



# ADUR DISTRICT COUNCIL

23 June 2023

| Adur Planning Committee |   |
|-------------------------|---|
| Date:                   | 3 July 2023                                 |
| Time:                   | 6.30 pm                                     |
| Venue:                  | QEII Room, Shoreham Centre, Shoreham-by-Sea |

**Committee Membership:** Councillors Carol Albury (Chair), Joe Pannell (Vice-Chair), Jeremy Gardner, Carol O'Neal, Vee Barton, Dan Flower, Jim Funnell, Gabe Crisp and Andy McGregor

**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](mailto:democratic.services@adur-worthing.gov.uk) before noon on Friday 30 June 2022.

## Agenda

### Part A

#### 1. 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.

#### 2. Substitute Members

Any substitute members should declare their substitution.

### **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 **Wednesday 28 June 2023**.

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](mailto:democratic.services@adur-worthing.gov.uk)

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

### **4. Members Questions**

Pre-submitted Members questions are pursuant to rule 12 of the Council & Committee Procedure Rules.

Questions should be submitted by **midday** on **Wednesday 28 June 2023**. to Democratic Services, [democratic.services@adur-worthing.gov.uk](mailto:democratic.services@adur-worthing.gov.uk)

(Note: Member Question Time will operate for a maximum of 30 minutes.)

### **5. Confirmation of Minutes**

To approve the minutes of the Planning Committee meetings of the Committee held on **5 June 2023**, which have been emailed to Members.

### **6. Items Raised Under Urgency Provisions**

To consider any items the Chair of the meeting considers urgent.

### **7. Planning Applications (Pages 5 - 32)**

To consider the reports by the Director for Place, attached as Item 7.

### **8. Planning Appeals (Pages 33 - 46)**

To note Planning Appeal decision AWDM/1314/22, copy attached as item 8

## **Part B - Not for publication - Exempt Information Reports**

#### **Recording of this meeting**

Please note that this meeting is being audio live streamed and a recording of the meeting will be available on the Council's website. This meeting will be available 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<br>Democratic Services Officer<br>01903 221006<br>katy.mcmullan@adur-worthing.gov.uk | Caroline Perry<br>Senior Lawyer & Deputy Monitoring Officer<br>01903 221081<br><a href="mailto:Caroline.perry@adur-worthing.gov.uk">Caroline.perry@adur-worthing.gov.uk</a> |

**Duration of the Meeting:** Three 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.

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ADUR DISTRICT  
COUNCIL

Planning Committee  
3 July 2023

Agenda Item 7

Ward: ALL

Key Decision: Yes / No

## Report by the Director for Economy

### Planning Applications

**1**

**Application Number: AWD/0630/23      Recommendation – APPROVE**

**Site:            1 The Street, Lancing**

**Proposal:    Change of use from groundsman's shed to workshop with storage area and quiet room for social, educational and recreational activities. Application to vary condition 4 (hours of opening) of approved AWD/1877/21 to allow building to be used from 7.30am-4pm Monday-Friday and 8am-4pm Saturday, to enable preparation/set up in advance of use of building by members from 8.30am plus retention of outside toilet unit.**

**2**

**Application Number: AWD/0128/23      Recommendation – APPROVE**

**Site:            Rosecroft, The Street, Shoreham-by-Sea**

**Proposal:    Raising of the roof ridge height and remodelling of bungalow to form a two storey pitched roof dwelling, with raised patio to rear**

**3**

**Application Number: AWD/0072/23      Recommendation – REFUSE**

**Site:            31 Meadowview Road, Sompting**

**Proposal:    Conservatory attached to rear extension**

**4**

**Application Number: AWDM/0660/23      Recommendation – REFUSE**

**Site:            1 Hamble Road, Sompting, West Sussex**

**Proposal:    Construction of single storey 1 bed dwelling attached to west elevation**

## **Schedule of other matters**

### **1.0 Council Priority**

- 1.1 As referred to in individual application reports, the priorities being:-
- to protect front line services
  - to promote a clean, green and sustainable environment
  - to support and improve the local economy
  - to work in partnerships to promote health and wellbeing in our communities
  - to ensure value for money and low Council Tax

### **2.0 Specific Action Plans**

- 2.1 As referred to in individual application reports.

### **3.0 Sustainability Issues**

- 3.1 As referred to in individual application reports.

### **4.0 Equality Issues**

- 4.1 As referred to in individual application reports.

### **5.0 Community Safety Issues (Section 17)**

- 5.1 As referred to in individual application reports.

### **6.0 Human Rights Issues**

- 6.1 Article 8 of the European Convention safeguards respect for family life and home, whilst Article 1 of the First Protocol concerns non-interference with peaceful enjoyment of private property. Both rights are not absolute and interference may be permitted if the need to do so is proportionate, having regard to public interests. The interests of those affected by proposed developments and the relevant considerations which may justify interference with human rights have been considered in the planning assessments contained in individual application reports.

## **7.0 Reputation**

7.1 Decisions are required to be made in accordance with the Town & Country Planning Act 1990 and associated legislation and subordinate legislation taking into account Government policy and guidance (and see 6.1 above and 14.1 below).

## **8.0 Consultations**

8.1 As referred to in individual application reports, comprising both statutory and non-statutory consultees.

## **9.0 Risk Assessment**

9.1 As referred to in individual application reports.

## **10.0 Health & Safety Issues**

10.1 As referred to in individual application reports.

## **11.0 Procurement Strategy**

11.1 Matter considered and no issues identified.

## **12.0 Partnership Working**

12.1 Matter considered and no issues identified.

## **13.0 Legal**

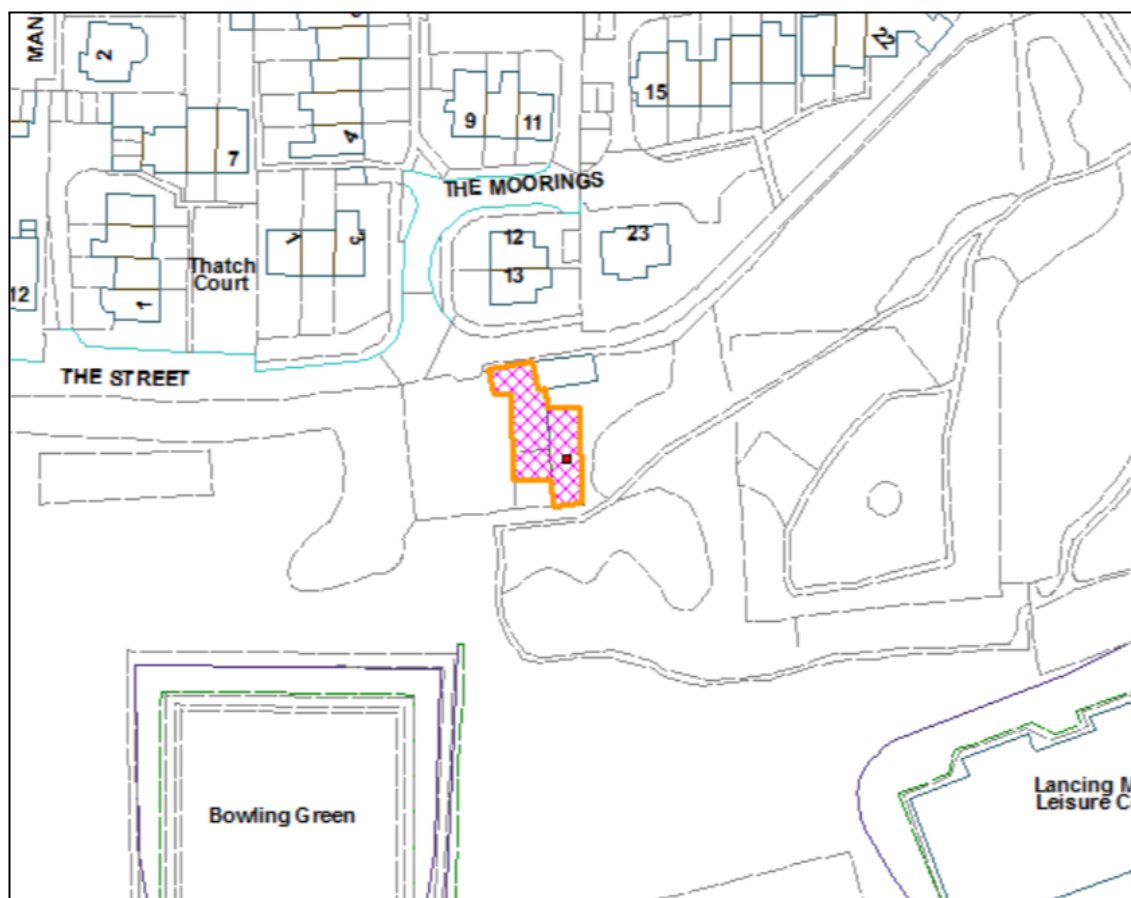
13.1 Powers and duties contained in the Town and Country Planning Act 1990 (as amended) and associated legislation and statutory instruments.

## **14.0 Financial implications**

14.1 Decisions made (or conditions imposed) which cannot be substantiated or which are otherwise unreasonable having regard to valid planning considerations can result in an award of costs against the Council if the applicant is aggrieved and lodges an appeal. Decisions made which fail to take into account relevant planning considerations or which are partly based on irrelevant considerations can be subject to judicial review in the High Court with resultant costs implications.



|                     |  |                          |
|---------------------|--|--------------------------|
| Application Number: | AWDM/0630/23   | Recommendation - APPROVE |
| Site:               | 1 The Street, Lancing  |                          |
| Proposal:           | Change of use from groundsman's shed to workshop with storage area and quiet room for social, educational and recreational activities. Application to vary condition 4 (hours of opening) of approved AWDM/1877/21 to allow building to be used from 7.30am-4pm Monday-Friday and 8am-4pm Saturday, to enable preparation/set up in advance of use of building by members from 8.30am plus retention of outside toilet unit. |                          |
| Applicant:          | Men In Sheds Lancing And Sompting  | Ward: Manor              |
| Agent:              | Mr Frank King  |                          |
| Case Officer:       | Peter Barnett  |                          |



**Not to Scale**

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## **Proposal, Site and Surroundings**

The application relates to a group of buildings at the north end of Manor Park which are owned by the District Council and were previously used for storage of grounds maintenance equipment. There is a hardsurfaced area to the west, accessed from The Street, which is used informally for parking. The site lies to the east of the North Lancing Conservation Area but is not within it. There are residential dwellings directly to the north at The Moorings.

