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Minutes of a meeting of the Adur Planning Committee 6 February 2023 at 7.00 pm

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

Councillor Jeremy Gardner
Councillor Carol O'Neal
Councillor Vee Barton
Councillor Mandy Buxton

Councillor Dan Flower
Councillor Jim Funnell
Councillor Julian Shinn

Officers: Planning Services Manager, Principal Planning Officer, Senior Lawyer and Democratic Services Officer

ADC-PC/68/22-23 Substitute Members

There were no substitute Members present.

ADC-PC/69/22-23 Declarations of Interest

Councillor Mandy Buxton declared that in regards to application 2 she was the Ward Councillor for Churchill Ward and so was acquainted with many of the residents. However she came to the Committee with an open mind.

Councillor Joby Pannell declared that application number 5 was his own application and so he would be leaving the room for the entirety of this application.

ADC-PC/70/22-23 Public Question Time

There were no questions raised under Public Question Time.

ADC-PC/71/22-23 Members Questions

There were no pre-submitted questions from Members.

ADC-PC/72/22-23 Items Raised Under Urgency Provisions

There were no items raised under urgency provisions.

ADC-PC/73/22-23 Planning Applications

The planning applications were considered, see attached appendix.

The meeting ended at 8.57 pm

Chair

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Application Number:	AWDM/1856/21	Recommendation - Approve
Site:	Lorry And Car Park, Albion Street, Southwick	
Proposal:	Erection of self-storage warehouse (Use Class B8) with associated parking, circulation and landscaping.	
Applicant:	Safestore Properties Ltd	Ward: Southwick Green
Agent:	Vincent and Gorbing	
Case Officer:	Peter Barnett	

The Principal Planning Officer delivered the presentation explaining that the application had been revised several times since it was originally submitted, to improve its design, scale and layout.

Members asked if the area of the proposed structure was within the Shoreham Harbour Joint Area Action Plan and the Officer clarified that it was.

There were three registered speakers giving representations in objection to the application. They raised concerns regarding the following -

- The over imposing design and height of the proposed structure.
- The light impact on dwellings in Victoria Road.
- The need for this type of business, there being numerous other storage facilities in the area.
- The enterprise generated three full time employment positions only.

There were two registered speakers giving representations in support of the application. They addressed the following -

- The site was in the Flood Zone 2 & 3.
- Safestore would be bearing the cost of the replacement and upgrade of a surface water sewer that ran underneath the site and was currently in disrepair.
- Safestore had listened to residents' concerns and had amended the design of the proposed building accordingly.
- The market for self storage facilities was unsaturated in this area.
- The site, estimated to be utilised by about 70% domestic users, would generate minimum noise.

Members asked the applicants if more jobs would be generated once the planned introduction of more levels within the facility transpired. The applicant confirmed that

they foresaw that the facility would only ever generate 3 full time employment positions. The applicants also clarified that their arrangement to purchase the site was dependent on being granted approval for their application.

During debate Members discussed the height of the proposed building and concerns were raised that, despite the amendments already made by the applicant, it remained too tall for that locale. In addition, as the site was on a core road leading into Shoreham, the Committee observed that the design was not suitably aesthetic.

Members exchanged views regarding the fact that only three employment positions were to be generated by the facility and with this in mind, it was deemed that the proposed structure would have significant negative impact on the community with very little benefit being proffered.

A proposal was put forward to **REFUSE** the application. This was seconded and voted on with a unanimous result in favour of rejecting the application on the grounds that the proposal by virtue reason of its height, scale, design and form, would adversely affect the character of the area and street scene, would fail to make a positive contribution to the character of the area and would only generate limited employment opportunities without relocating an existing business in the area. The proposal is therefore contrary to policies 4, 8 and 15 of the Adur Local Plan, policies SH3, SH9 and CA6 of the Shoreham Harbour Joint Area Action Plan and the relevant paragraphs of the National Planning Policy Framework.

