

Application Number:	AWDM/0886/23	Recommendation - APPROVE subject to a Legal Agreement and the receipt of remaining comments from Consultees
Site:	New Wharf, Brighton Road, Shoreham	
Proposal:	Demolition of existing warehouse and erection of an 8 storey building and basement, comprising 62 residential units (Class C3) and commercial floor space (Class E), with associated basement parking, access, and landscaping.	
Applicant:	Metrocity Consulting Ltd	Ward: St Mary's
Agent:	ECE Planning Limited	
Case Officer:	Stephen Cantwell	

The Head of Planning and Development presented the report explaining that the applicant had made several unsuccessful attempts to expand their site onto adjacent land adjoining the river. Having been unable to secure that land, they had brought the application to committee as it stood and the Officer clarified for Members how this had affected the proposed S106 agreement from the applicant with regards to viability issues.

The Officer addressed Member questions surrounding the riverside path, parking for the commercial units, a cycle path, drainage and the basement parking.

There were two registered speakers who gave representations in support of the application.

During debate Members discussed the deficit of affordable housing provided with this development but acknowledged that this was balanced against other adjacent sites having provided over the required quota. Most Members considered the design, scale and landscaping favourable. It was also noted that the mix of one and two bedroom dwellings, and the fact that all of them were disabled compatible was positive. The Committee declared an interest in approving the materials to be used and the Head of Planning and Development assured members that he would circulate the design and access statements among them via the Chair.

It was noted that the Foundation Risk Assessment had yet to be completed and the outcome of it could negatively impact a viability proposal. Some members considered this could pose a risk to either the promised S106 agreement or the completion of the development.

A proposal was put forward to accept the Officers recommendation subject to the completion of a Planning Obligation and subject to conditions set out in the

committee report and addendum. During the delegation period Officers would seek an improvement to the design of front elevation of the building and await outstanding consultees (WSCC Fire and Rescue). This was seconded and voted on with an outcome of 7 votes in favour and 2 abstentions.

Decision - Approved, subject to conditions:-

1. The development hereby permitted shall be carried out in accordance with the following approved plans unless specified otherwise in a subsequent condition imposed on this decision notice.

[Insert drawing numbers]

Reason: *For the avoidance of doubt and in the interests of proper planning*

2. The development hereby permitted shall begin before the expiration of three years from the date of this permission.

Reason: *As required by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.*

Enabling Works

3. The following Enabling Works shall only be undertaken after the following details have been submitted to and approved in writing by the Local Planning Authority:
 - (i) Breaking-up and crushing of existing hard-standings.

Details of measures to manage and minimise noise, vibration and dust.

- (ii) Removal of below ground cables, pipes or ducts
- (iii) Re-routing of existing sewer main if needed
- (iv) Site survey works, including excavation to assess ground existing condition.

Details of measures to be taken to minimise and manage risk of contamination, (including risks to human health and the water environment), noise and dust

The details thereby approved shall be fully adhered to in the undertaking of the respective Enabling Works.

Reason: *To manage existing site contamination to prevent harm to human health and to protect the water environment including groundwater and the River Adur, and to manage impacts of noise, vibration and dust in accordance with the National Planning Policy Framework 2023, Policy 34 of the Adur Local Plan 2017 and Policies SH6 & SH7 of the Shoreham Harbour Joint Area Action Plan 2019.*

Materials and Details

4. With the exception of Enabling Works in Condition 3, (and unless agreed otherwise in writing by the Local Planning Authority), no works above ground level shall take place until the following details have been submitted to and approved in writing by the Local Planning Authority and all development of that phase pursuant to this permission shall be carried out and permanently maintained in full accordance with details thereby approved:
 - a) Details and samples of the materials to be used on all external faces of the building(s) and ground surfacings, including colours and finishes;
 - b) Details, including 1:20 drawings and profiles of external doors; windows and frames; roof intersections, soffits, parapets & cappings, brise-soleil, balconies, balcony screens / balustrades and any external rails;
 - c) Any external plant and utility cabinets, their location, size, design, materials, colours and finish and any associated externally visible ducting,
 - e) Details of any external lighting, including measures to minimise light pollution,
 - f) Details of pedestrian and vehicular access ramps and steps and ground floor plinths, including their edges,
 - g) Details of the location and design of any externally visible ventilation louvres, gaps or ducts

Development shall only be carried out in accordance with the details thereby approved and this condition shall apply notwithstanding any information contained in the current application.

