

Application Number: AWDM/1952/20	
Site:	Free Wharf, Brighton Road, Shoreham-by-Sea
Proposal:	Application to vary conditions no.1 (Approved plans) and no.26 (Energy Strategy) of planning permission reference AWDM/1497/17: Condition 2 - Amendments to the facade material from previously approved corium to brick, changes to the balcony design and other minor internal layout and elevational changes. Condition 26 - Amendments to the approved energy strategy.

The Head of Planning and Development outlined the application and began the presentation by showing Members a plan of the site. The Officer advised he would cover the proposed amendments to the approved energy strategy and the Principal Planning Officer would cover the proposed design changes to the scheme.

An aerial view of the site was shown and the Officer indicated the three blocks to which the amendments to the approved plans referred. The Officer advised that in line with the Joint Area Action Plan (JAAP) for Shoreham Harbour, the original development was to be served by a wet gas communal heating system, provided to all flats, with the ability to connect to the District Heat Network (DHN). The locations of the two primary plant rooms for the communal heating system were in basements which were not to be constructed as part of the first phase of the development. However, the applicant had indicated they needed to have an energy solution for the first phase and therefore proposed for the first phase to provide individual electric boilers rather than a communal heating system.

The Officer stated the key issue for Members was whether providing a direct electric boiler for each apartment would prejudice the future connection to the DHN. He further advised Members that many technical discussions had been held with the applicant concerning the proposal.

The Officer concluded his part of the presentation by referring to the viability of the scheme; the addendum; and added that Officers felt an amendment could be made to condition 26 whereby it would be necessary for a Deed of Variation to be produced to ensure the first phase would be connection ready, but at no additional cost to individual apartment owners for future connection, and that those costs would be borne by the registered provider, Southern Housing.

The Principal Planning Officer began his part of the presentation by showing Members a number of Computer Generated Images (CGIs) in order to identify the amendments to the design of the buildings referred to in the report. These

included a change in materials, balcony design and minor changes to the internal layout.

Members raised a number of queries for clarification with the Officers, which were answered in turn and in summary, included further clarification of the proposed short term heating solution and additional costs to be covered by the applicant.

There was a further representation from the agent in support of the first two applications on the agenda who had elected to join the meeting. The Projects Construction Manager was also in attendance to answer any technical queries the Committee Members may wish to raise on either application.

The Committee Members debated the proposal and unanimously agreed to delegate to the Head of Planning and Development to grant planning permission with an amendment to point 1 that it should relate to future connection of the flats in buildings G, G1 and H, and to delete the fourth line "justify a departure from".

Decision

The Planning Committee Members agreed to delegate to the Head of Planning and Development to **GRANT** planning permission subject to the amendment to point 1 and the following conditions:

- 1) satisfactory information being provided to demonstrate the revised energy strategy would not undermine/render unviable the future connection of the flats in buildings G, G1 and H to the heat network and further information to demonstrate compliance with the heating and cooling hierarchy set out within the Shoreham Harbour Joint Area Action Plan Policy SH1; and
- 2) signing of a Deed of Variation to secure the necessary safeguards to ensure that the flats are connection ready to a future district heat network (with associated costs and disturbance covered by the applicant). In addition, amendments to the timing and delivery of compensatory habitat to ensure the appropriate provision of compensatory habitat off site.

In the event that the S106 legal agreement has not been completed by 8 September 2021 or an extension of time has not been agreed by both sides then,

The Head of Planning and Development shall have delegated authority to REFUSE planning permission.

- 3) subject to the following conditions, with delegated authority to the Head of Planning and Development to amend, as required, to address relevant technical issues:-

Planning Conditions

01. The development hereby permitted shall be carried out in accordance with the approved plans

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

02. The development hereby permitted shall begin before the 9 April 2023.

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.

03. The development shall be carried out in accordance with the details of the enabling works approved by the Local Planning Authority on 15 November 2018 (approved documentation listed under application reference AWDM/1497/17) unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure that the proposed development is satisfactorily provided with required infrastructure in accordance with paragraph 156 of the National Planning Policy Framework.

