



**ADUR DISTRICT
COUNCIL**

**Planning Committee
3 April 2023**

Agenda Item 7

Ward: ALL

Key Decision: Yes / No

Report by the Director for Economy

Planning Applications

1

Application Number: AWDM/0118/23 Recommendation – APPROVE

Site: Car Park, South Street, Lancing

**Proposal: Redevelopment of existing car park to provide 7no. dwellings for
emergency and temporary accommodation with associated works**

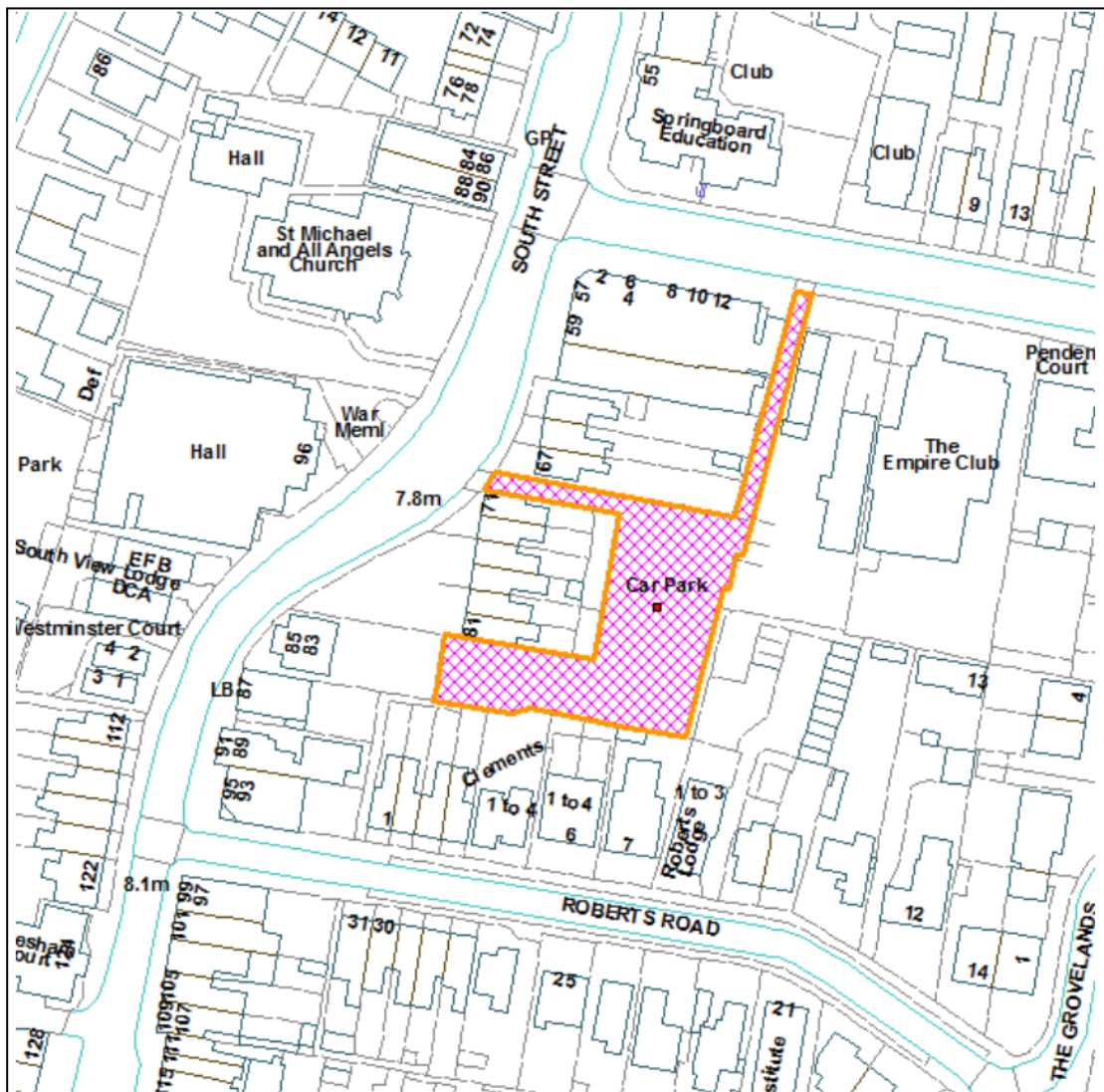
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**Application Number: AWDM/0018/23 Recommendation – Approve, subject to
Deed of Variation to the original s52 legal
agreement**

Site: Shoreham Airport, Cecil Pashley Way, Lancing

Proposal: Extension of airport apron and use of spoil to re-level land

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



Not to Scale

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Proposal, Site and Surroundings

This application seeks full permission for the erection of 7 dwellings (4 x 1 bed and 3 x 2 bed) for emergency and temporary accommodation. The layout of the development will comprise a terrace of 5 no. properties along the eastern parcel of the site, and a pair of semi-detached dwellings to the south of Seaton Terrace on the western side. The eastern terrace will be a mix of 1 and 2 bedroom units, which will be two storeys in height and will have flat roofs with red brick facades. The units to the south of Seaton Terrace will have pitched zinc roofs. The proposed dwellings will meet National Space Standards at 58 and 71 square metres respectively for the 1 and 2 bed units.