Permission was granted in 2019 to use the buildings (the Barn and The Garage) in connection with a community group known as “Men In Sheds” which provides a space for residents to come together to meet up and carry out woodworking with the aim of challenging isolation and improving wellbeing. The use began on the site in August 2021. A subsequent application in 2021 expanded the use into the Groundsman’s Building.

The building is a community resource where locals come in and learn how to use tools and undertake DIY projects. The group makes items such as planters, bird boxes, bug houses, bird feeders, bird tables, owl and bat boxes, etc. They also offer a free repair service to residents for items such as benches, seats, tables, chairs, etc. Some items are refurbished and put back into community use at local nursing homes, for example.

The buildings are currently allowed to be open between 9am and 4pm Monday to Friday and 8.30am-4pm on Saturdays.

This application seeks retrospective permission to retain a toilet within a structure that has been constructed on the north side of one of the buildings. The application also seeks to vary the opening hours to allow the building to be accessed from 7.30am Monday to Friday and 8am on Saturdays. The applicant has explained that he wishes to open the buildings up earlier to enable him to get the space ready for when members of the group arrive. Some members have dementia and/or mobility issues and cannot easily set up the equipment themselves. The applicant has advised that no equipment would be operated until members arrive at 8.45-9, on the 3 days a week that the buildings are open currently.

The toilet is an ‘anti-vandal’ construction and has been located adjacent to a central area between the buildings. This central area has been fenced off with a low picket fence and contains several benches, a ‘wishing well’, plus planters. There are also bags and materials stored within the area, contrary to condition 3 of the original planning permission (see Planning History section below).

Signs have been displayed on the fence advising that there is no parking in front of the fence. It is understood that the compound is not a car park but has been used as such informally by park visitors over the years. It is owned by Adur District Council and was previously used for groundsman’s vehicles and equipment. The car park serving the recreation ground is at the Leisure Centre.

## Relevant Planning History

AWDM/1842/19 Regulation 4 application for Change of Use of 'The Barn' currently used for Council storage to a workshop and 'The Garage' to ancillary storage area - approved

AWDM/1877/21 Change of use from groundsman's shed to workshop with storage area and quiet room for social, educational and recreational activities - approved.

Condition 3 of this permission states:

No external working or storage shall take place anywhere on the site to which this permission relates and all working shall be confined to within the buildings.

Condition 4 states:

No working (including arrival, reception or despatch of deliveries) shall take place on the premises except between the hours of:-

9.00 am and 4.00 pm on Mondays to Fridays inclusive

08.30am and 4.00pm on Saturdays

nor at any time on Sundays or Public Holidays.

Condition 6 states:

There shall be no external alterations to the buildings without the prior written consent of the Local Planning Authority.

## Consultations

**West Sussex County Council:** Given the existing use of the site, the proposal is not anticipated to result in a material intensification of use of the access. No highways safety concerns would be raised regarding the proposed alterations of the site's opening hours

**Lancing Parish Council:** Support the application

**Adur & Worthing Councils: Public Health:** No adverse comment

**Sussex Police:** No major concerns with the proposals, however, additional measures to mitigate against any identified local crime trends and site specific requirements should always be considered.

## Representations

8 objections received from the occupiers of 17 The Moorings, 1 and 2 Bay Tree Cottages, Lamorna Cottage, 17, 18, 21 The Street

- Toilet is an ugly structure and out of keeping with flint buildings and walls
- Toilet should be inside the building or hidden away

- Additional structures outside - planters, fencing, wishing wells, artificial grass, felt matting
- Depriving local people of parking spaces - 'no parking' signs displayed
- Fencing between back of buildings blocks access/right of way
- Enterprise has expanded and should be relocated to an industrial estate
- 7.30am is too early to open up being so close to residential properties

### **Relevant Planning Policies and Guidance**

Adur Local Plan 2017 Policies 15, 33, 34  
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 requires the decision to be made in accordance with the development plan unless material considerations indicate otherwise.

### **Planning Assessment**

#### ***Principle***

The principle of development has been established by the previous permission. Leasing public land for commercial enterprise is an accepted practice for the Council's Parks and in this case redundant buildings are being re-used for community purposes.

The use of the land and the provision of any structures on the site are regulated by the Council's Parks and Estates teams, and authorisation has already been given to the siting of the toilet and the various miscellaneous items between the buildings.

This application must consider the amenity and traffic impacts of the development and assess whether it adversely affects the public's enjoyment of the Park and the visual amenities of the locality.

### ***Visual amenity***

The existing buildings are a mix of brick and flint with unsympathetic corrugated metal roofs. The toilet is housed within a timber construction which rises above the eaves of the barn and has a trellis around the edge of the roof, plus a water tank on the roof and a decorative airplane model on a post at the front of the roof. It is not particularly in keeping with the existing buildings but it is positioned within the L-shape of the buildings so as to reduce its visibility from the park. It is visible from The Street to the north.

The toilet is a necessary facility in connection with the continued use of these buildings for community purposes. Its siting and design has been agreed with the Parks and Estates teams and it is not considered that sufficient visual harm is caused to warrant refusal in light of it serving an approved community use. However, a condition is recommended to ensure that the toilet structure is removed on cessation of the current use of the buildings.

The other structures that have been installed are low key and do not cause significant visual harm. They are limited to the fenced off area between the buildings only and do not spill out into the rest of the compound. However, the applicant should be reminded that there should not be any external working or storage and any materials should be moved back into the buildings.

### ***Residential amenity***

The proposed increase in opening hours is not considered to be likely to result in disturbance to local residents. As explained above, the earlier opening up of the buildings is to prepare the buildings for use by and no machinery will start up before 8.45am. Noise from the workshop is not excessive, with a maximum noise level of 72 decibels predicted, which is equivalent to a vacuum cleaner. The use is one that can take place in a residential area without causing harm through noise, smell, etc.

The use of the buildings will remain low key and it is proposed to control the use by condition to safeguard against adverse impacts on amenity now or in the future. The buildings are also owned by the Council and they will retain control of any future use on the site.

### ***Accessibility and parking***

There is an informal car park immediately to the west of the buildings which continues to be available to the applicants and park users alike. Some residents have objected to the display of signage preventing parking in front of the buildings. However, it is the case that there is an active use of the land in and around the buildings by Men In Sheds and residents have been asked not to block access to the buildings by parking inconsiderately. Space is still available within the compound for the parking of vehicles and the Parks and Estates teams have not objected or expressed concern over this issue.

## **Recommendation**

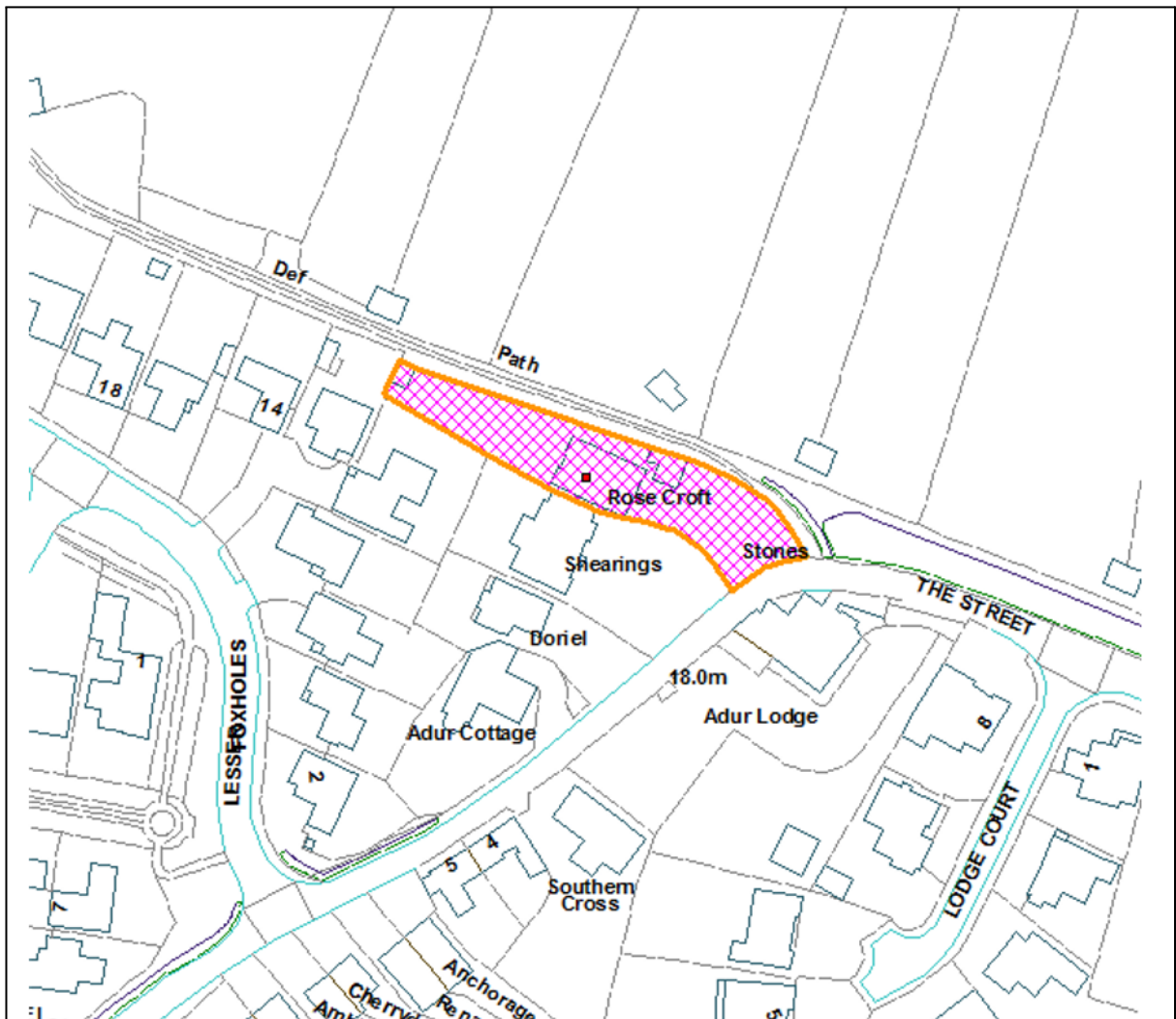
### **Approve**

#### **Subject to conditions:-**

1. Approved Plans
2. No external working or storage shall take place anywhere on the site to which this permission relates and all working shall be confined to within the buildings.
3. The buildings shall not be used except between the hours of 7.30am-4pm Monday-Friday and 8am-4pm on Saturdays. There shall be use of machinery or despatch of deliveries at the premises except between the hours of 8.45 am and 4.00 pm on Mondays to Saturdays inclusive.  
The buildings shall not be used at any time on Sundays or Public Holidays.
4. The premises shall be used as a workshop Class E(g) (iii), for storage (Class B8) and as a meeting place for the local community (Class F2(b)) as set out in the application and for no other purpose within Class E, F or B8 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that class in any Statutory Instrument revoking and re-enacting that Order with or without modification).
5. There shall be no external alterations to the buildings without the prior written consent of the Local Planning Authority.
6. No retail sales shall take place from the buildings at any time.
7. The toilet building shall be permanently removed from the site on cessation of the current use of the buildings as workshop and meeting place for the local community

