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**Minutes of a meeting of the
Adur Planning Committee
6 March 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 Dan Flower

*Councillor Mandy Buxton
Councillor Jim Funnell
Councillor Julian Shinn

***Absent**

ADC-PC/74/22-23 Substitute Members

Councillor Kevin Boram substituted for Councillor Mandy Buxton.

ADC-PC/75/22-23 Declarations of Interest

There were no declarations of interest.

ADC-PC/76/22-23 Public Question Time

There were no questions raised under Public Question Time.

ADC-PC/77/22-23 Members Questions

There were no questions raised under Member Question Time.

ADC-PC/78/22-23 Confirmation of Minutes

RESOLVED, that the minutes of the Planning Committee meeting held on 31 January and 6 February 2023 be confirmed as a correct record and that they be signed by the Chairman.

ADC-PC/79/22-23 Items Raised Under Urgency Provisions

There were no items raised under urgency provisions.

ADC-PC/80/22-23 Planning Applications

The planning applications were considered, see attached appendix.

ADC-PC/81/22-23 Levelling Up and Regeneration Bill: Reforms to National Planning Policy

The Adur Planning Policy Manager delivered the report and clarified that although the consultation period had closed an Officer's response had been submitted and It had been made clear that it would be followed up by a Members endorsed version.

Members made comments regarding question 30 in the responses document (Appendix 1). It was thought that the word 'behaviour' should be amended to 'record' or 'credibility' and discussions led to the view it was right and proper that an applicant's track record should be taken into account during decision making; also that failure to deliver to an appropriate quality should be taken into account.

It was noted that a question of how a proposed development fitted into an existing community (the wider context) should be included in question 50 and this should be included in the covering letter to the response. Members agreed that the proposed National Development Management policies should allow for flexibility to local policies and it was requested that this aspect also be included in the covering letter to the response.

With regards to question 26, comments were made by Members that this suggested change to the definition was agreeable as local community led providers are not always registered when they are starting out.

The Adur Planning Policy Manager confirmed to members that all the comments made today would be forwarded to the Executive Member as set out in the report's recommendation.

ADC-PC/82/22-23 Proposed Revision to Pre-Application Charging Fees

This item was deferred to a future meeting due to volume of business.

The meeting ended at 9.33 pm

Chair

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Application Number:	AWDM/1962/22	Recommendation - Approve subject to a s.106 Agreement, the receipt of additional information and outstanding consultee responses
Site:	Land At Former 5 Brighton Road, Shoreham-By-Sea	
Proposal:	Proposed mixed-use re-development between 3 and 8 storeys comprising 21 townhouses, mixed-use apartment block of 24 flats, commercial unit, riverside walk, play area, landscaping, and parking (with revised design and provision of on-site affordable housing)	
Applicant:	Cayuga 011 LLP	Ward: Southwick Green
Agent:	Lewis and Co Planning SE Ltd	
Case Officer:	Stephen Cantwell	

The Principal Planning Officer presented the report, explaining that this was a resubmission of an application that had been refused by the committee in September 2022. He outlined the amendments that had been made to the application and summarised the details within the addendum. He clarified that there had also been a report received from the Council's Financial Consultant, since the addendum had been published regarding viability. This had been published on the Council's website today.

Members had questions for the Officer regarding the late publication of the viability report and it was noted that members had had very little time to digest the information within it. There were other questions raised over s106 contributions, lack of Homes England funding, parking concerns, site contamination and conflicting advice within the Tall Buildings Study and the Design Panel Report.

There were two registered speakers who made representations in objection to the application. They addressed issues regarding the increase of traffic caused by the proposed development, lack of infrastructure to cope with the population growth it would generate, parking allocation being based on 2011 census results rather than the 2021 census, the affordable housing proposals, the design remaining unsuitable for a gateway site and the detrimental impact to the nearby lighthouse.

There were two registered Ward Councillors speaking, one in support and one in objection. Their comments of objection reiterated concerns already raised and the statements of support commended the changes the developer had made to the application.

There was one registered speaker, the agent for the developer, who gave a representation in support of the application restating information regarding the amendments that had been made to the application.

During debate Members discussed the various changes that had been made to the development and concerns were voiced that there remained many unacceptable aspects to the development plans. It was proposed that the application be refused. This proposal was seconded and voted on with an outcome of 5 in favour and 4 abstentions.