04. The development shall be carried out in accordance with the archaeological scheme of investigation approved by the Local Planning Authority on 15 November 2018 (approved documentation listed under application reference AWDM/1497/17) unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure appropriate investigation and recording of archaeological heritage assets on the site prior to commencement of new building works.
Policy: National Planning Policy Framework paragraphs 135, 141; Adur Local Plan 2017 Policy 16.

05. The development shall be carried out in accordance with the Construction Management Plan (in relation to enabling works) approved by the Local Planning Authority on 15 November 2018 (approved documentation listed under application reference AWDM/1497/17) unless otherwise approved in writing by the local planning authority.

Reason: In the interests of highway safety and the amenities of the area.

Phasing Programme

06. Prior to commencement of any works on site, save for those identified as Enabling Works in Condition 03. to 05., a phasing programme shall be submitted to and agreed by the Local Planning Authority. The planning conditions shall be submitted in accordance with that phasing programme.

Reason: To ensure the comprehensive phased development of the site in accordance with the general and site specific policies set out in the Adur District Local Plan 2017 and Joint Area Action Plan.

Pre-Commencement Main Site Works Excluding Enabling Works

07. No development shall take place, excluding Enabling Works, until a

Construction Management Plan 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,

- the anticipated number, frequency and types of vehicles used during construction,
- the method of access and routing of vehicles during construction,
- the parking of vehicles by site operatives and visitors,
- the loading and unloading of plant, materials and waste,
- the storage of plant and materials used in construction of the development,
- the erection and maintenance of security hoarding,
- 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),
- details of public engagement both prior to and during construction works.

Reason: In the interests of highway safety and the amenities of the area.

08. The development shall be carried out in accordance with the Surface Water Drainage details approved by the Local Planning Authority on 9 April 2020 under application reference AWDM/0255/19 unless otherwise approved in writing by the local planning authority.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with Policy 36 of the Adur Local Plan 2017.

09. The development shall be carried out in accordance with the Foul and Surface Water Drainage details approved by the Local Planning Authority on 16 December 2020 under application reference AWDM/0841/20 unless otherwise approved in writing by the local planning authority.

Reason: To ensure that the proposed development is satisfactorily drained.

10. The development shall be carried out in accordance with the Contamination Assessment (including any remediation schemes) approved by the Local Planning Authority on 9 April 2020 under application reference AWDM/0255/19 unless otherwise approved in writing by the Local Planning Authority, and prior to the first occupation of any part of development affected by any remediation scheme, following completion of measures identified in the approved remediation scheme, a verification report must be submitted to and approved in writing of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy 34 of the Adur Local Plan. These details are required prior to commencement in order that any changes

to satisfy this condition are incorporated into the development before the design is too advanced to make changes.

11. The development shall be carried out in accordance with the Foundation Design details approved by the Local Planning Authority on 9 April 2020 under application reference AWDM/0255/19 unless otherwise approved in writing by the local planning authority.

Reason: To prevent development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution in accordance with the National Planning Policy Framework. Piling or any other foundation designs using penetrative methods can result in risks to potable supplies from, for example, pollution / turbidity, risk of mobilising contamination, drilling through different aquifers and creating preferential pathways. Thus it should be demonstrated that any proposed piling will not result in contamination of groundwater.

12. No below ground work, apart from the Enabling Works shall take place until the following details shall be submitted to and approved in writing by the Local Planning Authority and all development pursuant to this permission shall be carried out in accordance with the approved details:

- Details which identify the supply of all space heating and hot water in the buildings
- Details which identify and safeguard plant room space for the future installation of heat interface equipment, and/or other plant, required for future connection to a future heat network
- Details of a safeguarded pipe run into, through, and out of the site to connect the plant rooms with the proposed heat network
- A strategy to facilitate the connection of the network to the development; and
- A strategy to facilitate access to the site and plant rooms for the heat network developer to carry out works required to connect the site to the Shoreham Heat Network, lay underground infrastructure within the roads, footpaths, open space and public areas of the development, and carry out repair and maintenance work to any heat network infrastructure

Reason: To enable the delivery and operation of the planned Shoreham Heat Network having regard to Policies 8 and 19 of the Adur Local Plan and Policy SH1 of the Shoreham Harbour Joint Area Action Plan.