Informative: The applicant is reminded that there should be no external working or storage anywhere on the site and all materials should be confined to within the buildings.

|                     |  |                          |
|---------------------|--|--------------------------|
| Application Number: | AWDM/0128/23   | Recommendation - APPROVE |
| Site:               | Rosecroft, The Street, Shoreham-by-sea   |                          |
| Proposal:           | Raising of the roof ridge height and remodelling of bungalow to form a two storey pitched roof dwelling, with raised patio to rear |                          |
| Applicant:          | Mr and Mrs Smith   | Ward: St Nicolas         |
| Agent:              | Mr Leonardo Farrauto - BPM   |                          |
| Case Officer:       | Peter Barnett  |                          |



**Not to Scale**

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## **Proposal, Site and Surroundings**

The application relates to a detached bungalow at the northern end of The Street, within the Old Shoreham Conservation Area. It sits adjacent to the built up area boundary with fields rising to the Downs to the north. The Grade II listed Adur Lodge and its listed tall flint wall lie opposite the site to the south east. To the south is Shearings, a chalet bungalow with rooms in the roof, while to the south west is 10 Lesser Foxholes, a two storey dwelling which is offset and does not lie directly to the rear. The rear garden of Rosecroft runs along the northern boundary of 10 Lesser Foxholes.

Rosecroft sits back from the road at the top of the rising street. It has a large flat roofed extension at the front with a false pitched roof around its edge.

It is proposed to extend and remodel the bungalow to form a two storey dwelling. The new first floor would be built over the existing bungalow and the extension at the front to form a two storey building of 16m length from front to rear. It would have a pitched roof with front and rear gables, much of which will be glazed. rooflights are shown on both roofslopes with a dormer formed within the eaves level on the north elevation. The building will be flint faced with metal detailing with the gable soffits and around the windows. Facing brickwork is proposed for the side elevations, with a natural slate roof. At the rear, there is further use of flint, plus timber cladding and a timber screen detail to the rear gable window.

With the rear garden, a raised patio is to be formed, approximately 0.8m above ground level. It has been reduced in area since the original submission. A first floor balcony has also been removed from the application.

The building will be 6.9m when viewed from the front and 7.5m from the rear. It will have an eaves height of 3.65m.

The application follows the withdrawal of an earlier application for a larger building. It has been called in for consideration by the Planning Committee by Councillor Crisp.

## **Relevant Planning History**

AWDM/2136/21 - Raising of the roof ridge height and remodelling of bungalow to form a two storey pitched roof dwelling, first floor rear balcony, zinc cladding to all elevations and roof, raised patio with balustrade to rear - application withdrawn

SU/225/04 - Extension At Front (Se); Rooms In New Roof (Involving Increased Height) Plus Detached Garage At Front (Ne) - approved

AWDM/0503/19 - Increase of ridge and eaves height plus higher gables with glazing to front and rear elevations to facilitate increased accommodation within roofspace and replace existing conservatory on north-west elevation with single-storey rear extension - approved at Shearings, adjacent to the site

AWDM/2062/20 - Variation of condition 1 (Approved Plans) of application AWDM/0503/19. Amendments: Front porch removed and front wall straightened out



where it previously had a recess; Single storey rear extension is now full width; First floor/Roof amendment to include dormer to rear elevation (in between apex roof lines) to enable room within to have normal height ceilings -approved at Shearings, adjacent to the site

## **Consultations**

**Adur & Worthing Councils: The Design and Conservation Architect** comments that the reduction in size and the change from a zinc roof to a traditional slate covered roof are welcomed. The palette of materials is considered to be suitable for the Old Shoreham Conservation Area (CA).

The prominence of this new building at the highest point of the CA is difficult to fully appreciate, but as the existing building is identified as a neutral contributor to the CA the replacement is unlikely to cause less than substantial harm, and that harm will be at the lower end of the scale.

**Adur District Conservation Advisory Group:** Approve

## **Representations**

2 objections received from the occupiers of 8 The Street and 10 Lesser Foxholes:

- Concerned at overlooking and loss of privacy to bedrooms
- Raised patio will overlook private garden
- Design takes little account of Conservation Area appraisal and is out of character
- Could set a precedent
- Site is at highest point of the Conservation Area and is the northern 'gateway' into the CA
- Public footpath immediately to the north is an ancient track
- Existing building has very low impact
- Modern, two storey design is inappropriate for the area and overdevelopment
- New high ridge line projects forward of the existing highest ridge
- It will be very prominent and dominant
- Two storey should be limited to the rear
- Inappropriate materials

1 letter of support received from the occupiers of Shearings, The Street:

- Pleasing design which will complement the area
- Improvement to what exists on the site currently
- No concerns with ridge height or overlooking

**Amended Plans** showing reduction in size of terrace and removal of balcony:

1 letter of objection from occupiers of 10 Lesser Foxholes:

- Reiterating previous objections - overlooking from terrace and glazing at first floor

- Incongruous design and use of materials

## **Relevant Planning Policies and Guidance**

Adur Local Plan 2017 Policies 15, 17, 18, 28, 34

'Supplementary Planning Guidance' comprising: Development Management Standard No.1 'Space Around New Dwellings and Flats'; No.2 'Extensions and Alterations to Dwellings'

Sustainable Energy SPD (August 2019)

Adur Planning and Climate Change Checklist (June 2021)

Old Shoreham Conservation Area Character Appraisal (ADC 2022)

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.

Section 73A and also Section 72 Planning (Listed Building & Conservation Areas) Act 1990 which require the Local Planning Authority (LPA) to pay special attention to the desirability of preserving or enhancing the appearance of the Conservation Area.

## **Planning Assessment**

### ***Principle***

There is no objection in principle to the proposed extension and remodelling which would upgrade an existing property within an established residential area. The key considerations are the effect of the development on the residential and visual amenities of the locality and, specifically, on the character and appearance of the Conservation Area.

### ***Visual amenity and impact on Conservation Area***

The existing building is a modest bungalow which is visible in only limited views from The Street due to its set back position and the curve of the road. This end of The Street is dominated by the large flint wall of Adur Lodge which sits tight to the east side of the road and which follows the bend of the road round to the east at the top of The Street.

The proposed extension would make Rosecroft a more prominent building but it is arguable how much of a visual impact it would have on the wider Old Shoreham Conservation Area. As one travels northwards along The Street, views are not possible until one reaches Shearings, directly to the south of Rosecroft and which has its own planning permission for an increase in ridge height. Travelling westwards along the top of The Street, views of Shearings are possible but views of Rosecroft only become possible at a point more or less directly in front of the property. At this point the wall of Adur Lodge is the dominant architectural feature in the street.

Rosecroft has little architectural merit and the Old Shoreham Conservation Appraisal identifies it as a neutral contributor.

The height of the building has been lowered from an earlier submission and, while it will appear taller than Shearings to the south, the site is on higher ground and will reflect the stepping up of buildings as the road rises. The approved plans for Shearings show that dwelling as measuring 6.76m to the ridge, with front gables of 7.07m height. This compares with the proposed height of 6.9m for Rosecroft. The proposed dwelling has relatively low eaves to help reduce its height and bulk.

The visual impact of Rosecroft will be increased by its forward projection beyond the line of Shearings and by the resulting deep flank elevation. However, it will still sit some 26m back from the road, which is much further back than the gable fronted Adur Cottage further along The Street and which is only around 8m from the road. A straight line drawn from the front of Adur Cottage to the front of Rosecroft shows them to project about the same distance.

Views from the countryside to the north are not considered to be adversely affected as the house will be seen in the context of the existing surrounding development, with the backdrop of Shoreham, beyond and it will not therefore appear unduly dominant or prominent.

The proposed palette of materials is considered to be acceptable.

The applicant has submitted a Planning and Heritage Statement which argues that the proposed development would enhance the quality of built development and the townscape overall. Certainly, the existing building offers little to the area in terms of its design at the moment.

Paragraph 202 of the NPPF advises that:

*“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.”*

In this case, the Council’s Design and Conservation Architect considers that the proposed extension is unlikely to cause less than substantial harm, and that any harm will be at the lower end of the scale. For the reasons outlined above, it is considered that the application can be supported in terms of its visual impact and the public benefit of sustaining or enhancing the significance of the Conservation

Area and the setting of the Listed Building.

### ***Residential amenity - effect on existing dwellings***

The increased bulk and height of the building has the potential to have an impact on its neighbours with the only properties directly affected being Shearings to the south and 10 Lesser Foxholes to the south west (rear). Adur Lodge opposite is not considered to be adversely affected due to the separation distance between the properties.

Shearings sits on lower ground and currently has a hipped roof with front and rear dormers. There is a utility room on the boundary with Rosecroft and a blank side roofslope. Rosecroft projects forward of Shearings, as a result of the front extension, and the proposed development will follow the existing footprint at the front but extend further to the rear by approximately 1m. Despite the increased bulk, depth and height the proposal is not considered to have an adverse effect on light or outlook for Shearings. Shearings itself has permission to increase its height and bulk which will further reduce any impact arising from this current proposal.

At the rear, 10 Lesser Foxholes is approximately 19m from the proposed house as proposed to be extended, but at an angle rather than directly behind it. Consequently, while the separation distance falls short of the 22m usually expected, in this case there are no direct rear to rear facing windows. For context, 10 Lesser Foxholes is around 19m directly from the rear of Shearings.

Objections have been received from the occupiers of No.10 raising concerns about loss of privacy and overlooking to their rear bedrooms and garden. At the moment views of Rosecroft, from No.10 are quite limited due to its low height, their orientation and the presence of vegetation within the rear garden of Shearings. A decked area at the rear of No.10's garden contains a hot tub and seating and this area is currently quite private. The increased height of Rosecroft will introduce a first floor with a large window within the new gable. An inset balcony was originally proposed but this has since been removed from the application on the advice of your officers. A juliet style balcony is now proposed instead. Views will be predominantly directly down the rear garden of Rosecroft but it is acknowledged that oblique views towards No.10 will be possible. However, it is not considered that, at the distance and angle involved, any views towards first floor bedrooms will be unduly intrusive. No.10 already has first floor windows directly facing its rear bedroom windows from Shearings and, less directly, Tetherdown in The Street.