Decision - Recommendation overturned, application to be refused for the same reason as under reference AWDM/1481/21 as follows -

01. The proposal, by reason of its scale, height and design, is considered to cause harm to the setting and the significance of the designated heritage asset, Kingston Bucci lighthouse. Whilst this is considered to be less than substantial harm, the Local Planning Authority does not consider that there are public benefits of the proposal sufficient to outweigh this harm, the under provision of affordable housing provision contributes to this lack of outweighing public benefit. The proposal is therefore contrary to the following Policies of the Adur Local Plan, 2017:-

15 (Quality of the Built Environment and Public Realm),

16 (A Strategic Approach to the Historic Environment),

17 (The Historic Environment)

21 (Affordable Housing) and,

Policy CA7 of the Shoreham Harbour Joint Area Action Plan 2019 (including the associated paragraph 4.7.70) and paragraphs 199-200 & 202 of the NPPF, 2021.

02. In the absence of a planning obligation, the application does not secure the provision of the infrastructure and services necessary to accommodate and mitigate the impact of the development in relation to matters including: affordable housing, highways & transport, health, education, libraries, fire & rescue, open space & recreation, provision for future connection to the Shoreham District Heating Network; site management, public art and provisions for employment and opportunities connected with the development, in accordance with Policies 29 & 32 of the Adur Local Plan, 2017; CH7 & SH10 the Shoreham Harbour Joint Area Action Plan 2019 and the NPPF, 2021.

Application Number:	AWDM/1314/22	Recommendation - To contest the appeal against the non-determination of the application within the statutory timeframe
Site:	Land East Of 3 Salt Marsh Road, Shoreham-by-Sea	
Proposal:	Proposed mixed use building set over 5no. floors comprised of ground floor commercial space (Use Class E) and 34 new apartments	
Applicant:	Cross Stone (Shoreham)	Ward: St Nicolas
Agent:	Mr Joseph Pearson, Lewis and Co Planning SE Ltd	
Case Officer:	Gary Peck	

The Planning Services Manager presented the application clarifying the circumstances leading to it and explaining the recommendation to Members. The Officer addressed some late information contained in the addendum and updated members with information received since the addendum had been published.

There was one speaker who gave a representation in objection to the application on behalf of the Waterfront Residents and Tenants Association. He raised concerns surrounding parking, increased traffic, overdensity and loss of light to adjacent buildings.

There was a representation in objection by a Ward Councillor who addressed issues of design, green spaces, road access and air pollution.

There was one speaker, the Project Manager, in support of the application. He addressed matters including those of consultation and parking allocation.

During debate Members agreed with the Officers reasons for refusal and it was proposed that they accept the recommendation. This was seconded and voted in favour of unanimously.

Decision -

To DELEGATE the decision to the Head of Development to contest the appeal on ground number 1, grounds 2 and 3 if not resolved prior to the Appeal Hearing and ground 4 pending the receipt of a viability assessment in respect of the provision of affordable housing and other development contributions:

1. The proposed development by reason of its overall density, height, scale, bulk and massing would result in an over development of the site to the detriment of the character and visual amenities of the locality and the amenities of neighbouring residents. Accordingly, the proposal would fail to comply with policies 8, 11 and 15 of the Adur Local Plan 2017.
2. It has not been demonstrated to the satisfaction of the Local Planning Authority that the proposed commercial unit can be adequately serviced without detriment to the highway safety of the area or that the under provision of parking to serve the proposed development can be adequately mitigated without adversely affecting the amenities of existing and future residents. The proposal therefore fails to comply with policy 28 of the Adur District Local Plan 2017 and guidance contained within the National Planning Policy Framework.
3. It has not been demonstrated to the satisfaction of the Local Planning Authority that an adequate drainage strategy has been provided to serve the development or that the layout of the proposal protects the existing water distribution main or can accommodate any appropriate diversion. Accordingly, the proposal fails to comply with policies 35 and 36 of the Adur District Local Plan 2017.
4. In the absence of a planning obligation, the application does not secure the provision of the infrastructure and services necessary to accommodate and mitigate the impact of the development in relation to matters including: affordable housing (subject to a viability assessment), highways & transport, health, education, libraries, fire & rescue, and open space & recreation, in accordance with Policies 29 & 32 of the Adur Local Plan,

Application Number:	AWDM/0018/23	Recommendation - Approve, subject to Deed of Variation
Site:	Shoreham Airport, Cecil Pashley Way, Lancing	
Proposal:	Extension of airport apron, use of spoil to relevel land and relocation of existing grass helicopter landing pad.	
Applicant:	Brighton City Airport Limited	Ward: Mash Barn
Agent:	DMH Stallard LLP	
Case Officer:	Peter Barnett	

After discussion with Officers, Members were advised that more information was necessary to hear this application. A vote was taken and was unanimously in favour of moving the item to a future Planning Committee Meeting.

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