It is proposed that the development will use the access points of the existing car park with an access 'in' off South Street and access 'out' onto Penhill Road. The development proposes 8 car parking spaces in total, 5 of which are located at the southern end of the development between the two housing areas, whilst the other three are located opposite the 5 residential units in a parallel formation. Of the 8 parking spaces, the 5 along the southern edge of the development would be reserved for residents of the proposed development, whilst the remaining 3 parallel bays would be reserved for current residents of Seaton Terrace. The 5 resident car parking spaces provided on site would have electric vehicle charging provision in accordance with Building Regulations Part S

The application site is centrally situated within the built-up area of Lancing on the eastern side of South Street, to the south of Penhill Road and to the north of Roberts Road. The site comprises a public car park of about 32 unmarked spaces, although it appears rare that the car park is used to capacity. The site area is approximately 0.1 hectares.

There are neighbouring residential properties adjacent to the application site, including 67 South Street to the north whose rear garden borders the site. To the south are the back gardens of dwellings in Roberts Road separated from the application site by a timber fence. Properties in Seaton Terrace (71-81 South Street) are to the west of the main site area and to the north of the proposed pair of dwellings. The eastern boundary of the site is well screened by trees and it is stated that no trees are to be removed to facilitate the proposal.

Relevant Planning History

Planning permission was granted in 2010 for the Demolition of outbuildings at rear of Nos. 65 and 67 South Street; erection of 214 sqm Place of Worship (D1H) and retention of public car park with widening of west access and retention of north access (outline including access and layout details) (application for a new planning permission to replace an extant planning permission (ADC/0192/07)). The permission was not implemented and subsequently lapsed.

A planning application submitted in 1997 for the Change of Use of Part of Public Car Park To Storage of Materials by Builders' Merchant was withdrawn prior to determination.

Consultations

Environmental Health

No objection

West Sussex County Council

West Sussex County Council (WSCC), in its capacity as Local Highway Authority (LHA), have been consulted on the above Full Planning Application, with regards to any highway safety or capacity concerns. The application is supported by way of a Transport Statement (TS).

Background and Site Context

The application site is located along South Street, to the south of Lancing village. The site is currently being used as a public car park known as 'South Street Car Park', with 32 vehicle parking spaces. These spaces are used by members of the public and by the occupiers of the dwellings at 'Seaton Terrace', to the front of the development site.

The development proposals are for redevelopment of the car park to provide 7 nos. dwellings (4 no. 1-bed and 3 nos. 2-bed) which would be used by Adur District Council for the purposes of emergency and temporary housing. The scheme includes the provision of 8 nos. car parking spaces with associated landscaping.

Access and Visibility

The site has a one-way access arrangement where the access is from South Street and the egress is onto Penhill Road. Both South Street and Penhill Road are subject to 30mph speed limit and provide good visibility splays along both sides of the road.

WSCC's online record for road traffic collisions have been interrogated. This reveals, although, there have been few incidents of personal injuries near to the site access on South Street, there are no patterns for these incidents to suggest there is a problem with road layout or geometry.

Parking Arrangements

A CCTV parking accumulation survey was conducted in April 2022 to understand the level of occupancy of the car park. The data revealed that there was occupancy of 35% to 44% during the majority of the day and 16% overnight. A parking beat survey of 500 metres distance of the site was conducted in November 2022 which revealed an occupancy of 65%. Therefore, it is evident that there are ample vacant parking spaces along the neighbouring streets to accommodate the displaced parking from the existing car park.

The development proposes to provide a total of 8 car parking spaces, with the option of 3 spaces being offered on lease to the occupiers of Seaton Terrace and the remaining 5 spaces being used by residents/visitors of emergency housing. This

level of car parking is considered adequate given the low car ownership rate of the residents of sheltered / emergency housing.

In accordance with WSCC's Cycle Parking Standards, the development is provided with 8 bicycle spaces within 4 nos. Sheffield Style stands. These stands are in a safe, secure, and well-lit location within the development.

Delivery and Servicing Arrangements

The internal layout can accommodate a delivery van to enter the site, turn within and exit in forward gear. Swept path analysis diagrams included within the TS demonstrate the different manoeuvres of a delivery / panel van and a standard car. A fire tender vehicle is unable to enter the site due to the site entrance being narrow; however, a fire appliance parked on South Street would be located within the maximum permissible distance of 90m from all points within each of the proposed residential unit.

Refuse collection is carried out from the kerbside along South Street, in line with the existing arrangements.