A raised patio is also proposed at the rear. It will sit 0.8m above existing ground level and will project 4m from the rear of the house. This has been reduced in depth from the originally proposed 5m and is around 0.5m deeper than the existing raised patio. It will be approximately 7m from the nearest corner of No. 10's rear garden and 18m from their house. As with the first floor windows, any views are likely to be oblique and are not considered to be intrusive. However, it is considered that some screen planting could be provided along the boundary with No.10 to help reduce any overlooking or the perception of being overlooked. This can be secured by a planning condition.

It is therefore considered that the proposed extension will not cause sufficient harm to neighbouring residential amenity to warrant refusal.

### ***Sustainability***

While an extension rather than new construction, the applicants have confirmed that energy efficiency will be improved at the property through the use of an air source heat pump, as well as improved insulation compared with existing.

### **Recommendation**

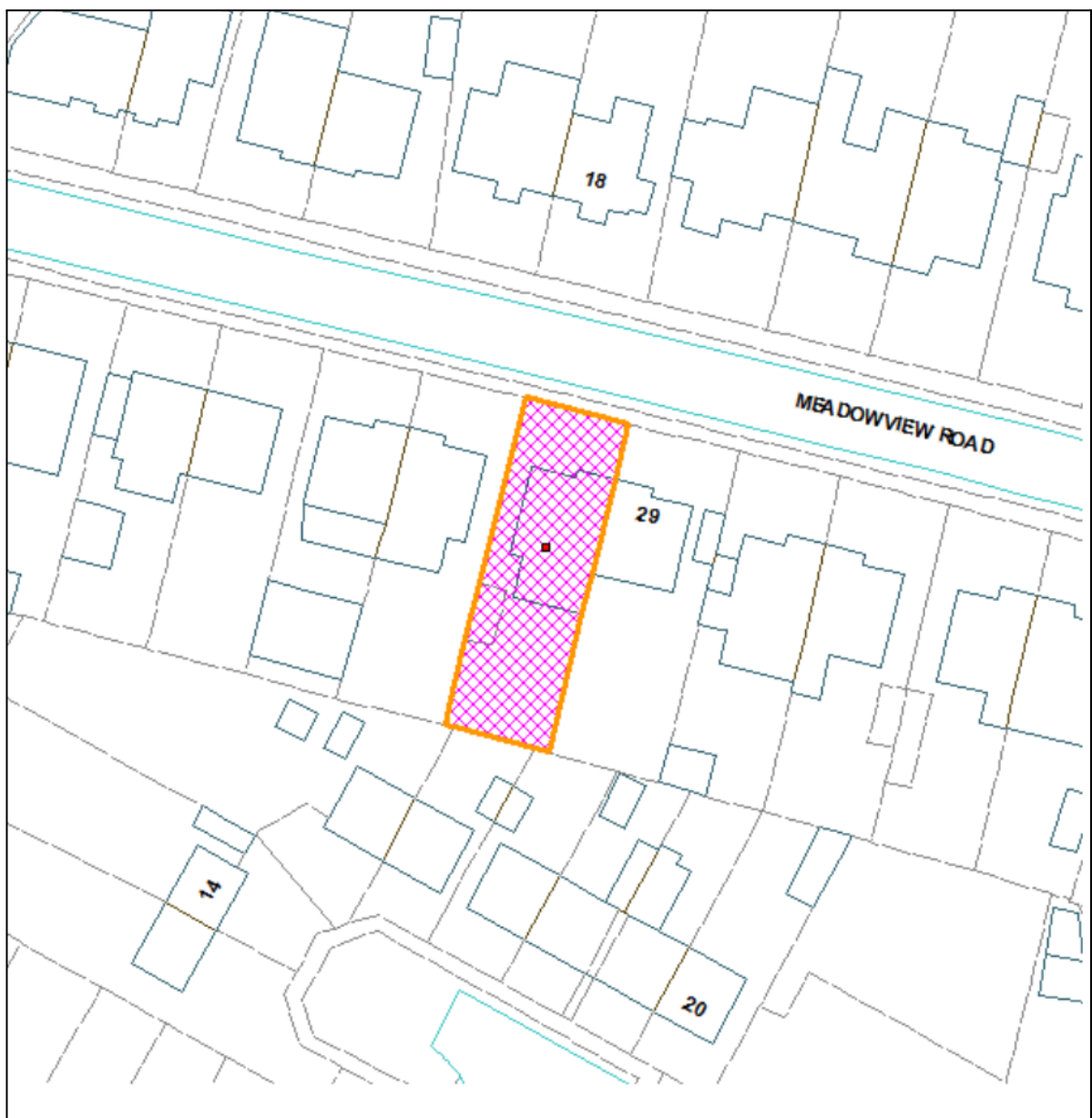
#### **Approve**

#### **Subject to conditions:-**

1. Approved Plans
2. Standard time limit
3. Construction Management Plan, including hours of working
4. Schedule of external materials to be submitted and approved including sample panel of flint on site
5. Landscaping plan to be submitted and approved
6. Removal of permitted development rights for future extensions under Classes A, AA, B, C
7. Heat pump to be installed in accordance with details to be submitted and approved.

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|----------------------------|--|--------------------------------|
| <b>Application Number:</b> | <b>AWDM/0072/23</b>                            | <b>Recommendation - REFUSE</b> |
| <b>Site:</b>               | <b>31 Meadowview Road, Sompting</b>            |                                |
| <b>Proposal:</b>           | <b>Conservatory attached to rear extension</b> |                                |
| <b>Applicant:</b>          | Mr Nicholas Stark                              | Ward: Cokeham                  |
| <b>Agent:</b>              | N/A  |                                |
| <b>Case Officer:</b>       | Jason Albon                                    |                                |



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This application has been called to the committee for determination by Cllr Bellasis in light of the particular circumstances relating to this application outlined below.

### **Proposal, Site and Surroundings**

The property which is the subject of this application is situated on the southern side of Meadowview Road within a residential area of North Lancing. The property is a semi-detached bungalow with roof conversion to accommodate a front dormer and rear roof light. The property comprises cream render elevations and a tiled hipped roof with flat roofed dormer extension to front. The property's plot is moderately stepped down from the public realm behind a shallow wall and block paved driveway, large enough to accommodate 2-3 cars.

To the rear (south) of the property, a flat roofed extension projects approximately 3.34m (previously approved under S/77/04/TP/21452) from the original dwelling and close to the boundary with the attached neighbour to the east No. 29. The rear garden space of the property is of a relatively small size and exhibits a large outbuilding abutting the boundary to the west with No. 33. The attached dwelling to the east no. 29 is a mirrored copy of the original application property and has a similar plot size. No. 29 contains a large outbuilding abutting the rear boundary of their respective property which is used for ancillary accommodation to the main dwelling (approved under AWDM/0373/22). No. 29 also has planning permission for a single storey rear extension with raised steps (approved under AWDM/1104/22) which had not been commenced at time of site visit.

Permission is sought for a rear (south) conservatory which would project from the existing rear extension by approximately 2.5m. It would have a width of approximately 4m and a peak height of approximately 3m, slanting to 2.25m. Openings are proposed to the rear (south) and side (west) elevations, and a blank window is proposed to the other side (east) elevation. The proposed materials would be UPVC sliding double glazed doors, UPVC double glazed windows and glazed roof, and brick or blockwork for the lower side elevations.

### **Relevant Planning History**

Planning permission granted at the application property for single storey rear extension under S/77/04/TP/21452, decision issued 08/10/2004.

Planning permission granted at the neighbouring property to the east at No. 29 Meadowview Road for single storey detached building in rear garden to provide ancillary accommodation to the main house under AWDM/0373/22, decision issued 07/06/2022. Also for a single storey rear extension with raised steps under AWDM/1104/22, decision issued 21/07/2022 (development not commenced at time of site visit).

### **Consultations**

**Lancing Parish Council:** No objection.



## **Representations**

1 comment has been made by the occupant of the attached property No. 29 Meadowview Road neither objecting nor supporting the proposal. The neighbour made comments in relation to:

- Design - poor quality of drawings do not accurately depict the development.
- Loss of general amenity - closeness of the structure to the common boundary and raised garden will result in overlooking (subsequently, the occupant asked for the side (east) elevation to be constructed of solid material in the event of the granting of planning permission).
- Overdevelopment - insufficient room for access into rear of property.

## **Relevant Planning Policies and Guidance**

Adur Local Plan 2017 Policy 1, 15

'Supplementary Planning Guidance' comprising: Development Management Standard No.2 'Extensions and Alterations to Dwellings'

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**

### ***Principle***

The proposal comprises upgrading a residential property located within the built-up area and can be supported in principle. The relevant issues are the effects on the character and appearance of the surrounding area and the effects on the amenities of neighbouring residential occupiers.

### ***Visual amenity***

The proposed conservatory would not be visible from the public realm by virtue of its siting to the rear of the property. Therefore, it would not have a detrimental impact on the street scene. There are plenty of examples of this nature of development along Meadowview Road and the materials proposed are considered to be acceptable, respecting the character of the dwelling in this setting. The addition of the conservatory would result in a reduced garden size, however, in view of the modest

overall footprint of the conservatory and the context of rear garden spaces along Meadowview Road, this is considered to be acceptable. The proposal would be in keeping with the existing dwelling and local area and there are no visual amenity grounds to resist the proposal.

### ***Residential amenity***

The only affected property would be the attached neighbour to the east at No. 29 Meadowview Road; the proposed conservatory would be screened from No. 33 to the west by the existing outbuilding which abuts the common boundary with this neighbour, and properties to the rear are considered to be located a satisfactory distance from the site to overcome in any material impact.

Whilst it is acknowledged that the proposed conservatory when assessed in isolation is of a modest scale, the cumulative effect of the existing rear extension and conservatory, which would measure some 5.84m from the existing rear building line of No. 29, would result in an unacceptable impact on the living conditions of No. 29. This depth would considerably exceed the depth of a rear extension as advised in the Council's Development Management Standards (3.5 metres) by some 2.34m and as such would create an overbearing form of development at close proximity to the boundary with No. 29. The cumulative depth would reduce the sunlight and daylight to the principal rear windows of No. 29 to an unacceptable degree.