Reason: *In the interests of visual amenity, to ensure a high quality appearance and character of development in accordance with policies 15 of the Adur Local Plan 2017 and SH9 of the Shoreham Harbour Joint Area Action Plan 2019 and NPPF 2023.*

Landscaping, Play and Biodiversity

5. Before the commencement of development above ground level, (other than Enabling Works), and unless otherwise agreed in writing, the following details shall be submitted to and approved by the Local Planning Authority:
 - i) Details of hard landscaping materials and surfacings
 - ii) Details of provisions for play & recreation
 - iii) Any external seating
 - iv) Planters and tree pits including irrigation and drainage
 - v) Ground preparation to create a planting medium
 - vi) Biodiversity enhancement measures
 - vii) Public art

- vii) A maintenance plan to ensure full establishment of new planting

Development shall be carried out only in accordance with the approved hard and soft landscaping plans and the planting maintained, in accordance with the approved details and the phasing plan. Any trees or shrubs or other vegetation which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: *To ensure the provision, establishment and maintenance of hard and soft landscaping on the site, including provisions for play & recreation and biodiversity, and to provide for minor revision to the landscaping layout at point B i) in accordance with policies 15 & 30 of the Adur Local Plan 2017 and Policies SH7& CA7 of the Shoreham Harbour Joint Area Action Plan 2019 and NPPF 2023.*

Means of Enclosure gates or barriers & Permitted Development restriction

6. i) Before the commencement of development above ground level, (other than Enabling Works), details of all means of enclosure, gates or barriers shall be submitted to and approved in writing by the Local Planning Authority. These shall be provided prior to the occupation of each such phase.
- ii) No additional or other means of enclosure, or increase in height of any means of enclosure shall be carried out without the prior written approval of the Local Planning Authority, and this restriction shall apply equally to any balcony or terrace and this condition shall apply notwithstanding the provisions of Schedule 2, Part 2, Class A of the Town And County Planning (General Permitted Development) Order 2015 as amended, or any Order revoking or re-enacting that Order.

Reason: *In the interests of visual amenity, to ensure an ongoing high quality appearance and character of development in accordance with policies 15 of the Adur Local Plan 2017 and SH9 of the Shoreham Harbour Joint Area Action Plan 2019 and NPPF 2023.*

Commercial Units - Uses and limitations

7. i) The commercial spaces hereby approved shall not be used other than for purposes within Class E Town and Country Planning (Use Classes) Order 1987, (as amended) but not including any uses within Class E(f) for creches, day nursery and day centres. This condition shall apply notwithstanding the provisions of Schedule 2, Part 3 of the Town And County Planning (General Permitted Development) Order 2015 as amended, or any Order revoking or re-enacting these Orders they shall not be used for any other purposes whatsoever.
- ii) Prior to the commencement of any use within Class E for any indoor sport, recreation or fitness or details shall be submitted to and approved in writing by the Local Planning Authority including hours of use, measures to minimise risk

of noise and disturbance to neighbours or occurrence of odours, measures to minimise and control traffic and deliveries and anticipated numbers of staff and visitor and customers. These uses shall only operate in accordance with the details approved by the Local Planning Authority

Reason: *To provide an appropriate commercial use of the space in accordance with the current application, to add vitality but also to minimise risk of conflict with neighbouring residents at the site or adjoining sites, in accordance with policies 8 & 28 of the Adur Local Plan 2017 and SH3 & CA7 of the Shoreham Harbour Joint Area Action Plan 2019 NPPF, 2023.*

Commercial Units - Hours

8. The commercial spaces shall only be used and open to customers and visiting members of the public between the following hours, (unless otherwise approved in writing by the Local Planning Authority, including any written approval under condition [7] of this permission, which may include other or shorter hours):

Monday – Saturday 07:30 – 23:00

Sunday & Bank/Public Holidays: 08:30 – 20:00

Reason: *To achieve a balance between business needs and the protection of residents immediately adjacent or close to the premises from noise and disturbance in accordance with Policies 15 and 34 of the Adur Local Plan and SH7 and SH9 of the Shoreham Harbour Joint Area Action Plan 2019 and NPPF, 2023.*

Commercial Units - Noise Insulation

9. a) Construction work above podium level, shall not commence until an insulation scheme for protecting the first floor flats from noise from the commercial spaces has been submitted to and approved by the Local Planning Authority. All works, which form part of the scheme, shall be completed before any part of the noise sensitive development is occupied. The scheme shall achieve a minimum airborne sound insulation value of 50dB (DnTw + Ctr dB) for all floors.
- b) Before the residential units are occupied a test shall be undertaken to demonstrate compliance with this level and submitted to and approved in writing by the Local Planning Authority.

Reason: *To protect neighbouring residents from noise and vibration.in accordance with Policies 15 and 34 of the Adur Local Plan and SH7 and SH9 of the Shoreham Harbour Joint Area Action Plan 2019 and NPPF, 2023.*

Ventilation & Amplified sound

10. i) No kitchen for the preparation of hot food shall be installed in any commercial space unless details of means, plant or equipment for the extraction and disposal of cooking odours have been submitted to and

approved in writing by the Local Planning Authority.

ii) No external fixed plant serving commercial or other spaces in the development shall be installed until details have first been submitted to and approved in writing by the Local Planning Authority. The design shall have regard to the principles of BS4142:2014 and aim to achieve a rating level which is no greater -5dB above existing background noise level, shall include any necessary anti-vibration mountings and any necessary odour control.

iii) No amplified sound equipment in or outside the commercial spaces terrace shall be used until details have been submitted to and approved in writing by the Local Planning Authority, including proposed hours of its use and to ensure that any sound level measured 1m from any speaker or equipment shall not exceed 75dB(A) LAeq 1 min.

