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**Minutes of a meeting of the
Adur Planning Committee
5 June 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 Dan Flower

Councillor Jim Funnell
Councillor Gabe Crisp
Councillor Andy McGregor

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

ADC-PC/1/23-24 Substitute Members

There were no substitute Members.

ADC-PC/2/23-24 Declarations of Interest

There were no declarations of interest.

ADC-PC/3/23-24 Public Question Time

There was one public question submitted on behalf of AREA-

There are currently three large construction sites in central Shoreham with another large development in the pipeline.

The noise, dust and pollution are causing distress and anxiety to local residents who live nearby. AREA has been contacted by residents whose physical and mental health is being impacted by living in the middle of what amounts to a huge building site.

My question is;

Did Adur Council not think through the consequences of so many developments happening at the same time and what plans does the Council have to support and compensate those local residents whose lives are being made so unbearable.

The Planning Service Manager replied –

The Council is not aware, at the time of granting planning permission, when developments will be built. Our planning permission is started with a three year timescale but once started, a development can be built in phases. Freewharf is an example of this, with permission being granted in 2018. The Council has no power to stagger the implementation of planning permissions.

Each permission does have a number of conditions to mitigate the impact of developments including a construction management plan which would include dust suppression measures.

Having heard about the concerns of residents via your question we are keen to investigate. As it stood, before today, we didn't have any outstanding complaints, either to the Planning Officers, the Enforcement Section or to Environmental Health.

Environmental Health are not aware of any complaints about Freewharf. Complaints about Kingston wharf and one complaint about the Mannings were received over three months ago and actioned at the time but nothing has been received since.

We have received a complaint today, however and this has been sent to Planning Enforcement. This is about the issues you have raised and this will be investigated and if conditions have been breached we will take appropriate action.

A supplementary question was asked –

It does seem that Adur Council could be doing to help residents. For instance do you have meetings with West Sussex County Council or highways England regarding the road congestion?

The Planning Service Manager replied –

The primary contact is at the application stage. It's normally with West Sussex County Council as Highways England only has responsibility for A roads. It's unfortunate that we are not the Highways Authority for the area. As it is we don't have a decision making function beyond dealing with a planning application. If a planning application has been granted, which has been the subject of consultation with West Sussex County Council, that's one aspect and the consequences of that is a separate matter. We do meet with the County Council quite regularly regarding formulation of future policy. This committee is dealing with planning applications and once they are decided on, the role of the committee is more or less finished.

In terms of the Adur Local Plan, and what happens in the future, we are reviewing the local plan now and that is the subject of quite detailed consultations with the County Council. From a development management view, unfortunately, national planning policy is not set in favour of protecting residents from those extreme impacts. The guidance dictates that those impacts have to be severe before we can consider refusing planning permission.

Perhaps, once the planning permissions that have been granted are completed and residents have experienced the consequences of that, I would encourage them to engage with the local plan process at the correct time and point out what happened during the last plan regarding developments that have been completed and suggest those consequences should be held in primary forethought before anything gets allocated and developed in the future.

ADC-PC/4/23-24 Members Questions

There were no pre-submitted Members Questions.

ADC-PC/5/23-24 Confirmation of Minutes

RESOLVED, that the minutes of the Planning Committee meeting held on **4 April 2023** be confirmed as a correct record and that they be signed by the Chair.

ADC-PC/6/23-24 Items Raised Under Urgency Provisions

There were no items raised under urgency provisions.

ADC-PC/7/23-24 Planning Applications

The planning applications were considered, see attached appendix.

The meeting ended at 8.14 pm

Chair

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Application Number: AWDM/1859/22		Recommendation – APPROVE	
Site:	Land East Of 24 To 30 Manor Close, Gardener Street, Portslade		
Proposal:	4 No. three bedroom two storey detached houses including new access road from Gardener Street and alterations to public footpath		
Applicant:	Bailey Brothers Ltd	Ward:	Eastbrook
Case Officer:	Peter Barnett		

The Principal Planning Officer delivered the report explaining that this application had previously been granted planning permission in 2018 but this permission had now lapsed and as a result a new applicant had brought forward an identical application. He also clarified that due to its location an identical application was due to be considered by Brighton and Hove Council next week.

Members had questions for the Officer regarding -

- An error in the numbering of an adjacent house. The Officer clarified that the report was wrong and the house referred to as 57a was in fact 59.
- Concerns over the access to the development running across an existing well used public footpath. The Officer explained that the WSCC had raised no objections regarding this.
- Surface water drainage. The officer clarified that a sustainable drainage system plan be provided post decision.

There was one registered speaker, the applicant, who gave a representation in support of the application. He gave details of how plans to drop the height of the site would lead to access to the footpath by wheelchair users which was not currently possible.

During debate Members expressed concerns regarding safety issues of the footpath crossing the site's access road. It was suggested that staggered gates be installed to slow down any cyclist using the sloping footpath. Other concerns raised were -

- The amount of soil that would need to be moved through a narrow access road during construction.
- How much of the current road would have double yellow lines introduced to allow access to the proposed development, resulting in less available parking.
- Increase in traffic on an already narrow and busy road.
- Refuse collection
- Suitability of the conditions that would be set post decision. It was suggested that they should be presenters to the chair, once decided, who would share them with the Committee for approval.