13. The development shall be carried out in accordance with the overarching archaeological scheme of investigation approved by the Local Planning Authority on 14 April 2020 under application reference AWDM/0205/19 unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure appropriate investigation and recording of archaeological heritage assets on the site prior to commencement of new building works. Policy: National Planning Policy Framework paragraphs 135, 141; Adur Local Plan 2017 Policy 16.

14. The development will be required to meet the optional water efficiency requirement of 110 litres per person per day as set out in Part G2 of the Building Regulations. No above ground works, excluding Enabling Works, shall commence until details of the developers approach to meeting this requirement have been submitted to and approved in writing by the Local Planning Authority.

Reason: To comply with Policy 18 of the Adur Local Plan and Policy SH1 of the Proposed Submission Shoreham Harbour Joint Area Action Plan.

15. No above ground works, excluding Enabling Works, shall take place until the following details shall be submitted to and approved in writing by the Local Planning Authority and all development pursuant to this permission shall be carried out in accordance with the approved details:

- a) particulars and samples of the materials to be used on all external faces of the building;
- b) details of all elevations to show typical details of all external components including details of drainage;
- c) details of the balconies (including 1:20 scale sectional drawing, RAL colour, finish and glazing details) and wind mitigation measures including details of drainage;
- d) details of ground floor elevations including entrances;
- e) details of escape doors, gates, doors bin storage entrance and bicycle storage entrance;
- f) details of soffits, handrails and balustrades;
- g) details of ground level surfaces including materials to be used;
- h) details of external lighting attached to the building including anti-collision lights, lighting to the soffits and lighting to pedestrian routes;
- i) details of plant and ductwork to serve the commercial uses;
- j) details of ventilation and air-conditioning for the commercial uses;

Reason: To ensure that the Local Planning Authority may be satisfied with the detail of the proposed development and to ensure a satisfactory external appearance in accordance with the policy 19 of the Adur Local Plan 2017.

16. Prior to the commencement of any development above ground level, excluding Enabling Works, details of the landscaping shall be submitted to and approved in writing by the Local Planning Authority. The details shall include:

- a) Details of materials
- b) Street furniture and lighting
- c) Planters, tree pits and planting
- d) A timetable for the implementation of the hard and soft landscaping,
- e) A maintenance plan to ensure establishment of the soft landscaping.

Development shall thereafter be carried out, and the planting maintained, in accordance with the approved details and timetable.

Reason: To protect and enhance the character of the site and the area and to ensure that its appearance is satisfactory.

17. No 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 once approved shall thereafter be implemented as specified within the approved document. The Travel Plan shall be completed in accordance with the latest guidance and good practice documentation as published by the Department for Transport or as advised by the Highway Authority.

Reason: To encourage and promote sustainable transport.

18. No part of the development shall be first occupied until such time as until a Servicing Management Plan has been submitted and approved in writing by the Local Planning Authority. This shall set out the arrangements for the loading and unloading of deliveries associated with the residential and commercial uses.

Once occupied servicing shall be carried out only in accordance with the approved plan.

Reason: To safeguard the operation of the public highway.

19. Prior to the basement car parking being brought into use, a plan shall be submitted to and approved by the Local Planning Authority detailing measures to incorporate facilities for charging plug-in and other ultra-low emission vehicles that will be provided in the public and private parking areas. The approved plans shall be implemented thereafter.

Reason: In accordance with Paragraph 34 of the National Planning Policy Framework.

20. No part of the development shall be first occupied until such time as the vehicular accesses, including the provision of advanced stop lines at the A259 Eastern Avenue traffic signals, has been constructed in accordance with the details indicatively shown on drawing number 5910-GA-002 revision I.