The use of the commercial spaces shall only take place in full on-going conformity with any details approved under this condition.

Reason: *To protect neighbouring residents from odour, noise and vibration in accordance with Policies 15 and 34 of the Adur Local Plan and SH7 and SH9 of the Shoreham Harbour Joint Area Action Plan 2019 and NPPF 2023.*

Commercial Units - Forecourt Signage

11. Details of any external forecourt signage for any commercial space which is more than 5 metres from the respective commercial space if proposed, shall first be submitted to and approved in writing by the Local Planning Authority prior to the occupation of each respective space. Thereafter no additional forecourt signage shall be erected outside the aforementioned 5 metre distance without the prior written approval of the Local Planning Authority.

Reason: *In the interests of visual amenity and to manage advertising in the wider public realm of the development, to achieve a balance between business needs and the impact and appearance of signage in accordance with policies 15 of the Adur Local Plan and SH9 of the Shoreham Harbour Joint Area Action Plan 2019 and NPPF 2023.*

Highways & Access

12. No part of the development shall be first occupied until such time as the vehicular access serving the development has been constructed in accordance with the details shown on the drawing titled Access Plan and numbered 11837/2101 ref P4.

Reason: *In the interests of road safety and to ensure suitable access to and around the site, including provision of the riverside path in accordance with policies 28 & 29 of the Adur Local Plan 2017, SH5 of the Shoreham Harbour Joint Area Action Plan 2019 and para 110 of the NPPF 2019 and NPPF 2023.*

Accesses and Frontage Specifications

13. With the exception of any Enabling Works, no development shall take place until construction details of the vehicular access and manoeuvring space within the site and their surface water drainage, including engineering cross-sections and specifications, and details of the design and surfacing of the public footpath, vehicular crossovers at the Brighton Road frontage, have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the details thereby approved and permanently maintained and retained.

Reason: *To ensure provision of robust and drained access, parking and manoeuvring areas, including suitability for servicing, refuse and emergency vehicles, including sustainable drainage where appropriate in accordance with policies 28 & 29 of the Adur Local Plan 2017, SH5 of the Shoreham Harbour Joint Area Action Plan 2019 and para 110 of the NPPF 2019 and NPPF 2023.*

Car-Park Barrier

14. Any gate to any parking area in the site shall be sited at least 6m back from the edge of the public highway. Details of any gate and of any entry control system (if used), shall first be submitted to and approved in writing by the Local Planning Authority, and this condition shall apply notwithstanding the provisions of Schedule 2, Part 2, Class A of the Town And Country Planning (General Permitted Development) Order 2015 as amended, or any Order revoking or re-enacting that Order.

Reason: *To provide vehicle waiting space clear of the public highway in the interests of the safety and free flow of vehicular traffic and pedestrians and in the interests of visual amenity, in accordance with policies 15 & 28 of the Adur Local Plan 2017 and SH5 & SH9 of the Shoreham Harbour Joint Area Action Plan 2019 and NPPF 2023.*

Access Ramp - access to adjoining land

15. With the exception of Enabling Works in Condition 3, (and unless agreed otherwise in writing by the Local Planning Authority), no development works shall take place until engineering details, including an engineer's report, of the construction of the access ramp and basement car park have been submitted, to demonstrate that future access to adjoining land to the east and south can be provided without significant reconstruction works and to demonstrate that this meets highway, drainage and other engineering requirements for safe usage. These details shall be fully adhered to in the implementation of the development.

Reason: *To ensure that provision is made for future shared use of the access to serve development of neighbouring land in accordance with the submitted basement plan 6719 05 P03, to minimise the need for multiple accesses to the highway and impacts on the future roadside cycle path and footway along the A259 in accordance with policies 15 & 28 of the Adur Local Plan 2017 and SH5 & SH9 of the Shoreham Harbour Joint Area Action Plan 2019 and NPPF 2023.*

Vehicle Parking and Electric Vehicle Charging

15. No part of the development shall be first occupied until the car parking has been constructed in accordance with the approved site and basement plans and including provision of at least 34no. active electric vehicle charging points and provision of passive electric vehicle cabling and conduits to all other spaces. These spaces shall thereafter be retained at all times for their designated purpose.

Reason: *To ensure the provision of well-located car-parking facilities and sustainable parking to serve the development in accordance with policies 28 of the Adur Local Plan 2017 and and SH1 & SH5 of the Shoreham Harbour Joint Area Action Plan 2019 and NPPF 2023.*

Secure Cycle Parking

16. No dwelling shall be first occupied until covered and secure cycle parking spaces serving the respective dwelling have been provided in accordance with the approved plans and shall be permanently maintained thereafter.