Sustainable Transport Accessibility

There are continuous footways along both sides of South Street and Penhill Road which connect onto wider footway network, with good street lighting favourable for walking. Many local amenities, services and nearby bus stops are accessible by walking. The nearest bus stops located within 200 metres of the site access provide connectivity to nearby towns and villages. Lancing Train Station located within 400m distance to the north of site access provides wider transport network connectivity, such as London Victoria via Gatwick Airport, Brighton, Littlehampton, Portsmouth Harbour, Southampton etc. Therefore, it is evident that the site is accessible by various sustainable transport modes, without solely relying on private car use.

Trip Generation and Highway Capacity

TRICS database has been interrogated to estimate the likely number of trips generated by the proposed uses. It is estimated that the proposed uses could generate a total of 27 movements together with the trips from the users of the Seaton Terrace. These trips are still fewer than the 56 recorded vehicular trips generated by the site as a public car park. Therefore, the proposed vehicular trips are not expected to cause a material impact and could easily be accommodated onto the local highway network.

Conclusion

The Local Highway Authority (LHA) do 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 (NPPF), paragraphs 110 -113, as revised 20th July 2021. Therefore, there are no transport grounds to resist this proposal.

Lancing Parish Council

It was resolved to support this application, subject to compliance with planning legislation and regulations.

Southern Water

No objection

Technical Services

The details in respect of surface water drainage are acceptable

West Sussex Fire and Rescue

Having viewed the plans for the planning application no. AWDM/0118/23 for the redevelopment of existing car park to provide 7no. dwellings for emergency and temporary accommodation with associated works, evidence is required to show suitable turning facility is provided to enable a fire appliance to turn and make their exit. A requirement identified in Approved Document B Volume 1 2019 Edition: B5 Section 13, including Table 13.1 and diagram 13.1.

Representations

Gardiner and Scardifield

- Understand the need to make better use of the land
- The company has tried to purchase the land previously but has had negative responses
- The land would greatly benefit the company and allow centralisation of operations
- The proposal is of no benefit to the company and if the development goes ahead the one piece of land close to the company that would allow investment in Lancing would be lost
- The proposal is no benefit to the people of Lancing who would lose an overflow car park

letters of objection have been received on the following grounds:

- the 14m rule, Space around new dwellings has not been applied to this development, which affects properties in Roberts Road.
- due to the closeness of the new houses coupled with a transient residency both with traffic and noise as these are designated temporary and emergency accommodation being sited in a small confined area.
- the common waste storage area for their sole use has been sited even closer to our properties 71/73 the escaping odours will be extremely offensive especially in the height of the summer as will the noise from the occupants emptying their waste and early on bin collection days , they are not for the use of the terrace and should be sited closer to the rented properties which I am sure they would agree.

- the planners propose to connect into the existing drainage system by connecting into the second chamber there are four chambers and the fourth is in our property which in turn connects to all the houses in the terrace from time to time we have experienced all of the chambers and pipework flooded due to a blockage at the south street junction and my concern is if nothing is done to correct the problem adding seven more houses will only compromise the problem see support statement.

Applicant response to above comment re drainage

There are no entries [from Southern Water's records] that relate to flooding due to a lack of capacity or the occurrence of backflow. In almost all occurrences, the cause is due to blockage. Blockage due to fat is self-explanatory, rag generally refers to fibrous material such as wet wipes, sanitary products, nappies etc.

Not particularly of relevance but S24 sewer is a sewer that was inherited from the Local Authority due to it being in existence prior to 1937, S105A sewer is a sewer that transferred to Southern Water under the 2011 Sewer Transfer Regulations.

I would suggest that this information confirms that there is no issue with capacity in the foul sewer network and the issues that have occurred locally to the site are as result of blockage.

Technical Services comments on the above response

Agree with the applicant's response. A CCTV survey will highlight any defects within the existing Foul water system and remedial action can be taken with the agreement of Southern Water. It is my understanding that if the existing system is a Section 24 sewer then SW are responsible for any repairs.

Relevant Planning Policies and Guidance

Adur Local Plan 2017 - Policies 2,3, 9, 15, 18, 20, 22, 28 and 36
 'Supplementary Planning Guidance' comprising: Development Management Standard No.1 'Space Around New Dwellings and Flats';
 Sustainable Energy SPD (August 2019)
 Adur Planning and Climate Change Checklist (June 2021)
 Planning Contributions for Infrastructure Provision (ADC 2013)
 Lancing Vision 2012
 WSCC Guidance on Parking at New Developments (Sept 2020).
 National Planning Policy Framework (July 2021)
 Technical Housing Standards – nationally described space standard (DCLG 2015)
 Circular 11/95 'The Use of Conditions in Planning Permissions' (DoE 1995)

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

The application site is within the built-up area as defined by the Local Plan where the principle of redevelopment is considered acceptable. The application site comprises a car park which due to its lack of visibility, being set behind dwellings and accessed via narrow and separate access points, has long been considered to be underused as acknowledged in the Lancing Vision document of 2012 and the Highways Authority's consultation response. The parking spaces within the site are not marked and the surfacing in places requires repair. As such, the application site represents an underutilised space close to the village centre and accordingly it is not considered there is an objection in principle to its loss. Furthermore, the housing requirements in the District, and in particular the need for emergency and temporary accommodation would lend further support for the development.