Reason: In the interests of road safety.

21. No part of the development shall be first occupied until the car parking spaces serving that respective part of the development have been constructed in accordance with the approved plans. These spaces shall thereafter be retained at all times for their designated use.

Reason: To provide car-parking space for the use.

22. No part of the development shall be first occupied until details of accommodation arrangements for the parking of all trade and service vehicles relating to both residents, commercial businesses and property maintenance activities within the site have been submitted to and approved in writing by the Local Planning Authority. The details thereby approved shall be adhered to in perpetuity.

Reason: In the interests of road safety.

23. No part of the development shall be first occupied until details of a cycle route to Shoreham town centre as indicatively shown on drawing number 5910-GA-005B revision C have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of road safety.

24. No part of the development shall be first occupied until cycle parking serving that respective part of the development have been provided in accordance with plans and details submitted to and approved by the Local Planning Authority.

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

25. The proposed commercial units sharing a party element with residential premises shall be designed and constructed to provide resistance to the transmission of sound. The sound insulation shall be sufficient to ensure that NR25 is not exceeded in the proposed residential premises due to noise from the neighbouring commercial premises and shall be permanently maintained thereafter.

A test shall be carried out after completion but prior to occupation of the commercial units to show the criterion above have been met and the results shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the amenities of occupiers of the building in accordance with the following policy of the Local Plan Policy 16.

26. The commitments in the approved Energy Strategy and Statement Revision 1 dated 29th September 2017 and, in respect of Phase 1 only (Building G, G1 and H), Revision to Permitted Energy Strategy dated November 2020, shall be installed prior to the first occupation of the development in accordance with the Phasing Plan under condition 6 and shall be implemented in accordance with the approved strategy and retained as operational thereafter.

Reason: To ensure that the development incorporates renewable energy and contributes to meeting targets to reduce carbon dioxide emissions as set out in the approved Energy and Renewables Statement.

27. Prior to any part of the development coming into use the communal waste and recycling areas as shown on the approved plans will be available for use by residents and arrangements made for waste collection and clearance.

Reason: In the interests of Highway safety and neighbour amenity.

28. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) and the following mitigation measures detailed within the FRA:

Finished floor levels are set no lower than the above Ordnance Datum (AOD) identified within the FRA and approved drawings.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing/ phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the LPA.

Reason: The site is located partially within Flood Zones 3 and 2, according to our Flood Map. These indicate a high (0.5% AEP1) and medium (0.1% AEP) probability of tidal flooding, respectively. The 0.5% AEP (1 in 200 year) tidal flood level, including an allowance for climate change, is shown as 5.25m AOD. Furthermore, due to the close proximity of the site to the foreshore the site in a severe storm scenario will be vulnerable to overtopping, white water flooding and windblown debris. The above condition is therefore required in order to reduce the risk of flooding to the proposed development and future occupants.

29. External lighting in association with this development shall comply with Institution of Lighting Engineers Guidance Notes for the Reduction of Obtrusive Light, Obtrusive Light Limitations for Exterior Lighting Installations for Zone E2.

Reason: To safeguard the residential amenities of the local area in accordance with Policy 19 of the Adur Local Plan.

30. Notwithstanding the provision of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order with or without modification) planning permission shall be obtained before any change of use of the following components of the scheme:

- Building D - Restaurant (use Class E(b)) 281 m² GIA
- Building E - Restaurant ((use Class E(b)) 365 m² GIA
- Building F - Restaurant (use Class E(b))) 105 m² GIA; Yacht Facility (sui generis) 88 m² GIA
- Building G&G1 - Office (use Class E(g)(i)) 1,326 m² GIA
- Building H – Commercial, Business and Service (use Class E(a)/(b)/(c)/public house, wine bars or drinking establishment (sui generis) GIA 541m²

to any use other than Use Classes as detailed in the Town & Country Planning (Use Classes) Order 2010 (or any Order revoking or re-enacting that Order with or without modification).