Application Number:	AWDM/0949/22	Recommendation - Approve
Site:	St Johns Court, Penstone Close, Lancing	
Proposal:	Erection of a three-storey side extension to the existing building and recessed roof top extension to the whole of the building to accommodate 9no. flats comprising 7no. 1-bedroom flats and 2no. 2-bedroom flats. Demolition of existing garage block, reconfiguration to existing car parking, proposed landscaping, and cycle/refuse storage.	
Applicant:	Lincoln Estates Ltd	Ward: Churchill
Agent:	ECE Planning Ltd	
Case Officer:	Peter Barnett	

The Principal Planning Officer delivered the presentation and the members asked for clarification surrounding objections from adjacent dwellings.

There were two registered speakers who gave representations objecting to the application. They raised concerns regarding the following -

- The narrowness of Penstone Close and the difficulty that emergency and larger vehicles had navigating the road.
- Contractor vehicles blocking the area during construction.
- Overshadowing and loss of privacy of adjacent dwellings and overdevelopment of the site.
- Local infrastructure being unable to cope with the increase in residents.
- The proposed site of the bin storage being close to neighbouring houses with relation to the generation of smell and noise.
- Lack of parking.

There was one registered speaker who gave a representation supporting the application that reiterated some of the Officers presentation. In addition she clarified that an alternative bin storage location could be considered but that this would potentially mean a reduction in parking spaces.

During debate members discussed the possible loss of privacy to adjacent dwellings due to the increase in height of the proposed addition to the building. The dilemma of the bin storage was considered and views were expressed that this application could be conceived as one of overdevelopment.

A proposal was made by Members to **DEFER** the application to further consider issues relating to parking, access and bin storage. This was seconded and voted on unanimously.

Application Number:	AWDM/2294/21	Recommendation - Approve and Delegate to the Head of Development to issue decision upon the expiry of the consultation period on 7 February and there being no new substantive comments not previously considered by the Committee
Site:	Development Site At 12 To 18 Old Shoreham Road, Shoreham-by-Sea	
Proposal:	Erection of seven new-build townhouses (C3) consisting of a terrace of five houses (3 storey at front and 2 storey at rear) with integrated car parking and a pair of semi-detached three storey dwellings with integrated car parking	
Applicant:	Adur Developments Ltd	Ward: St Nicolas
Agent:	Paul Joyce, Lewis and Co Planning Se Ltd	
Case Officer:	Gary Peck	

The Planning Services Manager delivered the presentation explaining that this application was deferred from a Committee meeting in December 2022 to seek further information regarding landscaping.

He advised that there had been two further representations regarding a lack of clarity over the height of the proposed buildings, whether felled trees would be replaced like for like and concern that the bank be retained to preserve the green corridor.

There was one registered speaker who gave a representation in support of the application. He reiterated aspects within the Officer's report and explained that benefits of providing a CGI image of the view from the existing residential properties as officers had previously requested, were negligible as the view was solely of trees. He clarified which trees were to be felled and why as well as stating that 19 new trees were to be planted.

During debate Members agreed that all concerns raised at the previous meeting regarding this application had been addressed.

A proposal to accept the Officer's recommendation as in table above, namely approve and delegate to HoPD upon expiry of consultation period and grant permission was put forward. This was seconded and voted upon with a

unanimous outcome in favour of **APPROVAL** subject to conditions (updated to reflect submission of additional information) -

1. Approved Plans
2. Full Permission
3. The development shall be carried out in accordance with the submitted Flood Risk Assessment (FRA) ('Site2B Ropetackle North, Shoreham Waterfront, Old Shoreham Road, Shoreham, BN43 5FL – Flood Risk Assessment & Surface Water Drainage Strategy', dated October 2021, ref: MC0031 ADL Ropetackle 2B, by Meridian Civil Engineering Consultancy Ltd) and the following mitigation measures it details:
 - Habitable rooms shall be located above 6.3 mAOD, with the ground floors to only be used as non-habitable rooms (i.e. garages, storage and WC) (Sections 14.2, 15.11 & 15.13 of the FRA).