Given that part of the reason for the under use of the car park is its lack of visibility in the wider street scene, it follows that the proposed development itself will have little impact from public view, being screened by existing housing on South Street to the west and Robert Road to the south, while there is a tree screen to the east and the rear gardens of residential properties to the north.

The main issue in terms of impact, therefore, is the effect upon the existing housing that is close to the site. The proposed pair of western dwellings would sit alongside the existing dwellings in Seaton Terrace although would be orientated differently with their front entrances facing eastwards as the curve of South Street and 83 to 85 South Street prevents access to the west. To avoid overlooking, the western properties have limited opening in their western elevation unlike neighbouring buildings but since the site is effectively a backland development when viewed from South Street, this will have a limited visual impact. The rear amenity area of 83 to 85 South Street is just under 20 metres and therefore with the slight set back of the western properties from the western boundaries, the distance between properties meets the Council's overlooking standards and in any case there is only a first floor obscured bathroom window in the first floor western elevation serving the proposed properties.

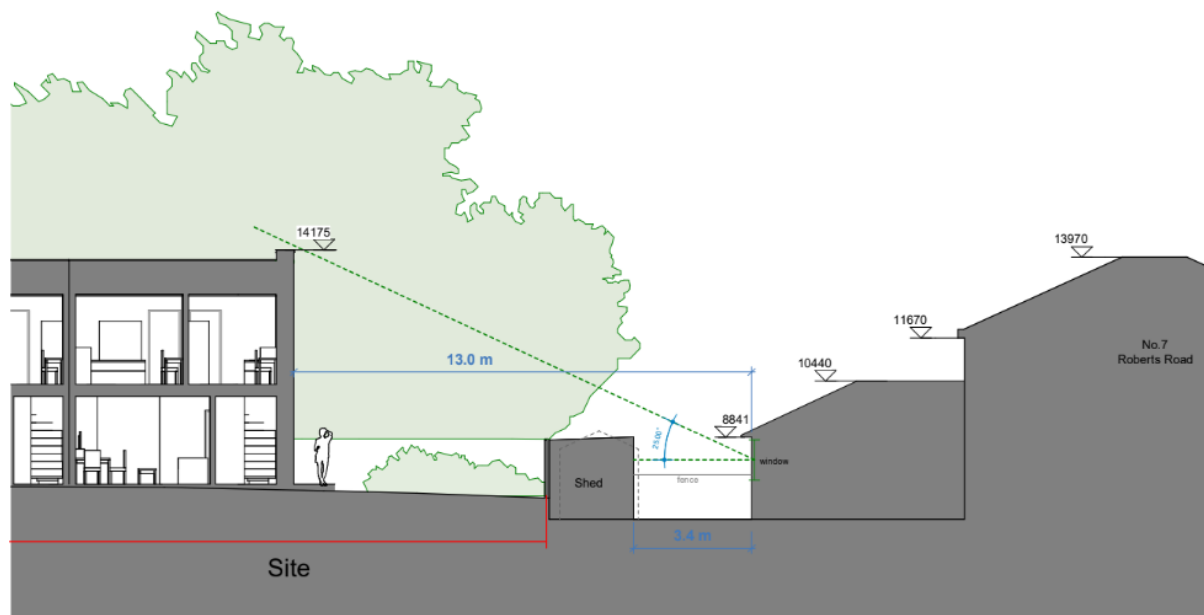
The main impact mentioned in representations is that on the properties in Roberts Road which comprise a mixture of houses and flats to the south of the application site. In particular, the representations cite the Council's Supplementary Planning Guidance which states *'where the rear of one dwelling faces the side of another 2 storey dwelling, a minimum of 14 metres is required'*

In respect of the western pair of dwellings, they are 12.5 metres from 3 and 4 Roberts Road at the nearest point, but the closest points are single storey elements of the dwellings appearing to serve non habitable rooms. The main 2 storey element of the respective buildings, themselves a projection from the main rear of the

properties, are 14.8 metres from the proposed dwellings. The Supplementary Planning Guidance could be open to interpretation as it appears to reference 2 storey dwellings where one of the dwellings is on a corner of the road. It is not considered that a refusal on the grounds of a technical breach to the ground floor element of reasonably sized dwellings could be justified when the distance between the 2 storey elements of the dwellings complies with the Guidance.