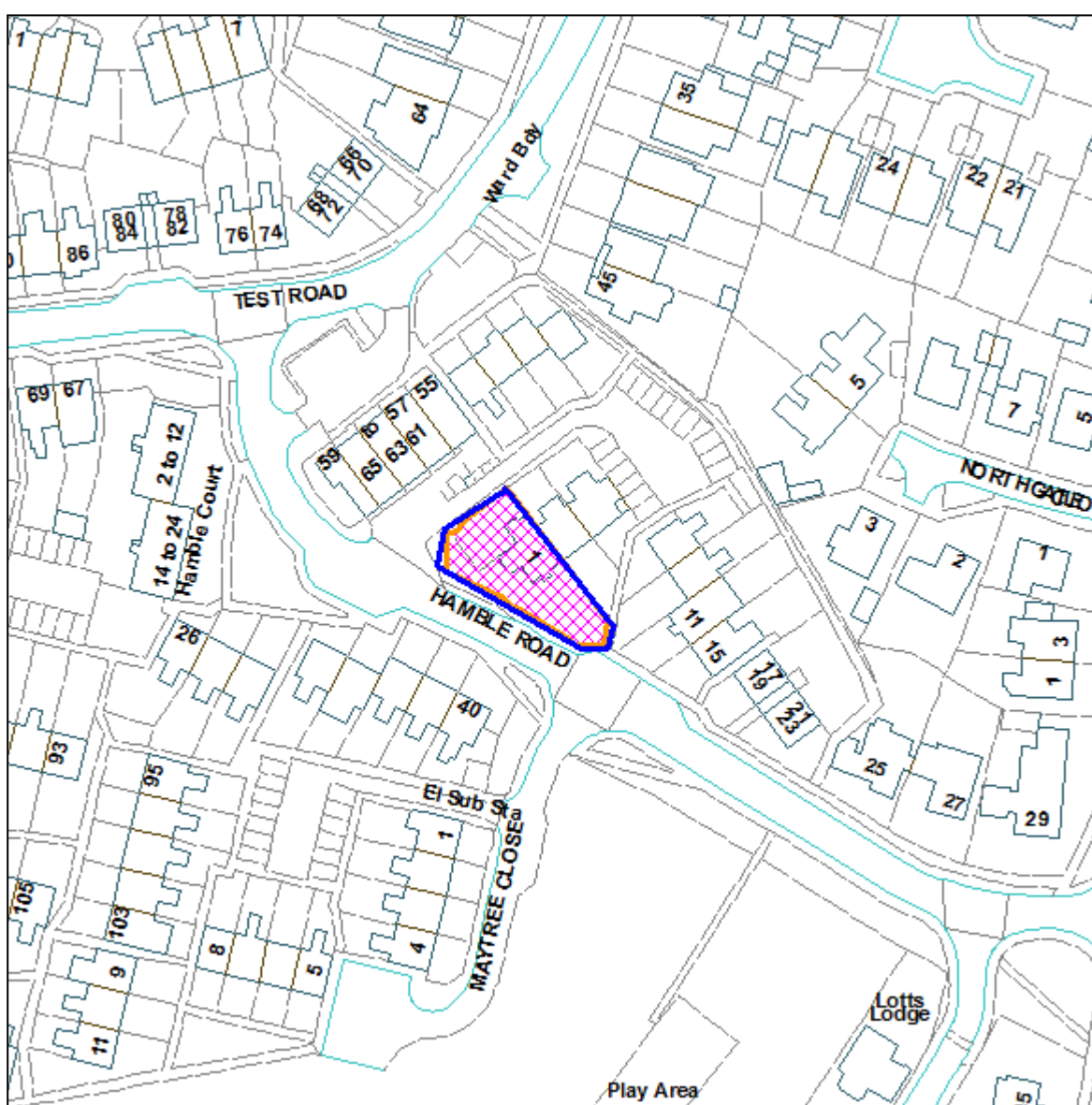
It is noted that permission exists for a rear extension of 3 metres in depth at number 29 granted under reference AWDM/1104/22. If implemented, then the completion of the extension would resolve the issues of the projecting depth outlined above, since the conservatory would no longer project so far beyond the rear wall of the neighbouring property. However, until the permission is implemented, there is no guarantee that the extension will be constructed and as such the current proposal should be assessed in its absence. The applicant had been advised to withdraw the application and re-submit when the approved extension next door has been substantially implemented, which would then allow a fresh assessment of the application, however the applicant has not agreed to this course of action and accordingly wishes the application to be determined as submitted. Therefore, having treated this application against the current situation, the proposal, by virtue of its cumulative depth at close proximity to the boundary, would result in an unacceptable overshadowing and overbearing effect on the attached neighbour at No. 29.

### **Recommendation**

**REFUSE** permission for the following reason:

The proposed extension by virtue of its depth in addition to the existing rear extension would adversely affect the amenities of the neighbouring property by way of an overbearing impact along the mutual boundary. The proposal therefore fails to comply with policy 15 of the Adur District Local Plan 2017 and guidance contained within Development Management Standard Number 2, 'Extensions and Alterations to Dwellings'.

|                     |   |                         |
|---------------------|---|-------------------------|
| Application Number: | AWDM/0660/23  | Recommendation - REFUSE |
| Site:               | 1 Hamble Road, Sompting, West Sussex                                    |                         |
| Proposal:           | Construction of single storey 1 bed dwelling attached to west elevation |                         |
| Applicant:          | Mr Neil Janner  | Ward: Peverel           |
| Agent:              | Mr Peter Wilson   |                         |
| Case Officer:       | Hannah Barker   |                         |



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The application has been called in to the Committee for determination by Councillor Carson Albury.

### **Proposal, Site and Surroundings**

The application site is a two storey end of terrace property within a residential area in Sompting. There is a parade of local shops to the north and the service road which serves these is adjacent to the boundary. Consent is sought for a new single storey dwelling to be attached to the existing end of terrace dwelling. The building is of flat roof design and is described in the applicant's Design and Access Statement as a single bed flat for a disabled person in a wheelchair. The conservatory and rear extension are to be removed at the host dwelling. The building will be completed in materials to match the main dwelling.

### **Relevant Planning History**

AWDM/0075/23 - Construction of single storey 1 bed dwelling attached to west elevation - refused.

AWDM/0674/16 - Demolition of existing conservatory to south west side and existing conservatory and extension to rear. Construction of 1 x 2 bed dwelling attached to existing dwelling, including single-storey rear extension to existing dwelling - refused and appeal dismissed

AWDM/1344/22 - Construction of single storey 1 bed dwelling attached to west elevation - withdrawn

### **Consultations**

#### **West Sussex County Council: The Highways Authority**

No vehicular access is associated with this site, whilst pedestrian access to the dwelling will be achieved via the west side of the plot. The LHA does not anticipate that the addition of one dwelling would give rise to a significant material intensification of movements to or from the site. No vehicular parking is proposed.

The WSCC Car Parking Demand Calculator indicates that a dwelling of this size in this location would require at least two car parking spaces. Therefore, vehicular parking would have to be accommodated on-street. The LHA does not anticipate that the proposed nil car parking provision would result in an adverse highway safety impact, nor give rise to a parking capacity issue. However, the LPA may wish to consider the potential impacts on on-street parking from an amenity point of view. No details regarding cycle parking have been provided. Cycling is a viable option in the area and the LHA request that secure and covered cycle parking provision for at least one cycle be demonstrated in accordance with WSCC Parking Standards. The site is situated in Sompting, which has services and amenities within walking/cycle distance of the site. The site is also well connected by bus services, with bus stops offering regular services from Hamble Road and Western Road North. Lancing Train Station is situated approximately 1.5km east of the site. Conclusion The 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 (paragraph 111), and that there are no transport grounds to resist the proposal.

If the LPA are minded to approve the application, the following condition should be applied:

Cycle parking 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 to be submitted to and approved by the Local Planning Authority. Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies.

**Southern Water:** - Standard conditions and informatives are recommended.

**Sompting Parish Council:** - The Council has no objection

**Adur and Worthing Councils:**

Private Sector Housing: - No objection on PSH grounds.

Environmental Health Public Health: - Hours of work conditions should be attached.

**Representations:** - None received.

### **Relevant Planning Policies and Guidance**

Adur Local Plan 2017 Policy 15, 18, 20, 22, 28, 34, 36

'Supplementary Planning Guidance' comprising: Development Management Standard No.1 'Space Around New Dwellings and Flats'; No.2 'Extensions and Alterations to Dwellings'

Sustainable Energy SPD (August 2019)

Adur Planning and Climate Change Checklist (June 2021)

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 relevant issues are the effects on the amenities of existing neighbouring residential occupiers and future occupiers of the dwelling, the effect on the character and appearance of the area and highway, parking and access.

### ***Visual Amenity and Character***

The site is prominent on the corner of an end of terrace clearly visible from the north south and west within the street scene and neighbouring properties. There is currently a side and rear boundary wall adjacent to the grass verge and highway, enclosing a side garden, with a fence enclosing the rear. The proposal would result in this being opened up to the rear and side for the entrance to the new, attached single storey dwelling. The new building would therefore be clearly visible within the street scene. Due to its scale, design and separate entrance and amenity space it would be visible in character as a separate dwelling. It would form an unusual feature within the street scene, both out of scale and character, resulting in overdevelopment which would be detrimental and inconsistent with the existing pattern of established development.

A subservient, single storey side extension could be considered here, subject to details submitted, however this would be very different to the development currently proposed.

A previous application for a dwelling was refused and dismissed on appeal. It should be noted that the Inspector's Decision made reference to the purposeful layout of houses and their generous setback from the back edges of footways resulting in a sense of space in the streetscene. It was stated:

*"While no. 1s side garden is enclosed by a wall and fencing, I nevertheless found this garden area to be contributing to the sense of spaciousness within the streetscene, given that the area above the top of the boundary enclosure is essentially free from built development and is thus open. The new house would increase the built mass within the grounds of No.1 and I consider that this would amount to an unacceptable loss of spaciousness within Hamble Road's streetscene."*

The previous development was considered to cause unacceptable harm to the character and appearance of the area.

The infill of this area with the proposal in this case would have a similar detrimental impact. While at single storey level only, it would nevertheless alter the character of the area in the same way, introducing alien development in a prominent location.

## **Residential amenity future and existing occupiers**

The proposed dwelling would be seen from surrounding residential properties opposite the site however, due to its low level, the impact in terms of loss of light, privacy or overbearing impact would not be such to warrant a refusal in this case. However, the close proximity of the host dwelling with the side/rear elevation of the new building adjoining the entire side boundary of the host's garden would give rise to unneighbourly development. The host garden amenity space would also be reduced, albeit to an area similar to that of the adjacent houses in the terrace; however it is limited further by the enclosure along the boundary.

The dwelling provided for a wheelchair user is presented by the applicant as providing the internal space required, however external garden area is limited. The orientation of the building does not give rise to scope for a rear garden, its amenity space is to the side. It is narrow and the main section is directly adjacent to the front entrance of the host dwelling. 50 metres squared is required under Development Management Standards and provision here is 42 metres squared.

