance to the car park. The signs that are currently displayed on the site will therefore be altered/reduced if permission is granted.

The signs have been placed around the car park to advise patrons how to validate their free parking whilst visiting the pub.

The signs as currently displayed comprise the following:

SIGNAGE TABLE

	SIGN DESCRIPTION	SIGN LOCATION	QUANTITY	SIGN SIZE
1	BPA	ENTRANCE POST	2	700mm X 900mm X 3mm
2	DISC	ENTRANCE POST	2	700mm X 450mm X 3mm
3A	MB ANPR GUEST ONLY	ENTRANCE POST	2	700mm X 900mm X 3mm
3B	MB ANPR GUEST ONLY	CAR PARK ON POST	4	700mm X 900mm X 3mm
3C	MB ANPR GUEST ONLY	ON WALL	1	700mm X 900mm X 3mm
3D	MB ANPR GUEST ONLY	CAR PARK ON POST	1	700mm X 900mm X 3mm
4	DISABLED	ON WALL	1	450mm X 450mm X 3mm

It was noted during a site visit that there are actually 15 signs within the site rather

than 13 as referred to on the plans. There is an additional sign at the far west end of the car park and one on the southern boundary at the eastern end of the car park.

The proposed amendments have removed 3 x posts and signs (sign reference 3B), 2 from the frontage of the left hand side of the car park and 1 from the frontage of the right hand side of the car park. The applicant has been advised to also remove the additional 2 signs not shown on the plans if permission is granted.

As displayed, the entrance signs are on posts and the overall height to the top of the signs is 3.35m. The signs within the car park are also on posts to a height of 2.9m. It is also proposed to lower the height of the entrance signs and disclaimer (sign reference 1&2) and the guest only sign on the back (reference 3A) by 1m to 2.35m to match the post height of the existing Miller & Carter sign on the frontage to the east. Taller signs are shown as remaining at the rear of the car park, furthest from the road, these being on posts 2.9m and 3.5m high. There are also two smaller signs which are fixed to the side walls of the pub.

Because the entrance signs comprise 3 signs each on a single pole, there will in fact be only 4 pole signs and 2 wall mounted signs in total, equating to 10 signs but in only 6 locations, compared to 15 signs in 11 locations at present.

The signs are generally on a black background although the entrance signs are on a white background.

Consultations

Adur District Conservation Advisory Group: Members unanimously agree that this application is totally out of keeping with the conservation area & street scene & creates a commercial atmosphere at the start of this historic area of North Lancing & is contrary to the heritage aims of the conservation area. It is felt that discreet signage at ground level in selected areas should be considered. ADCAG members meanwhile strongly recommend REFUSAL

Lancing Parish Council: Object to the application as it is within a conservation area and out of keeping with neighbouring properties.

Representations

Original Plans: 8 objections received:

- Harmful to character and appearance of the Conservation Area
- Unnecessary and excessive amount of signage
- Very tall and ugly signage
- Needs to be more discreet
- Signs face inwards presenting an unsightly view from outside the site

Amended Plans: 2 objections received:

- Signs should be restricted to the rear of the car park only so they do not impact on the character and appearance of the Conservation Area

- Unfortunately the two main entrance / exit offending signs (three boards on each) are still the proposed same bright grey colour and 700mm x 900mm as the original plan, although a little lower on the pole
- Painting the pole black will not make the signs acceptable

Relevant Planning Policies and Guidance

Adur Local Plan 2017 Policies 15, 17
National Planning Policy Framework (July 2021)

Relevant Legislation

The Committee may grant planning permission for development carried out before the date of the application in accordance with Section 73A of the Town and Country Planning Act 1990 (as amended).

Save that the development will have already commenced, this is a conventional planning application, and the Committee should consider the planning circumstances existing at the time of the decision 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

The pub building is a substantial building in the street scene with the site occupying a relatively wide and open frontage in the street, surrounded by car parking on three sides of this corner frontage. Within the street there are two school patrol signs, one with flashing lights, a bus stop sign and street lights. There are a number of pub-related signs within the pub car park. In this context, and given the commercial pub appearance of the site, the car park signs, as amended, are not considered to be unduly intrusive or harmful to the character and appearance of the Conservation Area. The removal of four signs from the frontage, and the lowering of the entrance signs by 1m, will lessen their impact and reduce the cluttered appearance that currently exists. The signs are also non illuminated so will not cause undue light pollution at night.