A proposal was put forward to approve the application. This was seconded and voted on with an outcome of 8 in favour and 1 against.

Decision - APPROVE and Chair to be advised when discharge of conditions applications are submitted.

Subject to Conditions:-

1. Approved Plans
2. Standard 3 year time limit
3. Prior to the commencement of development or any preparatory works, an ecological and biodiversity enhancement scheme shall be submitted to the LPA for approval and will be based on the recommendations within the supporting Ecology Technical Note. All approved details shall then be implemented in full and in accordance with the agreed timings and details.
4. Prior to commencement of the development hereby permitted, a scheme to lower the fence and planting to the northeast of the site and bounding number 36/36A Gardener Street shall have been submitted to and agreed in writing by the Local Planning Authority. The scheme shall include layout plans, elevations, visibility splays and evidence of the agreement with landowners. The agreed scheme shall be implemented in full prior to commencement of development
5. Prior to commencement of the development hereby permitted, a scheme to reprofile the boundary of the public footpath to the south and bounding number 59 Gardener Street, and to the north-east of the site and bounding number 36/36A Gardener Street shall have been submitted to and agreed in writing by the Local Planning Authority. The scheme shall include layout plans, elevations, visibility splays and evidence of the agreement with landowners. The agreed scheme shall be implemented in full prior to commencement of development.
6. Prior to first occupation of the development hereby permitted, the proposed highway works to provide access to the site shall have been implemented. In addition, double yellow line restrictions at the end of the existing cul-de-sac on Gardener Street, to allow refuse vehicles to access the site unimpeded, shall have been installed.
7. The development hereby permitted shall not be occupied until the cycle parking facilities shown on the approved plans have been fully implemented and made available for use. The cycle parking facilities shall thereafter be retained for use by the occupants of, and visitors to, the development at all times.
8. Prior to commencement of the development hereby permitted, details of all works intended to be undertaken on the footpath, including a specification of materials, shall be submitted and approved in writing by West Sussex County Council (WSSCC) as the highway authority. The development shall be carried out in accordance with the approved details.
9. Surface water drainage details to be submitted and approved, including details of drainage to prevent flooding of public right of way
10. Construction Management Plan to be submitted and approved
11. No demolition or construction work (including deliveries) shall take place on the site except between the hours of 8am-6pm Monday to Friday and 8.30am -1pm on Saturdays only. There shall be no working on Sundays or Public Holidays.

12. Materials as approved
13. Hard and soft landscaping to be approved
14. Boundary treatment to be approved
15. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 (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, C, D and E of Part 1 of the Schedule to that Order.
16. No additional windows in west elevation of Plot 4
17. Refuse storage to be provided in accordance with approved plans
18. Each dwelling shall be constructed and fitted out so that the potential consumption of wholesome water by persons occupying the dwelling will not exceed 110 litres per person per day.
19. Parking spaces (with EV charging) to be provided in accordance with approved plan
20. Sustainability measures to be included as per approved plans

Informatives:

1. The applicant is advised to contact the Council's Streetworks team (permit.admin@brightonhove.gov.uk 01273 290729) for necessary highway approval from the Highway Authority prior to any works commencing on the adopted highway to satisfy the requirements of condition XX. The applicant will be responsible for all costs including the cost of preparing and advertising the Traffic Regulation Order for the double yellow lines.
2. Safe and convenient public access shall be made available at all times across the full width of the PROW. Where it is necessary to undertake works within the legal width of the PROW, e.g. install utilities, the applicant must apply to WSCC PROW Team for a temporary path closure. The applicant must be advised there is no guarantee an application will be approved and that a minimum of 8 weeks' is needed to consider an application.
3. Where the ground levels adjacent to the PROW are to be raised above existing ground levels, this could increase the potential to flood the path. A suitable drainage system must be installed adjacent to the path to a specification agreed with the WSCC PROW Team prior to development commencing.
4. Any down pipes or soakaways associated with the development should discharge into an existing or new drainage system and away from the surface of the PROW. No drainage system is to be installed through the surface of the path without the prior consent of the WSCC PROW Team.
5. Southern Water

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 report explaining that this application had previously come before the Committee in February 2023 but had been deferred by members to allow further consideration by the applicant regarding the position of the bin storage and to obtain clarification about ownership of some of the parking spaces within the application. The Officer demonstrated how the bin store had now been moved and the parking spaces in question were not owned by the applicant but were public highways and therefore could not be reserved for residents of the application site but would be available for anyone to park in.

Members had questions for the Officer regarding -

- Why the access had to be via Penstone Close rather than via Penstone Park. The Officer explained that the applicant did not consider this a feasible alternative.
- Ownership of the garages that were to be demolished. The Legal representative clarified that this would be a private matter between the owner of the garages and those who rented them and was not a planning consideration.

