

# Public Document Pack

**Minutes of a meeting of the  
Adur Planning Committee  
3 April 2023  
at 6.30 pm**

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

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

Councillor Jim Funnell  
\*Councillor Dan Flower  
\*Councillor Julian Shinn

\*Absent

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

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## **ADC-PC/91/22-23 Substitute Members**

Councillor Gabe Crisp substituted for Councillor Julian Shinn  
Councillor Jude Harvey substituted for Councillor Dan Flower

## **ADC-PC/92/22-23 Declarations of Interest**

Councillor Mandy Buxton declared that with regards to application AWDM/0118/23, this had previously been brought before Lancing Parish Council, of which she was Chair.

## **ADC-PC/93/22-23 Public Question Time**

There was one question raised under Public Question Time -

### **Question –**

*The Waterfront Residents' and Tenants' Association (WRTA) has made the Council aware, on several occasions, of the health and safety risk presented by Waterfront Estate River Defence Wall. Action is urgently required to deter children and others jumping onto the wall from the adjoining riverside walk and creating an increasing nuisance to residents, unaware of the 2.4 metre dangerous fall into private gardens.*

*The Environment Agency and Hyde Housing Association, who manage the estate, deny that they own the wall or hold responsibility for its management.*

*A Land Registry search shows that the river defence wall is held with the riverside walk and is in the Council's ownership.*

*So, the WRTA question for the Committee is, can the Council confirm that it holds responsibility for maintaining and managing the wall in line with the S106 agreement for the estate and what action will be taken to make the wall safe?*

## Response –

*Firstly it is surprising that HM Land Registry suggests that the Council owns any land here. I have contacted our Estates Manager and he has confirmed that according to our records the Council owns no land along the river frontage or the flood wall.*

*As you are aware the Environment Agency (EA) built the wall as part of the Adur Tidal Walls project. The EA has the power to build flood defences on private land but the future maintenance responsibility falls on the landowner. In this case the EA has passed responsibility of the wall onto the landowner Hyde Housing. I have spoken to John Martin from Hyde who has confirmed that this is the case. You will be aware that Hyde worked with the EA to coordinate access from the development through the wall to gain access to the riverside path.*

*The Estates Manager is double checking the land ownership issue but I wonder whether the WRTA believes the Council owns land here because of the public footpath alongside the river? This in itself is not straightforward as the WSCC Interactive Map indicates (see extract below):*



*The brown land is the South Downs Link and the dotted line is known as an Easy Access Trail. I have written to WSCC Rights of Way team to clarify the status of Easy Access Trails and the status of the rest of the footpath along the river frontage. I have also raised with WSCC the safety concerns of residents and spoken to Hyde who would be more than willing to work with WSCC to erect some warning signs along the footpath to stop access to the wall and highlighting the risk of falling.*

*As you know the EA was not prepared to add guard rails to the wall and Hyde cannot alter the wall without the agreement of the EA and therefore there appears to be somewhat of an impasse. Ultimately it is the responsibility of the landowner but I could not comment on liability as the EA appears to be concerned about altering the wall to add guard railing.*

The Planning Services Manager also stated he would follow up with a written response clarifying details of how the developer is honouring their original s106 agreement.

## **ADC-PC/94/22-23 Members Questions**

There were no pre-submitted Members Questions.

**ADC-PC/95/22-23 Confirmation of Minutes**

**RESOLVED**, that the minutes of the Planning Committee meeting held on **20 March 2023** be confirmed as a correct record and that they be signed by the Chair.

**ADC-PC/96/22-23 Items Raised Under Urgency Provisions**

There were no items raised under urgency provisions.

**ADC-PC/97/22-23 Planning Applications**

The planning applications were considered, see attached appendix.

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The meeting ended at 7.28 pm

**Chair**

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<b>Application Number:</b>	<b>AWDM/0118/23</b>	<b>Recommendation - APPROVE</b>
<b>Site:</b>	<b>Car Park, South Street, Lancing</b>	
<b>Proposal:</b>	<b>Redevelopment of existing car park to provide 7no. dwellings for emergency and temporary accommodation with associated works</b>	
<b>Applicant:</b>	<b>Mr A Probert, Adur District Council</b>	<b>Ward: Widewater</b>
<b>Agent:</b>	<b>Neal Thompson, Robinson Escott Planning</b>	
<b>Case Officer:</b>	<b>Gary Peck</b>	

The Planning Services Manager delivered his report clarifying some amendments to the existing conditions. During his presentation he explained how the Supplementary Planning Guidance had been applied in this case in relation to the distance of the proposed development to existing adjacent dwellings and clarified how the flat roofs of 5 of the dwellings had reduced impact upon these.

Members had questions for the Officer regarding -

- The proposed entrance and exit to the development
- Access of construction, service and emergency vehicles to the site
- Parking
- Landscaping

There were no registered speakers for this application.