While their design has not changed, the painting of the backs of the signs and the poles a black colour will give them a more muted appearance and will be more in keeping with the Miller and Carter signs on the perimeter which are also black.

The two taller signs are at the rear of the car park and are less prominent, being seen at a distance with a backdrop of a boundary fence and trees. It is not considered that they cause visual harm to the area.

It is therefore considered that the application, as amended, seen in context with other signs in the vicinity, would not cause any serious harm to visual amenity or have any significant effect on the character or appearance of the Conservation Area.

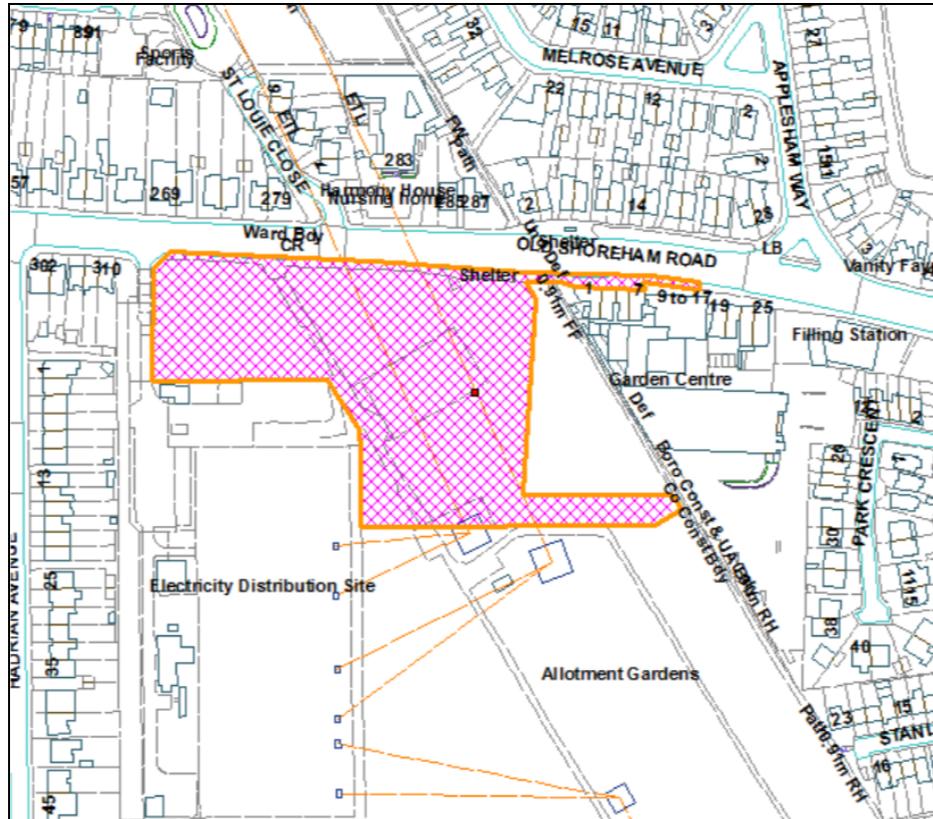
Recommendation

Approve

Subject to conditions:-

1. Works to remove, paint and lower signs and poles to be completed within 1 month
2. Standard advert conditions

Application Number:	AWDM/1375/22	Recommendation - Approve
Site:	Land Opposite 269 To 287 Old Shoreham Road, Swithick (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. Application to vary condition 1 (approved plan) of approved AWDM/1032/21 to amend the proposed external cladding colour and alter roller shutter door openings to the rear (western) elevation	
Applicant:	Tate Bros Limited	Ward: Eastbrook
Agent:	Folkes Architects	
Case Officer:	Peter Barnett	



Not to Scale

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Site and Surroundings

The application site measures approximately 1.28 hectares and is part of the former Eastbrook Allotments site which is now vacant and overgrown. It was previously owned by Brighton and Hove City Council but is now owned by the applicant.