The applicant's agent has provided details relating to provision of the accommodation for a wheelchair user and compliance with building regulations.

## **Highway, Parking and Access**

No off street parking or cycle storage is provided for the proposed dwelling. West Sussex County Council Highways Authority has advised that there is no concern with regards to this as off street parking is available. However for a wheelchair user this provision would be necessary to ease living and would be necessary to accommodate the occupier. There is no suitable space for parking in this case, this would both be harmful in visual terms and would reduce amenity space further.

## **Other Matters**

The applicant's agent has presented the development as meeting a need for wheelchair user accommodation. The proposal gives rise to the harm set out above in terms of character and impact upon the existing and future occupier of the site and host dwelling. This provision is not considered to outweigh the harm caused in this case.

## **Recommendation**

**REFUSE** for the following reason:-

1. The proposed development in terms of its form, scale and siting would represent overdevelopment with substandard amenity space and unneighbourly impact. It would therefore be detrimental to the visual and residential amenities of the locality. It would set a precedent for further development and the cumulative effect would be harmful to the character and appearance of the area, contrary to Policy 15 of the Adur Local Plan and the NPPF.

**Local Government Act 1972**

**Background Papers:**

As referred to in individual application reports

**Contact Officers:**

Peter Barnett  
Principal Planning Officer (Development Management)  
Town Hall  
01903 221310  
[peter.barnett@adur-worthing.gov.uk](mailto:peter.barnett@adur-worthing.gov.uk)

Jason Albon  
Planning Assistant (Development Management)  
Town Hall  
01903 221452  
[jason.albon@adur-worthing.gov.uk](mailto:jason.albon@adur-worthing.gov.uk)

Hannah Barker  
Senior Planning Officer (Development Management)  
Town Hall  
01903 221475  
[hannah.barker@adur-worthing.gov.uk](mailto:hannah.barker@adur-worthing.gov.uk)



## Appeal Decision

Hearing held on 23 May 2023

Site visit made on 23 May 2023

**by Andrew Smith BA (Hons) MA MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 12 June 2023**

**Appeal Ref: APP/Y3805/W/23/3315854**

**Land East of 3 Salt Marsh Road, Shoreham-by-Sea, West Sussex BN43 5QJ**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (the Act) against a failure to give notice within the prescribed period of a decision on an application for planning permission
- The appeal is made by Cross Stone (Shoreham) against Adur District Council.
- The application Ref AWDM/1314/22, is dated 26 July 2022.
- The development proposed is erection of a mixed use building comprised of ground floor commercial space (Use Class E) and 34 new apartments.

### Decision

1. The appeal is allowed and planning permission is granted for the erection of a mixed use building comprised of ground floor commercial space (Use Class E) and 34 apartments at Land East of 3 Salt Marsh Road, Shoreham-by-Sea, West Sussex BN43 5QL in accordance with the terms of the application, Ref AWDM/1314/22, dated 26 July 2022, subject to the conditions listed at the end of this decision.

### Preliminary Matters

2. A planning obligation pursuant to Section 106 of the Act (the legal agreement) is before me. This is dated 18 May 2023 and is signed by the appellant as relevant landowner, the Council and the County Council. The legal agreement secures various contributions related to open space, education, transport, libraries, and fire and rescue. I shall return to the legal agreement later.
3. The Council's Appeal Statement indicates that it would have refused planning permission based on various grounds had it been in a position to do so. Its putative refusal reasons relate to: alleged detriment to the character and visual amenities of the locality and to the amenities of neighbouring residents, by virtue of the overall density, height, scale, bulk and massing of the proposal; the effect of servicing the proposed commercial unit upon highway safety; and the effect of an under-provision of parking upon the amenities of existing and future residents.
4. Discussions that have taken place between the parties since the submission of the appeal, including with respect to the finalisation of the legal agreement, has allowed the Council to withdraw other putative grounds for objection related to the site's drainage and a failure to secure necessary infrastructure contributions.

5. I note that the Council, at the Hearing, clarified that its amenity concerns (due to the overall density, height, scale, bulk and massing of the proposal) are focused upon alleged overbearing effects upon townhouse occupiers situated close by to the west. I shall formulate the Main Issues accordingly.

### **Main Issues**

6. The main issues are:

- The effect upon the character and appearance of the area;
- The effect upon the living conditions of adjoining residential occupiers, having particular regard to outlook;
- The effect upon highway safety, having particular regard to the intended servicing arrangements for the commercial space; and
- The effect upon the amenities of existing and future residential occupiers, having particular regard to the intended parking arrangements for the commercial space.

### **Background**

7. The proposal that is before me follows a 2013 outline planning permission for mixed-use development across a wider estate situated, for the most part, to the western side of Old Shoreham Road (the estate). Reserved matters approval for Phase 1 of the estate was subsequently granted in 2017. The appeal proposal relates to land originally intended to comprise part of Phase 2. The indicative masterplan considered at outline stage illustrates potential commercial uses, including a hotel, at the broad location of the appeal site. Even so, the proposal that is before me takes the form of a separate full application and must be considered accordingly.

### **Reasons**

#### *Character and appearance*

8. The site is presently comprised of an open area of gravelled land that sits adjacent to Salt Marsh Road's junction with Old Shoreham Road. Owing to its precise positioning, the site, which is adjoined along its western and northern boundaries by Phase 1, is read and experienced as an integral part of the estate. This is notwithstanding the current absence of built form upon it, or the presence of an ongoing car sales use to the immediate south.
9. Salt Marsh Road is addressed by various rows of townhouses and adjoining apartment blocks that, at least in some instances, offer commercial floorspace at ground level. Accordingly, the height, scale and physical form of buildings across the estate varies. For example, the row of consistently designed three-storey townhouses that abuts the appeal site (the adjoining row) is terminated at its western end by an apartment block of depth and considerable stepped height. Further, to the opposite northern side of Salt Marsh Road, a four-storey apartment block neighboured by other townhouses is in situ.
10. The proposed building would cover a sizeable proportion of the appeal site and rise to a full height of five storeys. Indeed, development of considerable bulk and massing is proposed in a conspicuous location at the entry to the estate. Moreover, the building's height and proportions would exceed those of the

adjoining row and an increase in scale when compared to the four-storey block situated opposite would also be readily identifiable.

11. Nevertheless, to my mind, the site's positioning at the entrance to the estate lends itself to the introduction of a prominent building of status and its detailed design would suitably align with the character and materiality of other blocks within the estate. It is also relevant that the proposed fifth floor would be setback from the building's outer limits. This would have the influence of moderating the proposed building's scale and bulk so as not to unacceptably over dominate its immediate surroundings. This stepping back would be most pronounced to the western side, where, in height differential terms, a satisfactory visual relationship with the adjoining row would ensue.
12. The main parties have differences of opinion as regards whether or not the appeal proposal closely aligns with the scale and footprint of what was indicatively envisaged at either outline or reserved matters stage. Notwithstanding previously indicated stepping back from the adjoining row, there is evidence to suggest that development of considerable scale and footprint was speculated for this gateway/entrance site. Thus, the proposed building, in terms of its size and form, is, to my mind, suitably respectful of previous concepts for this particular part of the estate.
13. I acknowledge the past inclusion of land to the south, which does not now comprise a part of the appeal site. Thus, the footprint of built development that is proposed would cover a high proportion of the site and a scheme of high density is before me. Nevertheless, in the context of other apartment blocks of scale at the estate, their relationships with neighbouring built form, and the continuous frontages that are typically observable, the proposed building would not appear as unduly cramped and would complement its surrounding context. Further, the retention of a car sales use upon the narrow strip of land to the south would not unacceptably detract from the design achievements of either the specific proposal that is before me or the wider estate taken as a whole.
14. I also note here that some elements of new planting would be introduced to the Old Shoreham Road frontage of the site, that the intended set down area for bins would be located away from this frontage, and that intended cycle parking would be anticipated to have a limited visual impact.
15. For the above reasons, the proposal would not cause harm to the character and appearance of the area. In the context of this main issue of the appeal, the scheme satisfactorily accords with Policy 15 of the Adur Local Plan 2017 (December 2017) (the LP) in so far as it requires that development should be of a high architectural quality and respect and enhance the character of the site, and the prevailing character of the area, in terms of proportion, form, context, massing, siting, layout, density, height, size, scale, materials, detailed design features and landscaping.

*Living conditions of adjoining occupiers - outlook*

16. The townhouses that comprise the adjoining row are similarly laid out in the sense that each is served by a ground floor private garden and a first floor terrace to the rear. These external areas are directly addressed by rear-facing openings, including glazed doors, that serve habitable rooms.

17. The proposed building would sit alongside No 3 Salt Marsh Road (No 3) and would undoubtedly restrict some available outlook from the rear garden, terrace, and, to some limited degree, internal areas of this adjoining property. Similarly, some material level of available outlook would be lost by the occupiers of other townhouses located towards the eastern end of the adjoining row.
18. However, as was apparent upon my inspection, which included a visit to No 3, a predominantly open outlook would continue to avail to the rear (on an approximate southern axis). This is particularly so from first floor terrace areas, where occupiers would be realistically anticipated to spend not insignificant proportions of their time. It is also important to recognise that the proposed building has been designed with the inclusion of a two-storey reduction to its southwestern corner. This significant step down in height, albeit targeted in terms of its area coverage, would assist in guarding against any unacceptable overbearing relationship for nearby occupiers to the potential detriment of their living conditions.
19. I also see some merit in the argument made that the site forms part of an established urban estate where close or immediate relationships between buildings are not uncommon, and where the introduction of a building of scale would not be entirely unexpected. Moreover, whilst it is my responsibility to consider the proposal that is before me upon its own individual merits, the particular site in question has, for some time, been earmarked for development of not insignificant scale or height.
20. For the above reasons, having particular regard to outlook, the proposal would not cause material harm to the living conditions of adjoining residential occupiers. In the context of this main issue of the appeal, the scheme satisfactorily accords with Policy 15 of the LP in so far as it requires development not to have an unacceptable impact on adjacent properties, particularly residential dwellings, including unacceptable loss of outlook.