Reason: In order that the Local Planning Authority can retain control over further uses which it considers could be harmful to the vitality and viability of the designated centres in accordance with adopted Adur Local Plan 2017.

31. The commercial units shall only be open for trade in accordance with the following:

Class E(a)/E(c) use class between the hours of 07.00 and 23.00 Monday to Saturday and 09:00 to 23:00 on Sunday. Any unit greater than 280 sq.m will comply with the Sunday Trading Act 1994 (or subsequent replacement) on Sundays.

Class E(b)/Public house, wine bars or drinking establishment (sui generis) between the hours of 07.00 and 23.00 Monday to Thursday, 07.00 to 00.00 Friday and Saturday and 09:00 to 23:00 on Sunday. Any unit greater than 280 sq.m will comply with the Sunday Trading Act 1994 (or subsequent replacement) on Sundays.

Use Class E(g)(i) between the hours of 07.00 and 23.00 Monday to Saturday and 09:00 to 18:00 on Sunday. Any unit greater than 280 sq.m will comply with the Sunday Trading Act 1994 (or subsequent replacement) on Sundays.

Yacht Facility (sui generis) use class between the hours of 07.00 and 23.00 Monday to Saturday and 09:00 to 21:00 on SundayS.

Reason: To comply with Adur Local Plan Policy 16, and in accordance with the National Planning Policy Framework.

32. Deliveries to the commercial units shall only be made between the hours of 07.00 and 20.00 Monday to Saturday and 09.00 to 18.00 on Sundays.

Reason: To safeguard the residential amenity of the area in accordance with the Adur Local Plan.

33. Demolition and construction works shall not take place outside 08.00 hours to 18.00 hours Mondays to Fridays and 09.00 hours to 14.030 hours on Saturday. There will be no construction on Sundays or Bank Holidays.

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 residential amenity of the area in accordance with Policy 19 of the Adur Local Plan.

Informatives / Notes to Applicant

01. The applicant is advised to enter into a legal agreement with West Sussex County Council, as Highway Authority, to cover the off-site highway works. The applicant is requested to contact The Implementation Team Leader (01243 642105) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.
02. The applicant is advised of the requirement to enter into early discussions with and obtain the necessary licenses from the Highway Authority to cover any temporary construction related works that will obstruct or affect the normal

operation of the public highway prior to any works commencing. These temporary works may include, the placing of skips or other materials within the highway, the temporary closure of on-street parking bays, the imposition of temporary parking restrictions requiring a Temporary Traffic Regulation Order, the erection of hoarding or scaffolding within the limits of the highway, the provision of cranes over-sailing the highway.

03. Approval should be sought from the Environment Agency for a Flood Risk Management Plan.
04. Consent from the Marine Management Organisation is required.

Application Number: AWDM/2037/20	
Site:	Free Wharf, Brighton Road, Shoreham-by-Sea
Proposal:	Erection of a six to eight storey building comprising 782sqm of office space (Class E (g)(i)) floorspace and 97 residential homes, resident's concierge, car and cycle parking, refuse and landscaping (an alternative to the building previously approved as part of planning permission AWDM/1497/17).

The Head of Planning and Development outlined the application for Members which proposed 8 additional flats and addressed the applicant's concerns regarding the amount of commercial space being originally approved in lieu of less command for office accommodation. The Officer indicated the proposed changes by way of CGIs which showed the approved and proposed scheme, and shared a plan to show the overall layout of the scheme.

The Principal Planning Officer added that given the elapse of time since the original planning permission was granted, there was now more certainty as to the proposed cycle path in the public realm. The cycle path needed up to half a metre of space across the frontage of development which the applicant was happy to commit to via a Deed of Variation. The Officer advised that although the Environmental Health's response was still awaited, they had raised no objection to the original proposal subject to conditions providing adequate insulation against plant noise.

Following debate, the Committee Members unanimously agreed to delegate to the Head of Planning and Development to grant planning permission subject to conditions outlined in the report.