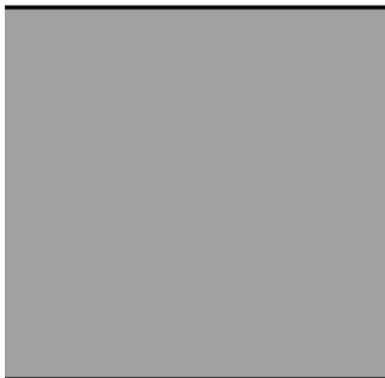
The land is relatively level as a whole, with a very gentle slope from north to south. The site adjoins the A270 Old Shoreham Road to the north where there are houses on the opposite side of the road. To the east there is a public footpath running SE to NW which forms the boundary with Brighton and Hove and East Sussex. On the other side of the footpath is Mayberry Garden Centre. There are allotments which are in use to the south. To the south of the western part of the site is a large electricity substation, with cables feeding into overhead pylons which run across the site and the allotments to the south. A brick structure for housing electrical equipment bounds the western part of the site immediately to the south. Further west there are residential properties along Hadrian Avenue.

Proposal

Planning permission was issued in April 2022 (following a resolution to approve by Members at the November 2021 Planning Committee meeting on completion of a s106 legal agreement) for the redevelopment of the former Eastbrook allotment site to create a new purpose built Car Showroom and service centre (AWDM/1032/21).

This application seeks approval for a change to the proposed external cladding colour and to alter roller shutter door openings to the rear (western) elevation.

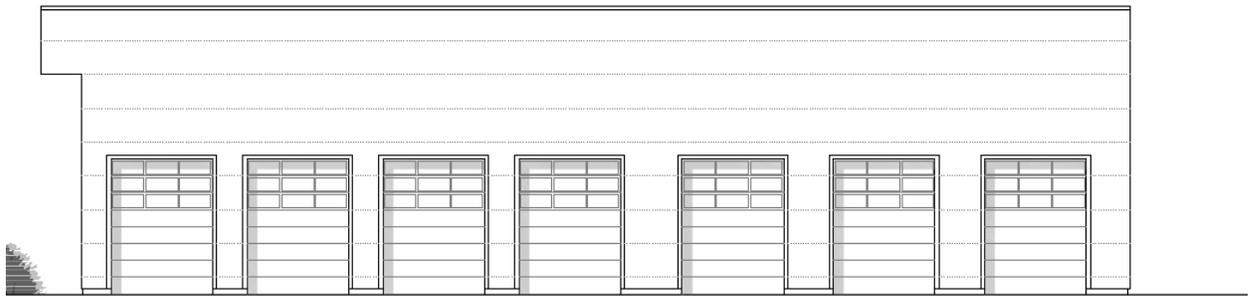
The approved cladding was to be silver.



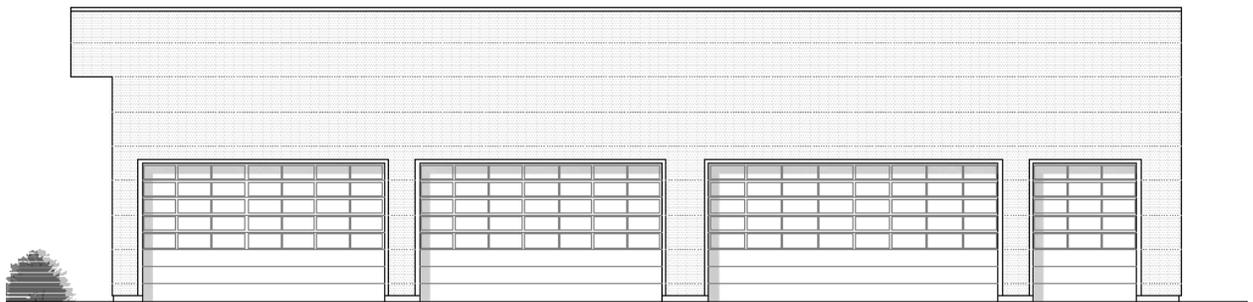
It is now proposed to be black grey. The reason for the change is a corporate one. Stalantis (the car franchise company) controls the branding for the car sales buildings in their group, and they have changed their branding since the scheme was first designed.

RAL 7021

The other change relates to the roller shutters on the west elevation. As approved there were 7no. smaller openings proposed as below:



The amendment now shows 3no. larger openings plus 1no. smaller one:



The scheme remains unchanged in all other respects and it is just these two amendments that are for consideration here.

Consultations

None

Representations

1 letter of objection received from the occupier of 267 Upper Shoreham Road:

- This proposal would have a significant impact on a collection of residential properties, many of which have children.
- The increased traffic caused by the Southern Cross Depot is already adding to air and noise pollution.
- The added traffic volumes which will be significantly increased by this proposed over development will greatly increase noise and air pollution to dangerous unacceptable levels.
- It is the duty of the council to protect their tax payers from unnecessary increased health issues.
- Road safety would be compromised with ever increasing number of cars trying to turn left or right into a busy main road.
- There are enough car crashes caused by the Hadrian Ave turn, this will make it even more dangerous - the site is totally unsuited to the garage proposal and should be rejected.