The guidance has also been referred to with regard to 7a Roberts Road and has been considered even more closely as the property in question comprises a single storey flat to the rear of the main building with its outlook solely facing the application site. The impact upon this property was discussed at the pre-application stage and as a result the proposed development leaves a 90 square metre grassed amenity area between the southernmost dwelling in the eastern block and the boundary of the application site. Even with this gap, though, the distance between the respective dwellings is 13 metres and hence breaching the guidance by 1 metre. However, it is noted that the proposed dwellings are flat roofed to reduce their impact and accordingly the applicant was requested to assess further the impact upon 7a Roberts Road.

The applicant has used BRE guidance which states that if the angle between an existing window and a new development 25 degrees or less, then it is unlikely to have a substantial effect on the diffuse daylight enjoyed by the existing building. The drawing below demonstrates that the 25 degree rule is met.



It can perhaps be assumed that the 14 metre guidance is made on the basis that a 2 storey dwelling would have some form of pitched roof but in the absence of such in respect of the proposed development, it is considered that the relationship is acceptable and again that a refusal could not be justified on the grounds of a breach of the Supplementary Planning Guidance given that the BRE guidance is met.

The front of the eastern terrace faces the rear of the properties in Seaton Terrace. The relevant overlooking distance between properties in policy terms is 22 metres which is met to the main rear wall of the dwellings although a conservatory erected to the rear of number 81 is just within the relevant distance. Again, it is not considered a refusal could be justified on this basis.

The eastern boundary of the application site is less constrained as there is a tree screen and a commercial use directly beyond. The eastern boundary is at an angle though which means that the amenity areas serving the properties progressively decreases from north to south with plot 1 having an amenity area in excess of 40 square metres, but plot 4 only being 19. Plot 5 is served by the aforementioned larger amenity area to provide a gap to the southern boundary. These areas are smaller than ideal but given the tight nature of the site (to provide a greater garden area would move the buildings closer to Seaton Terrace hence potentially breaching the overlooking standard) and the nature of the accommodation provided, it is considered that the space provided is acceptable.

With regard to fire servicing, vehicles would service the site from South Street rather than from within the site itself as a result of the width of the proposed development's access arrangements. A Fire Safety report has been commissioned which confirms that the 90m rule can be applied to this site if sprinkler systems are provided in all of the units (as required by Building Regulations). An assessment in the Fire Safety report shows that a fire appliance parked on South Street would be located within the maximum allowed 90m from all points within each of the proposed residential dwellings.

The comments from Gardiner and Scardifield are noted but there are no specific policies identifying the land as required for employment use and given the proximity of the neighbouring residential properties, as well as the existence of other commercial uses in the area, it is arguable whether an extension of such commercial activities would be the use of land that most protects neighbouring amenities. In any case, such is the identified need for housing in the District it is considered that the proposed use is acceptable.

It is considered that the applicant's agent has worked productively with the Council before and during the application to produce a scheme that makes the best use of a site in a central location in the village and accordingly it is recommended that permission be granted.

Recommendation

Approve subject to the following conditions:

1. Approved Plans
2. Full Permission
3. No part of the development shall be first occupied until the vehicle parking spaces and turning have been constructed in accordance with plans and details submitted to and approved by the LPA.

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

4. No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details submitted to and approved by the LPA.

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

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

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

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

7. Works of construction or demolition, including the use of plant and machinery, necessary for implementation of this consent shall be limited to the following times:-

Monday - Friday 08:00 - 18:00 Hours
Saturday 09:00 - 13:00 Hours
Sundays, Bank and Public Holidays no work permitted.

Any temporary exception to these working hours shall be agreed in writing by the Local Planning Authority at least five days in advance of works commencing. The contractor shall notify the local residents in writing at least three days before any such works.

Reason: In the interests of amenity.

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

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

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

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

10. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 as amended (or any Order revoking and re-enacting that Order with or without modification), no windows or other openings shall be formed in the southern walls of the approved dwellings.

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

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

Reason: To ensure adequate landscaping is provided.

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

Reason: To ensure adequate means of foul sewerage and surface water disposal.

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



Not to Scale

Update since last Planning Committee meeting

This application was on the agenda for the March 6th Planning Committee but was deferred to allow time for third party representations to be considered following a relatively late public consultation once it had been discovered that the nearest neighbours at Honeymans Farm had not been directly notified of the application. Publicity had only previously been given to the application by means of two site notices.

The main issue of concern was the use of a raised grass area on the NW boundary of the site for helicopter landing which is needed to facilitate a revised helicopter training circuit. The current training circuit takes a route across the new houses within the New Monks Farm development and the proposed site of the Primary School and pre-existing houses along the eastern edge of Lancing. It was agreed as part of that permission that this route should be amended with the new route going north through the Country Park and over the (former) IKEA site before going north of the A27 and returning along the River Adur.

The deferral was to also allow sufficient consideration of any noise impacts that this landing area would have on nearby residents.