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements.

The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants

4. Prior to commencement of the development hereby approved (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved in writing by the Local Planning Authority:

(1) A preliminary risk assessment which has identified: all previous uses; potential contaminants associated with those uses; a conceptual model of the site indicating sources, pathways and receptors; and potentially unacceptable risks arising from contamination at the site.

(2) A site investigation scheme, based on (1) above to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

(3) The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

(4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express consent of the Local Planning Authority.

The scheme shall be implemented as approved above and, prior to commencement of any construction work (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), a

Verification Report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a 'long-term monitoring and maintenance plan') for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the Local Planning Authority.

5. Construction work shall not commence until a scheme for protecting the proposed noise sensitive development from transport noise has been submitted to and approved by the local planning authority. All works, which form part of the scheme, shall be completed before any part of the noise sensitive development is occupied. The scheme shall have regard to the principles contained within the Pro PG: Planning and Noise - Professional Practice Guidance on Planning and Noise- New Residential Development 2017 and Calculation of Railway Noise 1995. The scheme should demonstrate good acoustic design, include full details of glazing, and a strategy to prevent overheating. The noise level of any ventilation units when in use should not exceed the levels specified in Pro PG: Planning and Noise - Professional Practice Guidance on Planning and Noise- New Residential Development 2017 and all duct work should be fitted on anti-vibration mounts. Following approval and completion of the scheme, a test shall be undertaken to demonstrate that the attenuation measures proposed in the scheme are effective and protect the residential unit from noise.
6. As this is an application within close proximity to the Shoreham Air Quality Management Area, the applicant must follow the Air Quality & Emissions Mitigation Guidance for Sussex (2020):

<http://www.sussex-air.net/ImprovingAQ/GuidancePlanning.aspx>.

We expect an emissions mitigation assessment to be completed, the purpose of which is to assess the local emissions from a development and determine the appropriate level of mitigation required to help reduce/offset the potential effect on health and the local environment. The emissions mitigation assessment must use the most up to date emission factors (available at <http://laqm.defra.gov.uk/review-and-assessment/tools/emissions.html>).

Mitigation shall include the promotion of cycling and walking, public transport, car clubs, low emission vehicles and associated infrastructure, etc. Reference should be had to the Adur/Worthing Air Quality Action Plan (available at <https://www.adur-worthing.gov.uk/environmental-health/pollution/air-quality-and-pollution/local-air-quality-management/#air-quality-action-plans>).

7. No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The

Plan shall provide details as appropriate but not necessarily be restricted to the following matters:-

- the anticipated number, frequency and types of vehicles used during construction - HGV construction traffic routings shall be designed to minimise journey distance through the AQMA's.
- the method of access and routing of vehicles during construction,
- the parking of vehicles by site operatives and visitors,
- the loading and unloading of plant, materials and waste,
- the storage of plant and materials used in construction of the development,
- the erection and maintenance of security hoarding,
- a commitment to no burning on site,
- the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
- details of public engagement both prior to and during construction works.
- methods to control dust from the site

8. 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.

9. 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
10. 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

11. No construction works shall progress beyond slab/foundation stage until details and samples of facing materials and finishes to be used in the construction of the external walls, roofs, windows, doors, balconies, footpaths and ground floor patios of the building hereby permitted have been submitted to and approved in writing by the local planning authority. Thereafter the development shall only be carried out in accordance with the approved details

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

12. The development hereby permitted shall be carried out in full accordance with the Arboricultural Method Statement submitted by David Archer Associates dated January 2023 unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and to ensure the retention of those trees identified to be retained within the Method Statement.