Reason: *To provide alternative travel options to the use of the car in accordance with policy 28 of the Adur Local Plan 2017 , SH1 & SH5 of the Shoreham Harbour Joint Area Action Plan 2019 and NPPF 2023.*

Travel Plan

17. No residential part of the development shall be first occupied until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall thereafter be implemented including any monitoring, reporting and subsequent updating measures in accordance with each Travel Plan thereby approved.

Reason: *To encourage and promote sustainable transport in accordance with policy 28 of the Adur Local Plan 2017 , SH1 & SH5 of the Shoreham Harbour Joint Area Action Plan 2019 and NPPF 2023.*

Parking and Servicing Management Plan

18. No residential part of the development shall be first occupied until a Parking and Servicing Management Plan has been submitted to and approved in writing by the Local Planning Authority. This Plan shall detail management measures to ensure that parking spaces are used efficiently, and that arrangements for service and delivery vehicles are managed in order to minimise impacts on the highway and conflict with pedestrians and other users of the outdoor areas within the site. The Plan thereby approved shall be permanently adhered to, unless otherwise agreed in writing by the Local Planning Authority.

Reason: *To manage vehicular access in the interests of highway and*

pedestrian safety and amenity to minimise traffic within the interior of the site, in accordance with policies 15 & 28 of the Adur Local Plan 2017 and SH5 & SH9 of the Shoreham Harbour Joint Area Action Plan 2019 and NPPF 2023.

Recycling & Refuse - storage and collection

19. No part of the development shall be occupied until the internal refuse storage space serving it and the roadside bin day collection point have been provided in accordance with the approved plans and shall be permanently retained and maintained thereafter. No bins shall be kept within the roadside bin day collection point other than within a period of 24 hours of a bin collection day.

Reason: *To ensure adequate internal storage space for recycling and refuse and the roadies bin collection point, and to ensure that bins are not left in the collection point other than for the immediate purpose of collection, in the interests of public and visual amenity and highway safety in accordance with policy 15 & 18 of the Adur Local Plan 2017 and NPPF 2023.*

Wheelchair access – apartments and all external areas

20. Accesses to the apartment block and all common external areas of the development using level thresholds and ramps shall provide for access by wheelchair users, unless otherwise approved in writing by the Local Planning Authority.

Reason: *To ensure accessibility for wheelchair users in accordance with policies 15, 28 & 32 of the Adur Local Plan 2017 and SH9 of the Shoreham Harbour Joint Area Action Plan 2019 and NPPF 2023.*

Flood Risk Management

21. The development permitted by this planning permission shall only be carried out in accordance with the flood risk mitigations in the submitted Flood Risk Assessment ('FRA') (GTA Civils Flood Risk Assessment & Outline Drainage Strategy Ref 11837 - 2nd Preliminary Issue 18 April 2023.), including:
- i) Finished floor levels of the residential properties must be set no lower than [] mAOD
 - ii) Finished floor levels of the commercial units must be set no lower than [] mAOD
 - iii) No habitable accommodation whatsoever shall be located below upper ground floor level at any time

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

Reason: *To reduce the risk of flooding to the proposed development and future occupants, in accordance with the Planning Practice Guidance (PPG) to the*

National Planning Policy Framework, 2023 for Flood Risk and Coastal Change in accordance with policy 36 of the Adur Local Plan 2017 and SH6 of the Shoreham Harbour Joint Area Action Plan 2019 and NPPF 2023.

Flood Risk Management Plan

22. No part of the development shall be occupied until a Flood Risk Management Plan has been submitted to and approved in writing by the Local Planning Authority. It shall include the ongoing arrangements for the provision, dissemination and updating of flood risk information and means of safe access and escape for occupiers of the site. The Plan thereby approved shall be implemented upon the first occupation of each respective phase or part, including the provision of any escape routes contained in the Flood Risk Management Plan and shall be permanently adhered to unless the Local Planning Authority gives prior written approval for any variation.

Reason: *To manage residual risks of flooding to the proposed development and future occupants, in accordance with policy 36 of the Adur Local Plan 2017 and SH6 of the Shoreham Harbour Joint Area Action Plan 2019 and paras 164 - 167 of the NPPF 2021.*

Basement - Flood Mitigation.

23. With the exception of Enabling Works in Condition 3, (and unless agreed otherwise in writing by the Local Planning Authority), no development works shall take place until details have been submitted to and approved in writing by the Local Planning Authority of measures to protect the basement plant room and lift from damage and loss of power during flooding and any appropriate mitigation measures. This shall be implemented prior to the occupation of the development hereby permitted and adhered to throughout its lifetime.

Reason: *As recommended by the West Sussex County Council Lead Local Flood Authority, to prevent risks from flooding in accordance with NPPF, 2003, policy 36 of the Adur Local Plan 2017 and SH6 of the Shoreham Harbour Joint Area Action Plan 2019 .*

Drainage 1 - Details of Foul & Surface Drainage

24. No works except Enabling Works under condition 3 shall take place until details of the proposed means of foul and surface water sewerage disposal (including finished ground levels around the site to minimise risk of ponding), and including a timetable for its provision, and assessment of pollution risks with any measures necessary for its control or mitigation, have been submitted to, and approved in writing, by the Local Planning Authority. This shall include any details of development phasing necessary to align with the delivery by Southern Water of any sewerage network reinforcement required to ensure that adequate wastewater network capacity is available to adequately drain the development. The development shall then be carried out to comply with the agreed details, timetable and phasing.