However, following the deferral it has come to light that the area in question already has the benefit of planning permission to be used as a landing area, granted under reference L/8/01 in 2001. The applicants' agent has explained:

“The levelling works of this area were all carried out as part of the original planning application L/8/01/TP permitted in 2001 and the Airport Company maintains the site to assure its suitability to accommodate helicopter operations.

Although they have maintained the area, the Helicopter Training Area (HTA) known as November has not been used by the current owners of BCAL who purchased the company in May 2019. It appears that the training activity started to reduce circa 2015/16 when Erinaceous owned the leasehold of the Airport; however, since 2019 (and notwithstanding the general impact of COVID-19 on businesses) the current operators have noted a more sustainable helicopter operation. The reason that the use of it is being revived is because of the requirement to amend the Training Circuits to comply with Condition 44 (now Condition 22) of the permission on the main New Monks Farm Development.

The current owners of BCAL are content to limit the use of November HTA to the (permitted) hours 1000 to 1800 daily Mon to Fri. For any night flying requirement, helicopters would be treated as any other aircraft operating at the Airport and would use the existing fixed-wing circuit.”

It is clear that the land in question has been raised and is a flat, grassed area capable of being used for helicopter landings. In light of the planning permission for the use, consideration of the impact of helicopter activity on residents cannot be taken into account and the use of that land has been removed from the application.

This application is therefore solely for the extension of the airport apron in two areas

and the redistribution of the spoil from those works within an area at the north western corner of the airfield. This is considered below.

Proposal, Site and Surroundings

The application relates to three areas of land within Shoreham Airport, on the airfield itself. Area 1 comprises grassland adjacent to the existing airport apron helicopter landing pad. Area 2 comprises grassland adjacent to another area of airport apron used for plane parking and maintenance. Areas 1 and 2 are at the southern end of the airfield, close to the main airport buildings.

Area 3 comprises footings of a demolished hanger, associated hardstanding and areas of scrubland in the NW corner, on the boundary with the New Monks Farm development.

The proposed development is as follows:

- Area 1(0.11ha) - Extension of the existing helicopter landing pad
- Area 2 (0.18ha) - Extension of the airport apron to provide additional space for parking of planes.
- Area 3 (0.3ha) – Re-levelling of land through spreading of spoil from areas 1 and 2

The supporting letter submitted with the application explains that:

“These works are necessary to increase the amount of Airport apron available for the parking and maintenance of planes. These proposals do not seek to increase the frequency of use relating to the Airport but will help enhance facilities for existing users.”

The extension of the apron in Area 2 will also assist with moving aircraft off the taxiing route so that they do not obstruct it while they are being refuelled.

Relevant Planning History

L/33/90 - Extension to concrete apron and taxiway - approved.

L/91/90 - Additional taxiway linked to existing taxiway - approved.

L/144/94 - 3 helipads with access road (for fuel bowser) - approved.

L/60/98 - Additional hardstanding for aircraft parking and taxi way links - approved.

L/8/01 - Raising of ground level (by up to 2 metres in height) of the North-West part of the airfield to provide helicopter training ground - approved.

ADC/0275/06 - Concrete apron/taxi-way to replace existing grass/grasscrete/tarmac area - approved.

ADC/0259/07 - Concrete apron to replace existing grass concrete area - approved.

Various other airport-related applications.

AWDM/0961/17 2020 - Planning permission granted for a hybrid application for:

1. *Full planning permission for the demolition of existing buildings and erection of 249 dwellings with temporary access via Grinstead Lane, a Country Park, relocation and extension of the Withy Patch Gypsy and Traveller site, permanent access via a new roundabout on the A27, landscaping, and other associated infrastructure (including pumping facility at the River Adur);*

2. *Outline planning permission (with only landscaping reserved for a non food retail store (Use Class A); and,*

3. *Outline planning permission (with all matters reserved other than access) for the erection of a further 351 dwellings.*

Full planning permission was granted in November 2021 (SDNP/20/05236/FUL and AWDM/1906/20 for the provision of a “Fourth Arm” from the New Monks Farm roundabout to Coombes Road (West) and closure of Coombes Road (East) junction with the A27.

AWDM/1831/21 - Reserved Matters approval granted in 2022 for 25,000 sqm at Shoreham Airport.

AWDM//0021/22 - Planning permission granted for the erection of 385 dwellings and Community Hub (Flexible Class E/F1/F2 use) along with associated access, landscaping, car parking and public open space (an increase of 34 dwellings from the outline approval of 351 dwellings (AWDM/0961/17).land East Of Shadwells Road At Mash Barn Estate, Mash Barn, Lane, Lancing, West Sussex

Consultations

West Sussex County Council: The **Highway Authority** has no objection. It is anticipated that there are HGV movements during the construction phase, but the minor re-levelling of land taking place within Area 4 is in an area adjacent to Cecil Pashley Way and located adjacent to the new access road from the A27 roundabout. Therefore, the additional vehicular trips generated during the construction phase are not expected to cause a detrimental impact on the operation of the local highway network.