There were three registered speakers who gave representations in objection to the application. Their presentations demonstrated their concerns including -

- The existing lack of parking and how this would be exacerbated with the addition of 9 more flats.
- Access to emergency vehicles.
- The increase of traffic and noise.
- Overdevelopment of the area.
- The overlooking of an adjacent children's home.
- Whether the current drains and sewers could deal with the increase in residents.
- The access route and the dangers of collisions it may evoke.

There was one registered speaker, the agent, who gave a representation in support of the application. Her presentation reiterated the changes to the application the Planning Officer had covered. She clarified that the Air Source Heat Pumps would be installed for the new dwellings only and elucidated why the alternative access from Penstone Park was considered by the applicant to be too narrow, particularly for emergency vehicles.

During debate Members discussed concerns regarding -

- The overlooking of the adjacent children's home.
- Space between vicinal dwellings and the proposed extension.
- Weighing the balance of over development with an improvement in the appearance of the construction.

A proposal was made to approve the application. This was seconded and voted on with an outcome of 6 in favour and 3 against.

Decision - Approve

Subject to conditions:-

1. Approved Plans
2. 3 year time limit
3. Schedule and samples of materials to be submitted and approved
4. Construction Management Plan (to include resident liaison) to be submitted and approved
5. Hours of working: 8-6 Monday to Friday, 8.30-1 Saturdays, no working on Sundays or Public Holidays
6. Development shall not commence, other than works of site survey and investigation, until full details of the proposed foul and surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water. 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 Percolation testing to BRE 365, 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
7. 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.

8. Car and cycle parking to be provided in accordance with the approved plans
9. Waste storage to be provided in accordance with the approved plans
10. Sustainability and energy efficiency measures to be provided in accordance with the approved details
11. Landscaping scheme to be submitted and approved

Application Number:	AWDM/0321/23	Recommendation - APPROVE
Site:	Land South Of Lorry Park And Adjoining Edge Of Beach, Basin Road South, Southwick	
Proposal:	Construction of a new rock revetment along the existing defence along the central Shoreham frontage facing Basin Road South. The proposed alignment follows the seaward perimeter of the existing beach crest. Construction of a new footpath along with a new beach access ramp and steps.	
Applicant:	Brighton and Hove City Council	Ward: Eastbrook
Agent:	JBA Consulting	
Case Officer:	Peter Barnett	

The Principal Planning Officer delivered the report the committee had before them, explaining that there had been one change to the report since publication. There had been plans to compensate for a loss of vegetative shingle that this work would cause, by adding some new shingle vegetation to the west by Carrots Cafe but that would have been outside of the site and would be difficult to secure. They are planning to add that enhancement within the site alongside the footpath instead.

Members had questions for the Officer regarding -

- The removal of the breakwaters and whether there would be any benefit to retaining them. The Officer explained that they were damaged and would not provide protection from larger waves. He clarified that experts considered that using large rocks was the most successful method.
- The rocks to be used were to come from Kent and Members queried by which method they were to be transported. The Officer clarified that they would be transported by either barge or road.
- Members expressed concern that with the removal of the breakwaters there may be a risk of loss of gravel during storms leaving excessive drops in places. The Officer assured Members that the scheme had been overseen by flood defence experts.

There were no registered speakers on this application.

During debate Members expressed appreciation of this application and it was considered that it could also nullify the current movement of shingle from Shoreham Beach to Brighton.

A proposal was made to approve the application. This was seconded and voted on with an outcome of a unanimous vote in favour.

Decision - Approve

Subject to conditions:-

1. Approved Plans
2. Standard time limit
3. Construction management plan
4. Compliance with biodiversity proposals
5. Details of footpath, access steps and ramp to be submitted and approved

Application Number:	AWDM/0210/23	Recommendation - REFUSE
Site:	23 Firl Road, Lancing, West Sussex	
Proposal:	Hip to gable roof extensions, front dormer, roof extension over part of existing rear hipped roof projection, ground floor side and rear extension balcony with steps on rear elevation.	
Applicant:	Ms Jacqui Selby	Ward: Manor
Agent:	None	
Case Officer:	Hannah Barker	

The Planning Services Manager delivered the presentation explaining the reasons for the refusal recommendation. He clarified that there had been no objections from adjacent residents and there were numerous dormers of varying shapes and sizes in the area.

Members had questions for the Officer regarding how much smaller the dormer would have to be for it to have obtained an approval recommendation by Officers. The Officer explained that it wasn't refused for size as much as design and external appearance.

There was one registered speaker, a Ward Councillor, who gave a representation in favour of approving the application.

During debate Members commented on how there was currently no uniformity of dormer size or design in this area and they noted how the proposed structure had already been taken back by a metre from the initial design.

A proposal was put forward to grant the application planning permission. This was seconded and voted on with an outcome of 5 votes in favour, 3 against and 1 abstention.

Decision - Approve

The Planning Service manager confirmed that standard conditions would be imposed including obscure glazing of gable side windows.

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