Reason: *To ensure that the proposed development is satisfactorily drained in*

consultation with Southern Water, in accordance with Policy 36 of the Adur Local Plan 2017, SH6 of the Shoreham Harbour Joint Area Action Plan 2019 and paras 163-165 of the National Planning Policy Framework, 2023.

Drainage 2 – Sustainable Surface Water Drainage infiltration

25. No drainage systems for the infiltration of surface water to the ground are permitted other than with the prior written consent of the Local Planning Authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out only in accordance with the approved details.

Reason: *As recommended by the Environment Agency to ensure that the development will not cause or be put at unacceptable risk from, or be adversely affected by, unacceptable levels of water pollution, in accordance with paragraph 174 of the National Planning Policy Framework 2023 and Policy 34 of the Adur Local Plan 2017*

Drainage 3 – As-Built Records

26. Immediately following implementation of the approved foul and surface water drainage systems and prior to occupation of any part of the development, the developer/applicant shall provide the Local Planning Authority with as-built drawings of the implemented scheme together with a completion report prepared by a qualified engineer that confirms that the scheme was built in accordance with the approved drawing/s and is fit for purpose. The scheme shall thereafter be permanently maintained in perpetuity.

Reason: *To ensure that the proposed development is satisfactorily drained and managed in accordance with Policy 36 of the Adur Local Plan 2017, SH6 of the Shoreham Harbour Joint Area Action Plan 2019 and paras 163-165 of the National Planning Policy Framework, 2023.*

Drainage 4 - Management

27. The drainage system for the site shall be permanently maintained and managed in accordance with Annex SuDS Management & Maintenance Plan. GTA Civils Flood Risk Assessment & Outline Drainage Strategy Ref 11837 - 2nd Preliminary Issue 18 April 2023, unless the Local Planning Authority gives prior written approval for any variation.

Reason: *To ensure that the proposed development is satisfactorily drained and managed in accordance with Policy 36 of the Adur Local Plan 2017, SH6 of the Shoreham Harbour Joint Area Action Plan 2019 and paras 163-165 of the National Planning Policy Framework, 2023.*

Remediation and Groundwater

28. No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to,

and approved in writing by, the Local Planning Authority. This strategy will include the following components:

- i) A preliminary risk assessment which has identified: all previous uses; potential contaminants associated with those uses; a conceptual model of the site indicating sources, pathways and receptors; and potentially unacceptable risks arising from contamination at the site.
- ii) A site investigation scheme, based on (i) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.
- iii) The results of the site investigation and the detailed risk assessment referred to in (ii) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- iv) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (iii) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The scheme shall be fully implemented as approved, any changes to these components shall require the prior written consent of the Local Planning Authority. The scheme shall be implemented as approved.

Reason: *As recommended by the Environment Agency and Environmental Health Officers to ensure that the development will not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 174 of the NPPF and in accordance with paras 170, 178 - 180 of the National Planning Policy Framework 2023, Policy 34 of the Adur Local Plan 2017 and Policies SH6 & SH7 of the Shoreham Harbour Joint Area Action Plan 2019.*

Remediation Verification

29. Prior to any part of the permitted development being occupied, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason: *To ensure that the development will not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 174 of the NPPF and in accordance with paras 170, 178 - 180 of the National Planning*

Policy Framework 2023, Policy 34 of the Adur Local Plan 2017 and Policies SH6 & SH7 of the Shoreham Harbour Joint Area Action Plan 2019.

Previously Unidentified Contamination

30. 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 then be implemented as approved.

Reason: *To manage existing site contamination to prevent harm to human health and to protect the water environment including groundwater and the River Adur, in accordance with the National Planning Policy Framework 2023, Policy 34 of the Adur Local Plan 2017 and Policies SH6 & SH7 of the Shoreham Harbour Joint Area Action Plan 2019.*

Foundation Risk Assessment, Piling & Contamination

31. Prior to excavation and foundation works, a Foundation Risk Assessment shall first be submitted to and approved in writing by the Local Planning Authority, to include consideration of turbidity and contamination impact risks associated with the development, including excavation required to install the basement, and any proposed mitigation plan. Piling and using penetrative methods shall only be carried out in accordance with details which shall also first be submitted to and approved in writing by the Local Planning Authority.

The development shall be carried out in accordance with the details thereby approved.