13. All hard and soft landscape works, including the works outlined in the Arboricultural Method Statement submitted by David Archer Associates dated January 2023, shall be carried out in accordance with the approved plans no later than the first planting season following completion of the development. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced the following planting season with others of similar size and species, unless the local planning authority gives any consent for variation. The approved hard landscape works, including car park surfacing, shall be completed prior to first occupation of the buildings.

Reason: In the interests of visual amenity and the environment and to comply with policies 15 and 30 of the Adur Local Plan.

14. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015, as amended, (or any order revoking and re-enacting that Order with or without modification), the proposed dwellings shall not be extended or altered by means of any development as set out within Classes A, B, D and E of Part 1 of the Schedule to that Order.

Reason: In the interests of amenity and the environment having regard to the nature of the site and policy 15 of the Adur Local Plan.

15. No part of the development shall be first occupied until the vehicle parking spaces have been constructed in accordance with plans and details submitted to and approved by the LPA.

Reason: To provide adequate on-site car parking space for the development.

16. 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.

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

17. 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.

Reason: To provide EVC charging points to support the use of electric vehicles in accordance with current national sustainable transport policies.

Informatives

1. Infiltration rates for soakage structures are to be based on percolation tests undertaken in the winter period and at the location and depth of the proposed structures. The percolation tests must be carried out in accordance with BRE DG365, CIRIA R156 or a similar approved method and cater for the 1 in 10 year storm between the invert of the entry pipe to the soakaway, and the base of the structure. It must also have provision to ensure that there is capacity in the system to contain below ground level the 1 in 100 year event plus 40% on stored volumes, as an allowance for climate change. Adequate freeboard must be provided between the base of the soakaway structure and the highest recorded annual groundwater level identified in that location. Any SuDS or soakaway design must include adequate groundwater monitoring data to determine the highest winter groundwater table in support of the design. The applicant is advised to discuss the extent of groundwater monitoring with the Council's Engineers. Further detail regarding our requirements are available on the following webpage <https://www.adur-worthing.gov.uk/planning/applications/submit-fees-forms>. A surface water drainage checklist is available on this webpage. This clearly sets out our requirements for avoiding pre-commencement conditions, or to discharge conditions
2. The applicant is requested to note that Network Rail requests the applicant / developer engages Network Rail's Asset Protection and Optimisation (ASPRO) team via AssetProtectionLondonSouthEast@networkrail.co.uk prior to works commencing
3. Section 278 Agreement of the 1980 Highways Act - Works within the Highway
The applicant is advised to enter into an S278 legal agreement with West Sussex County Council, as Highway Authority, to cover the off-site highway works. As part of these works it will also be necessary to apply for a street works license from the Street Works team (street.works@westsussex.gov.uk). The applicant is requested to contact The Implementation Team Leader (01243 642105) to commence the S278 process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.

4.

Application Number:	AWDM/1032/22	Recommendation - Approve
Site:	Monks Farm Presbytery, 127 North Road, Lancing	
Proposal:	Change of use of former Presbytery to six flats with 6no. parking spaces	
Applicant:	TJH Partners	Ward: Mash Barn
Agent:	Mohsin Cooper	
Case Officer:	Peter Barnett	

Application Number:	AWDM/1033/22	Recommendation - Grant Consent
Site:	Monks Farm Presbytery, 127 North Road, Lancing	
Proposal:	Listed Building Consent for internal and external alterations involving removal and insertion of internal walls and doors, new windows and external doors, and demolition of non historic rear extension in connection with change of use of former Presbytery to six flats with 6no. parking spaces	
Applicant:	TJH Partners	Ward: Mash Barn
Agent:	Mohsin Cooper	
Case Officer:	Peter Barnett	

The Principal Planning Officer delivered the report explaining that there were two applications to be deliberated and voted on as above.

The Cabinet Member for Regeneration and Strategic Planning gave a representation expressing the importance that this listed building was sympathetically converted and renovated.