#### *Servicing arrangements*

21. It is intended that the proposed commercial space would not be served by its own dedicated access/waiting point for the purposes of deliveries, which differs to the concept originally envisaged for a hotel in this area of the estate. Instead, delivery/servicing vehicles would, realistically, be required to park kerbside on either Old Shoreham Road or Salt Marsh Road. As clarified at the Hearing, Old Shoreham Road, although a busy public highway and subject to no waiting restrictions, could theoretically be used for the purposes of loading or unloading. Salt Marsh Road, meanwhile, transitions into a private road adjacent to the site and is comprised of a shared surface accessible to all highway users.
22. It is relevant that a commercial unit of relatively modest size is under consideration, meaning its capacity to generate delivery/servicing movements would, in all likelihood, be modest. In the interests of offering further assurances in this regard, the appellant has agreed to a potential planning condition being imposed should the appeal be successful to limit the range of possible Class E commercial uses capable of occupying the unit to those with seemingly low propensity to generate a high frequency of delivery/servicing movements. For example, grocery retailing, or a use centred upon industrial processes, would be prohibited.

23. In addition, should the appeal be successful, a further planning condition could be imposed to secure a Service Management Plan. Such a Plan would be based around the specific requirements of the end-occupier (once known) and would be anticipated to secure tracking plans and confirmation of the type, timing, number, and expected precise locations of deliveries. Given that both Salt Marsh Road and Old Shoreham Road offer some potential for unloading activities to occur in positions set away from the bell mouth junction of the two routes, I am satisfied that a Service Management Plan for the commercial space could be drawn up and implemented successfully at this site.
24. I accept that Salt Marsh Road serves as the sole point of vehicular access to Phase 1 of the estate, and that there is realistic potential for this route to accommodate traffic flows of meaningful volume. This would be especially so once the currently vacant commercial unit to the opposite northern side of Salt Marsh Road is occupied.
25. Nevertheless, owing to the not insignificant width of Salt Marsh Road and the restrictions and controls that could be secured via condition (including with respect to the specific type of commercial use and servicing provisions based on the individual requirements of the end-occupier), I am satisfied that the potential for traffic congestion to occur would not be materially exacerbated by delivery/servicing activities, and that the safety of all highway users would not be prejudiced. This is even whilst acknowledging the potential for refuse collection vehicles to access Salt Marsh Road, the precise position of a dropped kerb and tactile paving to the edge of the bell mouth junction, and the intention to install projecting front-facing balcony features.
26. For the above reasons, the proposal, having particular regard to the intended servicing arrangements for the commercial space, would have an acceptable effect upon highway safety. The scheme satisfactorily accords with the National Planning Policy Framework (July 2021) (the Framework) in so far as it indicates that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety.

#### *Parking arrangements*

27. It is proposed that 19 additional parking spaces be provided on-site. Indeed, a car park would make up most of the ground floor level of the building. These new spaces are intended to be sold on a private basis to future residential occupiers of the planned 34 apartments. A further eight unallocated spaces are shown within the appeal site, lined along its northern edge. However, these represent a re-provision of existing spaces provided as part of Phase 1 of the estate.
28. It is my understanding that County Council parking guidelines indicate that circa 39 parking spaces should be provided to serve the residential element of the scheme. However, notwithstanding the sparse availability of publicly accessible on-street spaces nearby, there are various factors relevant to the proposal that point towards a lower level of provision being supportable. For example, data relating to local car ownership rates has been interrogated as part of the appellant's Transport Statement. Furthermore, the site occupies an inherently sustainable inner-urban location from where a wide range of facilities and services capable of serving the full day-to-day needs of future occupiers would be conveniently accessible without use of a private car.

29. It is also relevant that the appellant has sounded a commitment to providing membership of local car club facilities for new residential occupiers. Moreover, a Parking Management Strategy would be securable via condition in the event the appeal be successful. This would not least be in the interests of raising awareness of the parking limitations that apply locally and of identifying any opportunities that would avail for new occupiers, including car club membership.
30. However, whilst I am suitably assured that the residential element of the scheme would be appropriately catered for in terms of parking opportunities, I have some concerns regarding the intentions for the commercial space. This would be brought forward without any dedicated parking for its future staff or patrons. Moreover, no firm assurances could be given at the Hearing that any unallocated or visitor parking spaces already in place at the estate (or to be re-provided as part of the appeal proposal) would be accessible to future employees or customers of the new commercial unit. In any event, such spaces, when first provided, were intended to serve development comprising Phase 1 of the estate.
31. As such, in the context of limited on-street capacity locally and notwithstanding the potential for parts of the aforementioned Parking Management Plan to apply to the commercial element of the scheme also, the proposed commercial unit's lack of dedicated parking provision would hold some potential to promote parking supply limitations or inconsiderate parking at the estate to the possible detriment of the amenities of existing and future residential occupiers.
32. Nevertheless, it is fair to take into account the proposed unit's somewhat modest size and sustainable central location within comfortable walking distance of a high number of existing residences as well as close by bus stops. Indeed, especially when accounting for ample cycle parking/storage opportunities to be provided (the full details of which could be secured via condition), there is a strong chance that a high proportion of future patrons and staff of the commercial space would choose to utilise sustainable travel modes as an alternative to private car travel. It is also relevant that some pay-and-display parking spaces are located near to the site. Moreover, notwithstanding reference made to existing instances of parking infringements at the estate, there is no clear evidence to suggest that the proposed parking arrangements would be likely to lead to significant disruption or anti-social altercations in the locality.
33. To my mind, as accepted by the Council and the Highway Authority, the level of parking provision that is intended for the proposed development taken as a whole, even though noticeably beneath County Council guidelines, does not raise material highway safety concerns. Even so, despite various mitigating factors as set out above, the proposal would be likely to cause some inconveniences and thus limited harm to the amenities of existing and future residential occupiers as a consequence of the intended parking arrangements for the commercial space. The scheme conflicts with Policies 15 and 28 of the LP in so far as these policies indicate that new development should have an acceptable impact on adjacent properties and should incorporate appropriate levels of car parking having regard to the West Sussex County Council guidance, taking into consideration the impact of development upon on-street parking.



## Other Matters

34. I have noted concerns raised by interested parties with respect to potential loss of privacy. However, whilst various rear-projecting balconies and a roof terrace are proposed, each balcony would be set away from the western boundary of the appeal site and well beyond the rear building line of the adjoining row. It is also the case that a privacy screen would be installed at second floor level. The roof terrace, meanwhile, owing to its height and the delineation of its boundaries, would not be anticipated to offer sensitive views at proximity. Thus, any possible overlooking opportunities to be created to the rear of the building (including of property situated to the opposite side of the nearby railway line) would be of a restricted nature and prevail in a close-knit urban location where a degree of mutual overlooking is already commonplace between neighbouring occupiers. As such no undue loss of privacy would be caused. For the avoidance of doubt, this includes to the front/north of the proposed building.
35. I also acknowledge objections raised as regards possible loss of light. With respect to occupiers of the adjoining row, given the orientation of the site, the proposal would only hold the potential to block direct sunlight during morning hours. Especially when factoring in the intention to drop the height of the building by two storeys to the southwestern corner of the site, I am satisfied that no undue loss of sunlight or daylight would occur for townhouse occupiers. Similarly, owing to the separation distance that is proposed and the not excessive five-storey height of the intended building, I cannot find that any unacceptable loss of sunlight or daylight would prevail for any other nearby resident. This includes occupiers of the four-storey apartment block situated to the north beyond Salt Marsh Road.
36. A residential bin store is proposed to the southwestern corner of the building. As this is a feature to be accessed internally, there is no clear reason to consider that such a store would result in noticeable odours to the detriment of neighbouring amenities or attract vermin to the locality. I am also satisfied that the proposal would not give rise to unacceptable noise or air pollution. Indeed, the proposal is residential-led and incorporates merely a single commercial unit of modest size. Furthermore, the Council's Environmental Health Officer has sounded contentment with the submitted acoustic assessment and the specification of intended glazing.
37. Suggestions have been made that the commercial space could stand empty for an extended period of time. Whilst there is no guarantee of immediate or early occupancy, the Class E use that is proposed is flexible and could cater for a range of potential end occupiers. It is also relevant that a mixed use of the building is consistent with the detailed requirements of Policy 11 of the LP, which supports mixed use development to include housing and employment at the edge-of-centre site/estate in question.
38. It is apparent that no affordable housing units make up part of the proposal. This is on the basis that financial viability evidence has been submitted to demonstrate that the scheme is unable to sustain a contribution in this sense. The Council has confirmed that, in light of other financial contributions to be secured, there is no surplus available for an affordable housing contribution to be made. Having considered the contents of the appellant's Financial Viability Assessment (July 2022) and the subsequent independent appraisal of this

carried out in March 2023, I have no reason to disagree with the agreement reached between the main parties in this respect.

39. It has been suggested that local doctors' surgeries cannot suitably handle influxes of people to the area, and that local dentists are overloaded. However, with specific respect to the proposal before me, it has not been clearly demonstrated that any effects upon local health services would be so significant to generate a requirement for mitigation by way of planning obligation. Moreover, I have seen no request for (a) contribution(s) from the relevant local health authority or similar.

### **The Legal Agreement**

40. The legal agreement contains various provisions and secures a range of financial contributions. An open space contribution towards the provision or enhancement of public open space in Shoreham is secured. This has been calculated in accordance with an adopted Open Space Cost Calculator designed to assist in calculating the extent of a required off-site contribution where it is not possible to provide open space as part of a development. Policy 32 of the LP endorses such an approach in these circumstances. The Council, in correspondence received following the close of the Hearing, has confirmed its intentions to divert the contribution to planned improvements at The Meads Recreation Ground which shares a close physical relationship to the site. To my mind, suitable justification for the open space contribution as calculated has been provided.
41. In accordance with Policy 29 of the LP, education contributions are secured towards primary education, secondary education, and sixth form education. Each of these is intended to go towards additional facilities at educational establishments serving the development and has been calculated in accordance with standard formulae to ensure proportionate contributions in line with adopted guidance.
42. Similarly in accordance with Policy 29, a transport contribution towards cycle and public transport improvements on the A259 linking Shoreham to Southwick and Hove, a libraries contribution towards additional facilities at Shoreham Library, and a fire and rescue contribution towards the supply and installation of additional fire safety equipment/smoke alarms to vulnerable persons locally are secured. Each of these has been calculated in accordance with a methodology set out in guidance adopted by the County Council.
43. I am satisfied that the various contributions and provisions secured through the legal agreement are necessary to make the development acceptable in planning terms, are directly related to the development and are fairly and reasonably related in scale and kind. I am satisfied too that the monitoring fees secured are proportionate and reflect the actual costs of monitoring. I am also content that, from the evidence before me, the legal agreement is fit for purpose.