Reason: *As recommended by the Environment Agency and Southern Water to ensure that the development will not cause or be put at unacceptable risk from, or be adversely affected by, unacceptable levels of water pollution, in accordance with in accordance with the National Planning Policy Framework 2023, Policy 34 of the Adur Local Plan 2017 and Policies SH6 & SH7 of the Shoreham Harbour Joint Area Action Plan 2019.*

Sustainability & Energy

32. a) The development hereby approved shall incorporate the energy and heat management measures, in accordance with the details in Energy Strategy Report by Impact Sustainability Ltd Rev.00, dated 15th March 2023, submitted with the current application:
- Energy efficient building fabric
 - LED lighting
 - Provision of Air Source Heat Pumps and associated space and water heating systems
 - Mechanical Ventilation with Heat Recovery System (MVHR), with summer bypass

- Efficient water goods and fixtures to achieve <110L/Person/day

The development shall be implemented and maintained in accordance with the details thereby approved, including the updated calculations, unless the Local Planning Authority gives prior written approval for any variation.

b) Written confirmation, including independent professional verification, shall be submitted to and approved in writing by the Local Planning Authority, within 3 months of the first occupation of the development, (or such other time as shall first be agreed in writing by the Local Planning Authority), to confirm that these measures have achieved the target CO2 reduction including renewable energy, as identified in the submitted Energy Strategy Report and efficient water usage. It shall also include timetabled remedial measures if these targets have not been met, in which event the remedial measures thereby approved shall then be implemented in accordance with that timetable.

Reason: *In accordance with the submitted application, to ensure that the development is sustainable and makes efficient use of energy, water and materials to achieve CO2 reductions having regard to the National Planning Policy Framework 2023 and policies 18 & 19 of the Adur Local Plan and SH1 of the Shoreham Harbour Joint Area Action Plan and the Council's Sustainable Energy SPD, 2019.*

Noise Mitigation and Ventilation

33. No development shall be occupied until all measures for noise mitigation and ventilation, including acoustic glazing and mechanical ventilation, have been fully implemented in accordance with the Noise Assessment by Acoustic South East Consultants reference J3591 Issue 1, dated 16th March 2023 and these shall be permanently retained and maintained thereafter.

Reason: *To protect residents from noise and vibration in accordance with policy 15 of the Adur Local Plan and SH1 of the Shoreham Harbour Joint Area Action Plan.*

Air Quality Mitigation

34. No development shall be occupied until all measures for air quality mitigation and ventilation have been fully implemented in accordance with the Air Quality Report by Syntegra Consulting reference 20-6951, dated 16th March 2023 and these shall be permanently retained and maintained thereafter.

Reason: *To minimise emissions and impact on air quality in accordance with Policies 16 & 17 of the Adur Local Plan 2017 and the National Planning Policy Framework, 2021.*

Levels

35. The development hereby approved shall be carried out in accordance with the existing and proposed site levels shown in drawings:

[insert drawing number]

No other raising of levels shall be carried without the prior written approval of the Local Planning Authority

Reason: *In the interests of clarity and to minimise floodrisk and because changes in levels may materially affect the appearance and impact of the development, in accordance with policies 15, 36 of the Adur Local Plan 2017, SH6 and SH9 of the Shoreham Harbour Joint Area Action Plan 2019.*

Aerials / Antennae

36. Prior to the occupation of each individual building, details of any external aerial/antenna and / or satellite dish (if any) for that building, shall first be submitted to and approved by the Local Planning Authority. Thereafter no other external aerial/antenna or satellite dish shall be installed on any building in areas which are visible from outside the site, unless details have first been submitted to and approved by the Local Planning Authority.

Reason: *To avoid multiple aerial / antenna and / or satellite dishes, in order to safeguard the appearance of the development and impact on the setting of the Kingston Buci Lighthouse.*

Obscure Glazing & Privacy

37. *[To bathroom and other windows as necessary detailed wording to be provided]*

Fire Hydrants & Water Supply

38. Prior to the commencement of the development details showing the proposed location of fire hydrants or stored water supply required to serve the development, shall be submitted to and approved in writing by the Local Planning Authority in consultation with West Sussex County Council's Fire and Rescue Service. Any new or replacement hydrants or water supply forming part of the details thereby approved shall be installed at the expense of the site developer or owner, prior to occupation of the site (or any phase of the development in the event of a phased programme), in the approved location (s) to BS 750 standards (or any updated BS standard) and arrange for their connection to a water supply which is appropriate in terms of both pressure and volume for the purposes of firefighting.

Reason: *In the interests of amenity and in accordance with policy 29 of the Adur Local Plan 2017 and in accordance with The Fire & Rescue Service Act 2004.*

Construction Environment Management Plan - Development

39. Prior to commencement of enabling works no development shall take place, until a Construction Management Plan in respect of these works has been 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 but not necessarily be restricted to the following matters:

- a) the anticipated number, frequency and types of vehicles used during construction,
- b) the method of access and routing of vehicles during construction,
- c) the parking of vehicles by site operatives and visitors,
- d) the loading and unloading of plant, materials and waste,
- e) the location of any site compound and site office,
- f) the storage of plant and materials used in construction of the development,
- g) arrangements for efficient construction waste management,
- h) environmental best practice guidance and appropriate mitigations to minimise risk of impacts upon the underlying chalk aquifer,
- i) measures to be place to deal with minimise risk of and respond to any accidental spillages including containment and clear-up,
- j) a Dust Management Plan incorporating the dust control measures,
- k) a commitment to no burning on site,
- l) the erection and maintenance of security hoarding, including provision of public information about the development and viewing ports,
- m) the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
- n) Arrangements for regular and responsive traffic management liaison with other imminent or active development sites in the Western Harbour Arm and A259 Brighton Road,
- o) details of any external lighting during the development//construction period, including provisions to avoid any hazards to shipping and activities at Shoreham Harbour Port, in liaison with the Shoreham Port Authority,
- p) details of public engagement both prior to and during construction works including neighbouring and nearby residents (including those at Shoreham Beach), businesses and other occupiers.