The Officer clarified for members that the flint wall was to be retained and repaired and that details of landscaping, although not yet submitted, would be dealt with under condition. The details of these would be shared with the Chair who would make the decision to bring those plans to committee if it were deemed necessary.

Members voted unanimously in favour of granting planning permission and listed building consent subject to an additional condition removing permitted development rights for the erection of satellite dishes, aerials and gas/electric metres. Details of the discharge of the landscaping condition to be agreed by Chair when submitted.

AWDM/1032/22

Approved, subject to the following conditions:-

1. Approved Plans
2. Standard 3 year time limit
3. Details of permeable paving to be submitted and approved
4. Details of flood resilience measures to be submitted and approved
5. Tree protection to be put in place in accordance with approved Arboricultural Report
6. Landscaping details to be submitted and approved
7. Car and cycle parking to be provided in accordance with details to be submitted and approved
8. Details of new windows and doors to be submitted and approved
9. Recommendations of ecological appraisal to be fully adhered to
10. No aerials, satellite dishes, meter boxes, flues or cables, other than those shown on the approved plans, shall be constructed or added to any external wall/roof of the building, other than in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to their installation.

AWDM/1033/22

Granted Listed Building Consent subject to:

1. Approved Plans
2. Standard LB Time Limit
3. Protect listed building and damage to be made good
4. Details of new windows and doors to be submitted and approved
5. Details of new joinery and moulding to be submitted and approved
6. Details of proposals to protect basement from water ingress to be submitted and approved
7. Details of work to be carried out to repair existing flint wall in rear garden

Application Number:	AWDM/1398/22	Recommendation - Approve
Site:	The Barn Caravan Park, Old Salts Farm Road, Lancing, West Sussex, BN15 8JG	
Proposal:	Replacement of permanent mobile home approved under planning permission AWDM/1170/15 with a permanent chalet bungalow of brick and flint walls and a slate roof. Alteration in the limit of time that the residential use can exist from 1st March to 31st October as existing under PP AWDM/1170/15, to all year round. Installation of 5 bird boxes along the south-west boundary.	
Applicant:	Mr and Mrs Joby Pannell	Ward: Widewater
Agent:	James Breckell Architects	
Case Officer:	Peter Barnett	

Councillor Joby Pannell, the applicant, left the committee room whilst this application was heard and deliberated.

The Planning Services Manager delivered the report, clarifying for members the details about the s106 agreement and details of mitigation measures that would be taken against flooding.

Members voted unanimously in favour of accepting the Officers Recommendation to delegate for approval to the Head of Development upon completion of the Section 106 agreement agreed

APPROVED, subject to the following conditions:-

1. Approved Plans.
2. Standard time limit.
3. Details of materials to be agreed.
4. Construction Management Plan.
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.
6. 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. The building shall not 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.

7. The development shall not proceed until details have been submitted to and approved in writing by the Local Planning Authority for any proposals to discharge flows to watercourses; or for the culverting, diversion, infilling or obstruction of any watercourse on or adjacent to the site. Any discharge to a watercourse must be at a rate no greater than the pre-development run-off values. No construction is permitted, which will restrict current and future land owners from undertaking their riparian maintenance responsibilities in respect to any watercourse or culvert on or adjacent to the site.
8. Cycle parking to be provided.
9. Energy efficiency measures to be installed as per submitted details in Design and Access Statement.
10. The development shall be carried out in accordance with the submitted Flood Risk Assessment (dated August 2022) and the following mitigation measures it details: Finished floor levels shall be set no lower than 3.07 metres above Ordnance Datum (AOD). First floor levels shall be set no lower than 5.70 metres above Ordnance Datum (AOD). Cont/d.. 2 All sleeping accommodation must be at the first floor level or above. Flood resilient design shall be implemented up to 5.41m AOD. These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.
11. Bird boxes to be installed in accordance with details to be submitted and approved.
12. Removal of PD rights for future extensions .