### **Planning Balance**

44. As indicated at paragraph 11 to the Framework, the presumption in favour of sustainable development is engaged in circumstances that encompass where the policies most important for determining a scheme are out-of-date. This



- includes, with respect to proposals for housing, where the Local Planning Authority cannot demonstrate a five-year supply of deliverable housing sites.
45. The Council has accepted that it cannot currently demonstrate a five-year supply of deliverable sites. Indeed, the most recent published housing land supply position shows a 4.8-year supply of housing land when assessed against the housing target endorsed by the LP. Nevertheless, as more than five years have now passed since the LP's adoption, the Framework indicates that housing supply should be assessed against local housing need calculated in accordance with the standard method that is set out in national planning guidance. On this basis, when also taking into account a 20% buffer to be applied to the housing requirement due to recent significant under-delivery in the District, the main parties are in agreement that something in the region of a 3.45-year supply of deliverable housing sites is currently demonstrable. This represents a significant shortfall.
46. As such, the presumption in favour of sustainable development is engaged. For decision making this means that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the Framework's policies taken as a whole.
47. I have identified conflict with Policies 15 and 28 of the LP, which are, in broad terms, consistent with the Framework in so far as it requires that planning decisions should aim to achieve high quality, healthy and inclusive places. For reasons I have already set out, the proposal would be likely to cause some inconveniences and thus harm to the amenities of existing and future residential occupiers as a consequence of the intended parking arrangements for the commercial space.
48. However, the scheme would provide a range of benefits. These include the provision of a considerable number of additional market dwellings in a District where there is a significant housing land supply deficit. As set out in the Framework, it is a Government objective to significantly boost the supply of homes. The benefit of new housing in the well-connected urban location in question attracts significant weight. Other benefits include the utilisation of previously developed land, the provision of additional commercial floor space and associated employment opportunities, and the encouragement of investment in the local economy at both construction and occupation stage.
49. Having considered the benefits and adverse impacts of the scheme before me, I conclude that the limited harm and associated policy conflict that I have identified (relating purely to amenity concerns associated to the intended parking arrangements for the commercial space) would not significantly and demonstrably outweigh the proposal's benefits when assessed against the Framework's policies taken as a whole. As such, the presumption in favour of sustainable development, as set out in the Framework applies.
50. Thus, notwithstanding the identified conflict with development plan policies, there are material considerations, including the Framework, that indicate that the proposal should be determined otherwise than in accordance with the development plan in this case. As such, the appeal should be allowed.

## Conditions

51. As part of a Statement of Common Ground signed by the main parties to this appeal and submitted in advance of the Hearing, a list of agreed conditions has been provided. Following further discussion at the Hearing, I have considered the conditions against advice in the Framework and Planning Practice Guidance. As a result, I have made amendments to some of them for consistency and clarity purposes and have added further conditions related to parking management, cycle parking/storage, the ventilation system to be installed, and sustainable construction measures. Pre-commencement conditions have only been applied where agreed to by the appellant and where necessary to guide initial works on site. In the interests of certainty, a condition specifying the approved plans is required.
52. To ensure that flood risk is suitably guarded against, a condition requiring full compliance with specified mitigation measures is reasonable and necessary to impose. Further, in the interests of ensuring the surface water drainage system to be installed is properly managed and maintained for the lifetime of the development, a condition requiring the submission of a maintenance manual is reasonable and necessary.
53. In the interests of ensuring existing public sewerage infrastructure is not compromised by the development, a condition requiring confirmation of the details of any diversion measures potentially necessitated is reasonable and necessary to impose. For the avoidance of doubt, having considered comments received from the relevant statutory undertaker, there is no reason for me to consider that the sewerage system has insufficient capacity to accommodate the development.
54. In the interests of protecting the character and appearance of the area, a condition requiring full details, including samples, of intended external facing materials to be submitted for approval is reasonable to impose. The submission of full details of the materials of the privacy screen to be installed would additionally be in the interests of protecting neighbouring living conditions.
55. In the interests of highway safety and protecting the living conditions of local occupiers, a Construction Management Plan is reasonable to secure via condition. A further condition setting out acceptable working hours is also reasonable and necessary in the interests of protecting the living conditions of local residents.
56. In the interests of highway safety, conditions are required that secure, prior to first occupation, the laying out of parking spaces as depicted upon the approved ground floor plan, the submission of a Service Management Plan for the commercial space, and the submission of a Parking Management Plan for the development as a whole. The Parking Management Plan, to include a car club membership scheme for future residential occupiers, would also be in the interests of reducing the prospect of inconsiderate or excessive parking to the detriment of residential amenity in the locality.
57. A condition limiting the manner in which the commercial space is able to be used through reference to relevant parts of the Class E Use Class is reasonable and necessary to impose in the interests of highway safety, consistent with reasoning set out earlier in this decision.

58. In the interests of protecting the living conditions of future residential occupiers, a condition requiring full details of the ventilation system to be installed is reasonable and necessary to impose in accordance with the submissions of the Council's Environmental Health Officer. In the interests of promoting sustainable development in accordance with the principles laid out at Policy 18 of the LP, a condition requiring full details of the various sustainable construction measures to be utilised, as already set out in preliminary form, is also reasonable and necessary.

### **Conclusion**

59. For the above reasons, the appeal is allowed and planning permission is granted subject to conditions.

*Andrew Smith*

INSPECTOR

### **Schedule of Conditions**

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of this decision.
- 2) The development hereby permitted shall be carried out only in accordance with the following approved plans: 20.012.001 A; 20.012.002 A; 20.012.100 B; 20.012.101 A; 20.012.102 A; 20.012.103 A; 20.012.104 A; 20.012.105 A; 20.012.110 A; 20.012.111 A; 20.012.112 A; 20.012.113 A; 20.012.114 A; 20.012.116 A.
- 3) Prior to the commencement of development, a Construction Management Plan shall be 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 of, but be not necessarily restricted to, the following matters:
  - The anticipated number, frequency and types of vehicles used during construction.
  - The method of access and routing vehicles during construction; HGV construction traffic routings shall be designed to minimise journey distances through Air Quality Management Areas.
  - 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 the 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 any other measures 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.
- 4) Prior to the commencement of development, confirmation of any measures to be undertaken to divert public sewers shall be submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water. The development shall be implemented in full accordance with the approved details.
  - 5) Prior to the commencement of development, full details of the maintenance and management arrangements for the surface water drainage system to be installed shall be set out in a site-specific maintenance manual and submitted to and approved in writing by the Local Planning Authority. The maintenance manual shall 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 responsible management company shall strictly adhere to and implement the recommendations contained within the maintenance manual for the lifetime of the development.
  - 6) 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, privacy screens, footpaths and ground floor surfaces of the development 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.
  - 7) Prior to the first occupation of any part of the development hereby permitted, a Parking Management Plan, to include a scheme for the provision of memberships of a car club for residential occupiers of the development, shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented and retained in full accordance with the approved Parking Management Plan.
  - 8) Prior to the first occupation of any part of the development hereby permitted, full details of the various cycle parking/storage facilities to be provided as depicted upon approved plan Ref 20.012.100 B shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented and retained in full accordance with the approved details.
  - 9) Prior to the first occupation of the commercial space hereby permitted, a Service Management Plan to demonstrate loading/unloading and servicing arrangements for the commercial space shall be submitted to and approved in writing by the Local Planning Authority. Servicing of the commercial space shall thereafter be carried out in full accordance with the approved Plan.

- 10) The development shall be implemented in full accordance with the submitted Acoustic Report (October 2021). Prior to the first occupation of any residential apartment hereby permitted, full details of the ventilation system to be installed shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented and retained in full accordance with the approved details.
- 11) Prior to the first occupation of any residential apartment hereby permitted, an Energy Report based upon the preliminary analysis contained within the submitted Shoreham Waterfront Energy Strategy Report (November 2021) and setting out a schedule of the installed sustainable construction measures, including water efficiency measures, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented and retained in full accordance with the approved details.
- 12) The development hereby permitted shall be carried out only in accordance with the approved Flood Risk Assessment and Surface Water Drainage Strategy (Rev P1, dated November 2022) and the following mitigation measures detailed within:
  - Finished floor levels shall be set no lower than 6.3m above Ordnance Datum (AOD) (paragraphs 8.1.4, 14.2, 15.12 and 15.14).
  - No sleeping accommodation shall be placed on the ground floor (section 15 and Appendix 1).

These mitigation measures shall be fully implemented prior to the first occupation of the development and thereafter retained and maintained throughout the lifetime of the development.

- 13) No part of the development hereby permitted shall be first occupied until all vehicle parking spaces have been constructed in full accordance with the approved ground floor plan Ref 20.012.100 B.
- 14) Works of construction, including the use of plant or machinery, necessary for the implementation of this consent shall be limited to the following times:
  - Monday to Friday: 0800-1800 Hours
  - Saturday: 0900-1300 Hours
  - Sundays and Bank Holidays: No work permitted.
- 15) The ground floor commercial space hereby permitted shall be used only for the purposes of:
  - Class E(a) – for the display or retail sale of goods principally to visiting members of the public, but excluding a grocery retail use;
  - Class E(b) – for the sale of food and drink principally to visiting members of the public where consumption of that food and drink is mostly undertaken on the premises;
  - Class E(c) - for the provision of the following kinds of services principally to visiting members of the public:
    - (i) – financial services,
    - (ii) – professional services,

(iii) - any other services which it is appropriate to provide in a commercial, business or service locality;

- Class E(d) – for indoor sport, recreation or fitness, not involving motorised vehicles or firearms, principally for visiting members of the public;
- Class E(e) – for the provision of medical or health services, principally to visiting members of the public; or
- Class E(g) – for an office to carry out any operational or administrative functions.

The ground floor commercial space shall not be used for any other purpose whatsoever, including for any other purpose falling within Classes E or C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

## **APPEARANCES**

### **FOR THE APPELLANT**

|                  |                                     |
|------------------|-------------------------------------|
| Harriet Townsend | Counsel for the Appellant           |
| Joseph Pearson   | Associate, Lewis and Co Planning    |
| Luke Carter      | Director, Lewis and Co Planning     |
| Steve Reeves     | Director, Reeves Transport Planning |
| Chris Oakley     | Executive Chairman, Oakley Property |
| Robert Reilly    | Director, Cross Stone               |

### **FOR THE COUNCIL**

|           |   |
|-----------|---|
| Gary Peck | Planning Services Manager, Adur and Worthing Councils |
|-----------|---|

### **INTERESTED PARTIES**

|                  |  |
|------------------|--|
| Richard Allan    | Waterfront Residents and Tenants Association |
| Gillian Fountain | Local resident                               |

## **DOCUMENTS SUBMITTED AFTER THE HEARING**

Written justification from the Council for requested open space contribution, including copies of Policy 32 of the LP and an April 2021 Committee Report, received via email dated 26 May 2023

Written response from the appellant, received via email dated 30 May 2023