Local Lead Flood Authority: As agent to the LLFA, Technical Services at Adur & Worthing Councils has responded in relation to the above application. Having reviewed this response, the LLFA has nothing further to add

West Sussex Fire and Rescue Service: Evidence is required to show the locality of nearest fire hydrants to each works area for the supply of water for fire-fighting to ensure they comply with the 90 metres distance required for a commercial premises. If an alternative supply of water for firefighting is to be considered it will need to conform with the details identified in Approved Document – B (ADB) Volume 2 2019 edition: B5 section 16. Evidence is also required for the access route to any new build properties in these areas, to ensure suitable access for a fire appliance.

Adur & Worthing Councils:

The **Environmental Health** Officer has no adverse comments to the revised application.

Technical Services:

Flood risk - The application is within flood zone 3, the site is shown to not be at a significant risk from surface water flooding. The Environment Agency should be consulted.

Surface water drainage - the FRA states that surface water from the hard standing and parking area will be disposed of via perimeter french drains, the application includes relatively small changes to impermeable areas, we therefore have no conditions to request.

Environment Agency: No objection subject to imposition of a contaminated land condition on any permission

Lancing Parish Council: Supports the application

Representations

3 letters of objection received, including 2 from Adur Residents Environmental Action (AREA).

- Strongly object to the application and the lack of duty of care for the impact it will have on the 15 families on the Withy Community Site.
- The Community has suffered significant and worsening problems since relocating to that site, affecting their well being and quality of life
- Failure of Adur to consult them in a timely manner adds to their feelings of marginalisation.
- Location of existing helicopter flight paths and practice landing pad is already causing unacceptable noise levels and safety concerns
- Enlarged pad is closer to the Withy site.
- Residents concerned about the safety of low flying helicopters so close to their homes.
- The amended flight plan will not improve the situation.
- Withy residents will have two legs of the circuit on either side of them.
- These are daytime problems as much as night time.
- Has the Civil Aviation Authority approved this route?
- Sussex Pad hamlet and Little Lancing school should be consulted.

- Environmental Health Officers should visit the site to experience at first hand what the noise is like.
- No noise assessment has been carried out
- Construction vehicles will be using roads which run directly beside the Withy site.
- Contravenes human right to peaceful enjoyment of home

- Local residents and Council know that extending Shoreham Airport would involve operating and landing helicopters near to the site of the Shoreham Air Show tragedy in 2015. The tragedy happened on account of the altitude of the aircraft involved in that catastrophic incident.
- Locally, aviation safety is a sensitive subject. Radio Technical Commission for Aeronautics (RTCA) identified that 5G frequencies cause harmful interference to altimeters. Telecommunication operators have 5G masts installed within 3km of the application site. For instance, the 5G mast at Buckingham Park
- This application lacks consideration for aviation and public safety in this connection. However, NPPF Chapter 8 and Paragraph 97 directs LPAs that planning policies and decisions should promote public safety. Accordingly, to comply with that direction, consideration for public safety by Adur District Council is necessary.
- With recent and proposed major housing development, homes are being built closer to the Airport and there is the A27 and Old Shoreham Road (A283) to consider. Altimeters serve a vital purpose, providing a direct measurement of the clearance height of helicopter (aircraft altitude) over the terrain below or other obstacles. Approaching and landing a helicopter at the application site is a procedure for which accuracy from the altimeter is essential.
- The importance of accurate altitude information is self-evident if another incident like the Shoreham Air Show tragedy is to be avoided. Please give due consideration to aviation safety and that of our residents.

Relevant Planning Policies and Guidance

Adur Local Plan 2017 policies 7, 13, 14, 34, 35, 36
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

Paragraph 106 of the NPPF advises that planning policies should recognise the importance of maintaining a national network of general aviation airfields, and their need to adapt and change over time – taking into account their economic value in serving business, leisure, training and emergency service needs, and the Government’s General Aviation Strategy.

The site lies outside of the built up area boundary, within the Local Green Gap between Shoreham and Lancing. Policy 7 of the Adur Local Plan is a site specific policy relating to the Airport. It states that new development at the Airport must be designed to minimise its impact on the landscape as well as on the open nature of the Local Green Gap. Key views must be retained, and any impacts on the historic character of the Airport and the historic assets within it must be minimised.

Mitigation measures will be required to ensure that new development at the Airport does not impact on the ecological value of the airport itself or the adjacent Adur Estuary SSSI. Where possible, ecological enhancements should be incorporated as an integral part of the development.

The policy requires that a desk-based assessment and, where necessary, a field evaluation of archaeological assets should be undertaken before determination of any application. In this case, given the relatively minor scale of the development, a precautionary condition is recommended should permission be granted.