Members debated possible solutions to the narrow entrance and exit issues and the refuse collection complications. The Committee were in agreement that this type of temporary and emergency house was greatly needed and that the existing car park on the site was largely unused and as such a wasted space.

A proposal was put forward to accept the Officers recommendation and approve the application with some additional and some amended conditions. This was seconded and voted in favour of unanimously.

**Decision - APPROVED subject to:**

- **deletion of condition 12 as set out on agenda (duplicated condition 6)**
- **amendment to condition 11 to begin 'no construction works shall progress beyond slab/foundation stage'**
- **additional Environmental Health conditions i) contaminated land ii) submission of noise assessment**
- **specific Construction Management condition**
- **proposed bin store to brick built instead of timber**
- **addition of refuse and recycling condition**

**And -**

1. Approved Plans
2. Full Permission
3. No part of the development shall be first occupied until the vehicle parking spaces and turning 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.*

4. 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.*

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

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

6. Construction of the development shall not commence until details of the proposed means of foul sewerage and surface water disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water.

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, Bank and Public 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.

*Reason: In the interests of amenity.*

8. 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.*

9. 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.*

10. 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), no windows or other openings shall be formed in the southern walls of the approved dwellings.

*Reason: To prevent overlooking and to comply with saved policy 15 of the Adur Local Plan.*

11. No construction works shall progress beyond slab/foundation stage until full details of all hard and soft landscaping works and the proposed times of planting have been approved in writing by the Local Planning Authority and all soft landscape works shall be carried out in accordance with those details and at those times. Any plants which within a period of five years from the time of planting die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

*Reason: To ensure adequate landscaping is provided.*

**12 If during development, any visible contaminated or odorous material, (for example, asbestos containing material, stained soil, petrol/diesel/solvent odour, underground tanks or associated pipework) not previously identified, is found to be present at the site, no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until it has been investigated by the developer. The Local Planning Authority must be informed immediately of the nature and degree of the contamination present and a method statement detailing how the unsuspected contamination shall be dealt with must be**

**prepared and submitted to the Local Planning Authority for approval in writing before being implemented. If no such contaminated material is identified during the development, a statement to this effect must be submitted in writing to the Local Planning Authority.**

**Reason: To ensure adequate mitigation for any contamination on the site**

**13 A BS4142 noise assessment to be undertaken in accordance with a timescale and details to be agreed with the Local Planning Authority.**

**Reason: To ensure that the new residential dwellings are adequately protected from noise from surrounding commercial uses.**

**14 No buildings on the site shall be occupied until the associated facilities for storing refuse and recycling, including the provision of a brick built bin store have been provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority.**

**Reason: To ensure adequate provision for the collection of refuse and recycling and in the interests of the amenities of neighbouring properties.**

**15 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved Method Statement and shall be adhered to throughout the construction period. The Statement shall provide for:-**

- (i) the parking of vehicles of site operatives and visitors;**
- (ii) loading and unloading of plant and materials;**
- (iii) storage of plant and materials used in constructing the development;**
- (iv) the erection and maintenance of security hoarding;**
- (v) wheel-washing facilities;**
- (vi) measures to control the emission of dust and dirt during construction;**
- and**
- (vii) a scheme for recycling/disposing of waste resulting from demolition and construction works.**

**Reason: In the interests of highway safety and amenity.**



<b>Application Number:</b>	<b>AWDM/0018/23</b>	<b>Recommendation - Approve, subject to Deed of Variation to the original s52 legal agreement.</b>
<b>Site:</b>	<b>Shoreham Airport, Cecil Pashley Way, Lancing</b>	
<b>Proposal:</b>	<b>Extension of airport apron and use of spoil to re-level land</b>	
<b>Applicant:</b>	Brighton City Airport Limited	Ward: Mash Barn
<b>Agent:</b>	DMH Stallard LLP	
<b>Case Officer:</b>	Peter Barnett	

The Planning Service Manager presented the report explaining some updates to the application since it was deferred at the Planning Committee Meeting on March 6th 2023 and clarifying that the helicopter pad and helicopter training circuits were no longer part of the application.

There was one registered speaker in support of the application who reiterated positive aspects of the presentation.

A proposal was made to accept the Officers recommendation and approve subject to Deed of Variation to the original s52 legal agreement. This was seconded and voted in favour of unanimously.

**Decision - APPROVED, to be delegated to the Head of Planning to issue the decision, subject to the completion of a Deed of Variation allowing the development proposed outside the area of the original terminal buildings, and subject to the following conditions :-**

1. Approved Plans
2. Time limit
3. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the Local Planning Authority. The remediation strategy shall be implemented as approved
4. CEMP, to include details of ecological enhancements, to be submitted prior to commencement and implemented
5. Archaeological watching brief
6. Construction Management Plan

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