Decision

The Planning Committee Members agreed to delegate to the Head of Planning and Development to **GRANT** planning permission subject to:

- 1) satisfactory information being provided to demonstrate the revised energy strategy would not reasonably undermine/render unviable the future connection of the flats in the buildings G, G1 and H to the heat network and further information to demonstrate compliance with the heating and cooling hierarchy set out within the Shoreham Harbour Joint Area Action Plan Policy SH1; and
- 2) Signing of a Deed of Variation to secure the necessary safeguards to ensure that the flats are connection ready to a future district heat network (with associated costs and disturbance covered by the applicant), dedication of cycle path land and any reasonable requirements of the County Highway

Authority arising from the additional apartments. In addition, amendments to the timing and delivery of compensatory habitat to ensure the appropriate provision of compensatory habitat off site.

In the event that the S106 legal agreement has not been completed by 8 September 2021 or an extension of time has not been agreed by both sides then,

The Head of Planning and Development shall have delegated authority to REFUSE planning permission.

- 3) Subject to the following conditions, with delegated authority to the Head of Planning and Development to amend, as required, to address relevant technical issues:-

Conditions

01. The development hereby permitted shall be carried out in accordance with the approved plans

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

02. The development hereby permitted shall begin before the expiration of 3 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.

03. The development shall be carried out in accordance with the details of the enabling works approved by the Local Planning Authority on 15 November 2018 (approved documentation listed under application reference AWDM/1497/17) unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure that the proposed development is satisfactorily provided with required infrastructure

04. The development shall be carried out in accordance with the archaeological scheme of investigation approved by the Local Planning Authority on 15 November 2018 (approved documentation listed under application reference AWDM/1497/17) unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure appropriate investigation and recording of archaeological heritage assets on the site prior to commencement of new building works in accordance with the National Planning Policy Framework and Adur Local Plan 2017 Policy 16.

05. The development shall be carried out in accordance with the Construction Management Plan (in relation to enabling works) approved by the Local Planning Authority on 15 November 2018 (approved documentation listed

under application reference AWDM/1497/17) unless otherwise approved in writing by the local planning authority.

Reason: In the interests of highway safety and the amenities of the area in accordance with the National Planning Policy Framework.

Phasing Programme

06. Prior to commencement of any works on site, save for those identified as Enabling Works in Condition 03. to 05., a phasing programme, that shows how this development would be integrated into the wider development of 540 homes with associated infrastructure approved under planning permission AWDM/1497/17 (as varied under AWDM/1952/20) and provide requisite parking and infrastructure, shall be submitted to and agreed in writing by the Local Planning Authority and thereafter adhered to. The planning conditions shall be submitted in accordance with that phasing programme.

Reason: To ensure the comprehensive phased development of the site in accordance with the general and site specific policies set out in the Adur District Local Plan 2017 and Joint Area Action Plan.

Pre-Commencement Main Site Works Excluding Enabling Works

07. No development shall take place, excluding Enabling Works, until a Construction Management Plan 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,

- the anticipated number, frequency and types of vehicles used during construction,
- the method of access and routing of vehicles during construction,
- the parking of vehicles by site operatives and visitors,
- the loading and unloading of plant, materials and waste,
- the storage of plant and materials used in construction of the development,
- the erection and maintenance of security hoarding,
- 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),
- details of public engagement both prior to and during construction works.

Reason: In the interests of highway safety and the amenities of the area in accordance with the National Planning Policy Framework.

08. The development shall be carried out in accordance with the Surface Water Drainage details approved by the Local Planning Authority on 9 April 2020 under application reference AWDM/0255/19 unless otherwise approved in writing by the local planning authority.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with Policy 36 of the Adur Local Plan 2017.

09. The development shall be carried out in accordance with the Foul and Surface Water Drainage details approved by the Local Planning Authority on 16 December 2020 under application reference AWDM/0841/20 unless otherwise approved in writing by the local planning authority.