Any new development at the airport must not jeopardise the runway use or airport operations.

There is an existing Section 52 agreement for the airport which restricts development outside of the existing developed area (main terminal and associated hangers and industrial units) at the south of the airport.

The proposal seeks to improve operations at the airport, specifically relating to the parking and maintenance of planes. It is considered that, while including development outside of the developed area as identified in the s52 agreement, the works are reasonable and necessary airport-related development and are therefore acceptable in principle.

Visual amenity

The proposed works in Areas 1 and 2 comprise an extension to an existing hard surface and are not considered to have a significant or noticeable visual impact from outside of the airfield, in the context of the existing hardsurfaced areas at the southern end of the site. As there are no above ground structures proposed, the works will not have an adverse impact upon the setting of the listed terminal building or hangar.

The spoil from Areas 1 and 2 will be redistributed within Area 3 resulting in some minor regrading of the land. The land undulates in this location and these works are not considered to be significant in visual terms and will not have a harmful impact on the wider landscape.

Residential amenity

The original plans showed an area for proposed helicopter landing that was close to the relocated Gypsy and travellers' site at Honeymans Place. There was concern that noise from the proposed grass helicopter landing pad could cause unacceptable

disturbance to these residents particularly given that these residents live in caravans/mobile homes.

However, as explained above, this area is an existing helicopter landing area, following the grant of planning permission in 2001. As such, this part of the application has been removed from consideration and the noise impacts arising from helicopter movements can no longer be considered as part of this application.

The application, as amended, is for new areas of hardstanding and the redistribution of the spoil elsewhere on the airfield site. It is not considered that these proposals will have an adverse impact on residential amenity. There may be some short term disturbance during the construction works, however, and it is therefore recommended that a Construction Management Plan is secured to enable suitable controls to be put in place over lorry movements and hours of operation.

There is still a need to discharge the relevant planning condition attached to the New Monks Farm applications, relating to amending the existing helicopter training circuit, and this will be dealt with as a separate matter. A meeting with Environmental Health is being set up to consider any additional noise impacts on neighbouring residents as a result of any revision to the current helicopter training circuit.

Accessibility and parking

The proposal does not result in any change to traffic or parking arrangements. There are likely to be some HGV movements during the construction phase but these are not expected to cause a detrimental impact on the operation of the local highway network and there is no highway objection to the application.

Flood risk and drainage

The site is located within a defended tidal flood zone 3. The Flood Risk Assessment submitted with the application explains that surface water from the new hardstandings will be collected and retained on site prior to being discharged to the tidal estuary of the River Adur via the existing onsite groundwater pumping station which dewateres the area in which the works are located. The site is defended against tidal flooding and is not at risk of flooding from fluvial sources, overland flows or at significant risk of flooding from groundwater.

There are no objections to the proposal from the Council's Technical Services team, Environment Agency or the Local Lead Flood Authority.

Ecology and biodiversity

A preliminary ecological appraisal has been carried out as the site is close to the Adur Estuary SSSI and a number of Local Wildlife Sites. However, on the site itself, Areas 1 and 2 comprise mown grassland adjacent to a concrete hardstanding and has low species value.

Area 3 is an existing helicopter landing area and was not surveyed. Area 4 used to contain an airport hangar and associated hardstanding which was demolished as part of the New Monks Farm development. The Area contains recently disturbed ground with standing water. However, priority habitat in the form of coastal and floodplain grazing marsh lies in close proximity to area 4. In addition, area 4 lies adjacent to a ditch which drains into the Adur Estuary SSSI which contains priority mudflats and coastal saltmarsh.

A Construction Environment Management Plan (CEMP) is recommended in the report as a means of protecting these priority habitats and the integrity of the SSSI as part of works. Some ecological enhancement is also recommended.

Safety

With regard to the issue of safety, the applicants' agent has explained that helicopter training at Shoreham does not involve any unusual high-energy manoeuvres at speed. He has stated:

“Whilst the pilots of the helicopters use the altimeter to gauge their height on the descent profile to land, they use visual references to sustain a steady and controlled descent to landing. It is not proposed to change the route profile of the helicopters flying a visual circuit when Runway 20 is in use. The helicopter will be at approximately the same altitude as the fixed-wing aircraft crossing the A27 to make a landing on Runway 20.”

There are therefore not considered to be any safety concerns with these minor proposals.

s52 Agreement

As indicated earlier there is an existing legal agreement which restricts development outside of the original terminal buildings. This has been amended at various times to allow for the extended car park used by Ricardo's at the north eastern corner of the site and to allow for the erection of the 25,000 sqm industrial development. The development proposed by this application would require a further Deed of Variation and a draft has been prepared in anticipation that this application would be supported.

Recommendation

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

1. Approved Plans
2. Time limit

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

3rd April 2023

Local Government Act 1972

Background Papers:

As referred to in individual application reports

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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.