Reason: *As recommended by Highway and Environmental Health officers and Southern Water, in the interests of highway safety and the amenities of the area and to minimise the risk of pollution, hazards and noise and to safeguard the amenities of neighbouring and nearby occupiers during the period of development works in accordance with Policies 8, 15, 28 & 34 of the Adur Local Plan, 2017.*

Hours of Work - Development

40. 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 08:30 - 13:00 Hours

Sundays and Bank / Public Holidays no work is 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: *To safeguard the amenities of neighbouring and nearby occupiers during the period of development works in accordance with Policies 8, 15, 28 & 34 of the Adur Local Plan, 2017*

41. Any other appropriate conditions.

Application Number:	AWDM/1217/23	Recommendation - APPROVE subject to legal agreement
Site:	Southwick Football Club, Old Barn Way, Southwick	
Proposal:	Redevelopment of the Former Southwick Football Club, comprising the replacement of existing turf pitch with 3G pitch and replacement floodlights, demolition of existing clubhouse and erection of replacement Sports Hub Building, erection of spectator stand along with other ancillary infrastructure, including 8m high ball stop netting and 4.5m high ball stop fence.	
Applicant:	Russell Martin Foundation	Ward: Eastbrook
Agent:	Mr Matthew Walton - PWA Planning	
Case Officer:	Peter Barnett	

The Principal Planning Officer presented the report explaining that there was one outstanding objection from the West Sussex Local Lead Flood Authority because a satisfactory flood risk assessment had still not been submitted. As a result the Officer proposed that the recommendation be altered slightly to allow the final decision to be delegated to Officers to issue the permission, on the receipt of an acceptable Flood Risk Assessment and the removal of the flood authority's objection.

Members had questions for the Officer regarding parking, the proposed artificial pitch, flood lighting, PV panels and changing facilities.

There was one registered speaker who gave a representation in favour of the application and in response to Members suggestions that changing facilities for female officials be provided as recommended by Sport England, he agreed that this would be a beneficial addition and would be considered.

During debate the Committee concurred that this was, overall, a favourable application. There was some concern over the requested hours of operation with regards to the use of the floodlights.

A proposal was put forward to accept the verbal recommendation subject to conditions and to also delegate to Officers to resolve outstanding drainage issues, subject to (i) the receipt of an acceptable FRA and the removal of the LLFA objection, and (ii) the completion of a legal agreement to secure a Travel Plan Auditing Fee of £3500. In addition, during the delegation period, Officers were to resolve the hours of use of the pitch and the hours of illumination for the floodlights and to ensure consistency with the opening hours set out in the various conditions.

This proposal was seconded and voted on with an outcome of 8 votes in favour and 1 abstention.

Decision - Approved, subject to conditions:-

1. Approved Plans.
2. Time limit.
3. Opening hours of the clubhouse 8am to 11:30pm. with an exception for New Year where the premises shall be vacated by 01:00 hrs.
4. Pitch shall only be used between the hours of 0800 - 2215 hours Mondays to Saturdays and 0900 - 1015 hours on Sundays.
5. Details of height, design and lighting of floodlights to be submitted and approved prior to their installation.
6. Floodlighting hours 0800 - 2230 every day.
7. No public address or sound amplification system shall be installed or used at the facility without the prior approval of the local planning authority.
8. No part of the development shall be first occupied until such time as a minor highway works plan has been submitted to and approved in writing by the Local Planning Authority, and the minor highway improvements constructed in accordance with this plan. The plan shall include 2 x disabled parking bays on Old Barn Way, and the provision of dropped kerbs and tactile paving.
9. Travel Plan to be agreed.
10. Construction Management Plan.
11. 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 Local Planning Authority.
12. Car parking to be provided
13. Materials.
14. Landscaping.
15. No development shall commence until details of the design and layout of the artificial grass pitch, in particular a section through the edge of the pitch showing the mitigation barriers, have been submitted to and approved in writing by the Local Planning Authority [after consultation with Sport England]. The artificial grass pitch shall not be constructed other than in accordance with the approved details. The use of the development shall not commence until:

- (a) certification that the Artificial Grass Pitch hereby permitted has met FIFA Quality Concept for Football Turf – FIFA Quality or equivalent International Artificial Turf Standard (IMS) and
 - (b) confirmation that the facility has been registered on the Football Association’s Register of Football Turf Pitches has been submitted to and approved in writing by the Local Planning Authority.
- 16. Within 9 months of the date of this permission, a community use agreement prepared in consultation with Sport England has been submitted to and approved in writing by the Local Planning Authority, and a copy of the completed approved agreement has been provided to the Local Planning Authority. The agreement shall apply artificial grass pitch, changing accommodation and car parking and include details of pricing policy, hours of use, access by non- non-members, management responsibilities and a mechanism for review. The development shall not be used otherwise than in strict compliance with the approved agreement.
- 17. Before the artificial grass pitch is brought into use, a Management and Maintenance Scheme for the facility including management responsibilities, a maintenance schedule and a mechanism for review shall be submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. This shall include measures to ensure the replacement of the Artificial Grass Pitch within the manufacturer’s specified period. The measures set out in the approved scheme shall be complied with in full, with effect from commencement of use of the facility.
- 18. Noise management plan for the use of the facility to cover such things as community liaison and complaint procedures.
- 19. 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.
- 20. Fencing to be installed prior to first use.
- 21. External lighting details.
- 22. Cut and fill details.
- 23. Sustainability and energy efficiency measures to be submitted and approved in writing prior to commencement.
- 24. Contaminated land watching brief.
- 25. Ecological mitigation and enhancement measures to be submitted and approved prior to commencement of development and implemented prior to commencement of use plus any other conditions as recommended by the LLFA.

Application Number:	AWDM/1472/23	Recommendation - APPROVE
Site:	Brighton City Logistics Park, Cecil Pashley Way, Lancing	
Proposal:	Application for Approval of Reserved Matters following Outline Approval AWDM/1093/17. Details regarding the appearance, landscaping, layout and scale of the new commercial buildings. The Outline application was subject to an Environmental Statement. Application to Vary Condition 1 (previously approved under the Reserved Matters application AWDM/1831/21, as amended by AWDM/2020/22) and allow for a change to the approved roof plans, to allow for Solar PV panels to be installed on Units 1-5 at Panettoni Park, Shoreham Airport	
Applicant:	CP Logistics UK Brighton Propco Limited	Ward: Mash Barn
Agent:	Pegasus Group	
Case Officer:	James Appleton	

The Head of Planning and Development presented the report clarifying that the National Park, Natural England and West Sussex County Council comments had now been received and they had presented no objections.

There was one registered speaker who gave a representation in support of the application. He confirmed for Members that they had considered battery storage for the power produced by the panels and that installation of that facility may be a future addition. The speaker also clarified for members that the panels would not pose any glinting issues for nearby houses due to the height of the roofs to which they would be fixed.

During debate Members concurred that the addition of PV panels was desirable and the recommendation was voted in favour of with a unanimous outcome.

Decision - Approved, permission granted for the amendment to condition 1 relating to the addition of solar panels, subject to conditions:-

1. Approved Plans Listed (Replacing Roof Plan 1 - 5 A1G)

- Unit 1 Amended Roof Plan (Reference: G1164-HTC-01-RF-DR-A-01102 C04)
- Unit 2 Amended Roof Plan (Reference: G1164-HTC-02-RF-DR-A-02104 C04)
- Unit 3 Amended Roof Plan (Reference: G1164-HTC-03-RF-DR-A-03102 C04)
- Unit 4 Amended Roof Plan (Reference: G1164-HTC-04-RF-DR-A-04102 C04)

Unit 5 Amended Roof Plan (Reference: G1164-HTC-05-RF-DR-A-05102 C03)

Application Number:	AWDM/0766/23	Recommendation - APPROVE
Site:	Normandy House, Old Shoreham Road, Lancing, West Sussex	
Proposal:	Change of use from residential dwelling (C3a) to a children's home (C2) for a maximum of five children with four carers.	
Applicant:	Mr Ashley Davis	Ward: Manor
Agent:	Adrian Rose	
Case Officer:	Hannah Barker	

The Principal Planning Officer presented the report explaining that the applicants had stated there was an urgent need in the area for this type of accommodation. They had acknowledged concerns surrounding the proximity to the A27 but had expressed that, as with any family dwelling in this position, the children would be safeguarded by the carers. There had been an issue concerning visibility with regards to the fence obscuring views onto the highway and to address this the applicants had made alterations to the fence to allow for improved visibility.

There were three registered speakers, two residents and one Ward Councillor, who gave representations against the application. They all expressed concerns regarding the safety of this type of facility being located within such close proximity to a busy dual carriageway.

There were two registered speakers who gave representations in favour of the application, reiterating the need for this type of accommodation within the area.

During debate Members weighed up the desperate need for children's homes with the issue of the vehicular access of the site. It was suggested that future residents of the facility would have a lack of safe pedestrian access to local services.

There was a proposal put forward to refuse the application. This was seconded and voted on with an outcome of 5 in favour and 4 abstentions.

Decision - Recommendation to approve overturned. Planning permission was refused on the grounds that the proposed location for the children's home is inappropriate in view of its proximity to the busy A27 and the lack of safe pedestrian access to local services.