Reason: To ensure that the proposed development is satisfactorily drained

10. The development shall be carried out in accordance with the Contamination Assessment (including any remediation schemes) approved by the Local Planning Authority on 9 April 2020 under application reference AWDM/0255/19 unless otherwise approved in writing by the Local Planning Authority, and prior to the first occupation of any part of development affected by any remediation scheme, following completion of measures identified in the approved remediation scheme, a verification report must be submitted to and approved in writing of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy 34 of the Adur Local Plan. These details are required prior to commencement in order that any changes to satisfy this condition are incorporated into the development before the design is too advanced to make changes.

11. The development shall be carried out in accordance with the Foundation Design details approved by the Local Planning Authority on 9 April 2020 under application reference AWDM/0255/19 unless otherwise approved in writing by the local planning authority.

Reason: To prevent development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels water pollution in accordance with the National Planning Policy Framework. Piling or any other foundation designs using penetrative methods can result in risks to potable supplies from, for example, pollution / turbidity, risk of mobilising contamination, drilling through different aquifers and creating preferential pathways. Thus it should be demonstrated that any proposed piling will not result in contamination of groundwater.

12. No below ground work, apart from the Enabling Works shall take place until the following details shall be submitted to and approved in writing by the Local Planning Authority and all development pursuant to this permission shall be carried out in accordance with the approved details:

- Details which identify the supply of all space heating and hot water
- Details which identify and safeguard plant room space for the future installation of heat interface equipment, and/or other plant, required for future connection to a future heat network

- Details of a safeguarded pipe run into, through, and out of the site to connect the plant rooms with the proposed heat network
- A strategy to facilitate the connection of the network to the development; and
- A strategy to facilitate access to the site and plant rooms for the heat network developer to carry out works required to connect the site to the Shoreham Heat Network, lay underground infrastructure within the roads, footpaths, open space and public areas of the development, and carry out repair and maintenance work to any heat network infrastructure

Reason: To enable the delivery and operation of the planned Shoreham Heat Network having regard to Policies 8 and 19 of the Adur Local Plan and Policy SH1 of the Shoreham Harbour Joint Area Action Plan.

13. The development shall be carried out in accordance with the overarching archaeological scheme of investigation approved by the Local Planning Authority on 14 April 2020 under application reference AWDM/0205/19 unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure appropriate investigation and recording of archaeological heritage assets on the site prior to commencement of new building works in accordance with the National Planning Policy Framework and Adur Local Plan 2017 Policy 16.

14. The development will be required to meet the optional water efficiency requirement of 110 litres per person per day as set out in Part G2 of the Building Regulations. No above ground works, excluding Enabling Works, shall commence until details of the developers approach to meeting this requirement have been submitted to and approved in writing by the Local Planning Authority.

Reason: To comply with Policy 18 of the Adur Local Plan and Policy SH1 of the Shoreham Harbour Joint Area Action Plan.

15. No above ground works, excluding Enabling Works, shall take place until the following details shall be submitted to and approved in writing by the Local Planning Authority and all development pursuant to this permission shall be carried out in accordance with the approved details:

- a) particular's and samples of the materials to be used on all external faces of the building;
- b) details of all elevations to show typical details of all external components including details of drainage;
- c) details of the balconies (including 1:20 scale sectional drawing, RAL colour, finish and glazing details) and wind mitigation measures including details of drainage;
- d) details of ground floor elevations including entrances;
- e) details of escape doors, gates, doors bin storage entrance and bicycle storage entrance;
- f) details of soffits, handrails and balustrades;
- g) details of ground level surfaces including materials to be used;

- h) details of external lighting attached to the building including anti-collision lights, lighting to the soffits and lighting to pedestrian routes;
- i) details of plant and ductwork to serve the commercial uses;
- j) details of ventilation and air-conditioning for the commercial uses;

Reason: To ensure that the Local Planning Authority may be satisfied with the detail of the proposed development and to ensure a satisfactory external appearance in accordance with the policy 19 of the Adur Local Plan 2017.