Officer's Response: The traffic impacts of the proposal were considered at the time of the original application and no objection was raised by the Local Highway Authority. An Air Quality Assessment was also submitted which found that the proposed development is not expected to significantly impact local air quality. Mitigation measures to comply with the requirements of the Sussex Air Quality guidance are to be implemented and the Council's Environmental Health Officer was satisfied with the measures, which are required by planning condition.

Relevant Planning Policies and Guidance

Adur Local Plan 2017 Policies 1, 2, 4, 12, 15, 18, 19, 27, 28, 29, 30, 31, 34, 36
Eastbrook Allotments Development Brief (ADC 2015)
Sustainable Energy SPD (August 2019)
Planning and Climate Change Checklist (ADC June 2021)
Planning Contributions for Infrastructure Provision (ADC 2013)
WSCC Guidance on Parking at New Developments (Sept 2020).
National Planning Policy Framework (July 2021)

Relevant Legislation

The Committee should consider the planning application in accordance with:

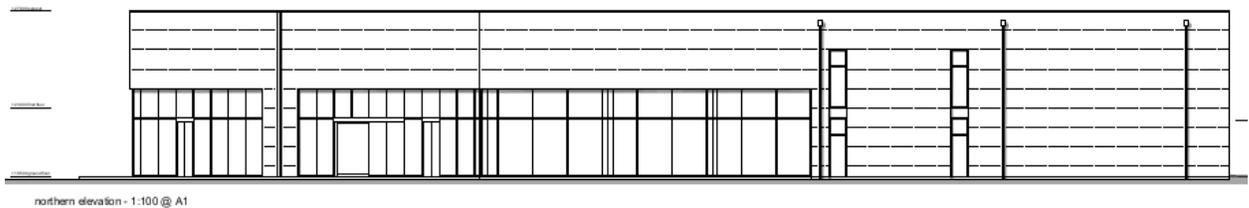
Section 70 of the Town and Country Planning Act 1990 (as amended) provides that the application may be granted either unconditionally or subject to relevant conditions, or refused. Regard shall be given to relevant development plan policies, any relevant local finance considerations, and other material 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.

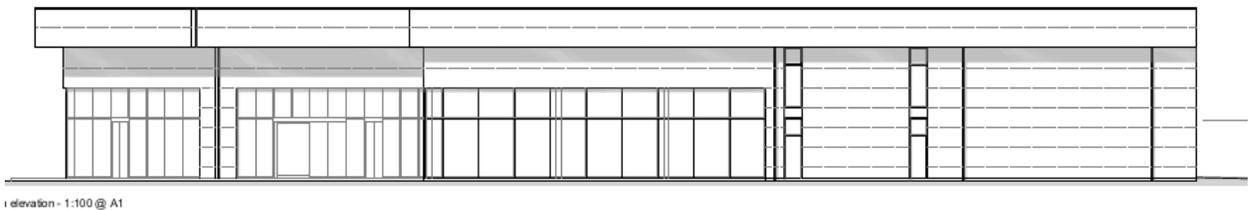
Planning Assessment

It is not proposed to repeat the original report in full as the only considerations relate to design changes. The principle of the redevelopment has already been agreed.

At the November 2021 Committee, Councillors raised concerns regarding the CGI image which differed from the submitted plans. An improvement in the appearance of the proposed building was requested and this was achieved with the introduction of roof overhangs/projecting canopies to create a shadow line and less of a plain, industrial 'box'.



Original



As Approved

The consideration now is whether the change to a black finish rather than silver would be harmful to the character of the area.

The image below is an example of the cladding colour on a building in Bury St Edmunds:



While it will be darker than the approved silver colour, it is not considered that it necessarily will be harmful to the street scene. A strip of landscaping is proposed along the site frontage which will contain a mix of hedgerow and trees to soften the appearance of the building and site overall when viewed from Old Shoreham Road.

Overall it is considered that the change to the cladding colour is acceptable in this location.

The change to the roller shutter doors will not have a significant visual impact, resulting in fewer, but larger, openings. The western boundary will consist of a 1.8m high acoustic fence which will partly screen the building and it is not considered that any increased visual harm will arise from this proposed change.

Recommendation

Approve, subject 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