16. Prior to the commencement of any development above ground level, excluding Enabling Works, details of the landscaping shall be submitted to and approved in writing by the Local Planning Authority. The details shall include:
- a) Details of materials
 - b) Street furniture and lighting
 - c) Planters, tree pits and planting
 - d) A timetable for the implementation of the hard and soft landscaping,
 - e) A maintenance plan to ensure establishment of the soft landscaping.

Development shall thereafter be carried out, and the planting maintained, in accordance with the approved details and timetable.

Reason: To protect and enhance the character of the site and the area and to ensure that its appearance is satisfactory in accordance with the National Planning Policy Framework.

17. No 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 once approved shall thereafter be implemented as specified within the approved document. The Travel Plan shall be completed in accordance with the latest guidance and good practice documentation as published by the Department for Transport or as advised by the Highway Authority.

Reason: To encourage and promote sustainable transport

18. No part of the development shall be first occupied until such time as until a Servicing Management Plan has been submitted and approved in writing by the Local Planning Authority. This shall set out the arrangements for the loading and unloading of deliveries associated with the residential and commercial uses.

Once occupied servicing shall be carried out only in accordance with the approved plan.

Reason: To safeguard the operation of the public highway.

19. Prior to the car parking being brought into use, a plan shall be submitted to and approved by the Local Planning Authority detailing measures to incorporate facilities for charging plug-in and other ultra-low emission vehicles that will be provided in the public and private parking areas. The approved plans shall be implemented thereafter.

Reason: In accordance with Paragraph 34 of the National Planning Policy Framework.

20. No part of the development shall be first occupied until such time as the vehicular accesses, including the provision of advanced stop lines at the A259 Eastern Avenue traffic signals, has been constructed in accordance with the details indicatively shown on drawing number 5910-GA-002 revision I.

Reason: In the interests of road safety.

21. No part of the development shall be first occupied until the car parking spaces serving that respective part of the development have been constructed in accordance with the approved plans and the phasing strategy secured under condition 6 above. These spaces shall thereafter be retained at all times for their designated use.

Reason: To provide car-parking space for the use.

22. No part of the development shall be first occupied until details of accommodation arrangements for the parking of all trade and service vehicles relating to both residents, commercial businesses and property maintenance activities within the site have been submitted to and approved in writing by the Local Planning Authority. The details thereby approved shall be adhered to in perpetuity.

Reason: In the interests of road safety.

23. No part of the development shall be first occupied until details of a cycle route to Shoreham town centre as indicatively shown on drawing number 5910-GA-005B revision C have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of road safety.

24. No part of the development shall be first occupied until cycle parking serving that respective part of the development has been provided in accordance with plans and details submitted to and approved by the Local Planning Authority.

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

25. The proposed commercial units sharing a party element with residential premises shall be designed and constructed to provide resistance to the transmission of sound. The sound insulation shall be sufficient to ensure that NR25 is not exceeded in the proposed residential premises due to noise from the neighbouring commercial premises and shall be permanently maintained thereafter.

A test shall be carried out after completion but prior to occupation of the commercial units to show the criterion above have been met and the results

shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the amenities of occupiers of the building in accordance with the following policy of the Local Plan Policy 16.

26. The commitments in the approved Energy Strategy and Statement Revision 1 dated 29th September 2017 and, in respect of Building G and G1 only, Revision to Permitted Energy Strategy dated November 2020, shall be installed prior to the first occupation of the development in accordance with the Phasing Plan under condition 6 and shall be implemented in accordance with the approved strategy and retained as operational thereafter.

Reason: To ensure that the development incorporates renewable energy and contributes to meeting targets to reduce carbon dioxide emissions as set out in the approved Energy and Renewables Statement.

27. Prior to any part of the development coming into use the communal waste and recycling areas as shown on the approved plans will be available for use by residents and arrangements made for waste collection and clearance.

Reason: In the interests of Highway safety and neighbour amenity.

28. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) and the following mitigation measures detailed within the FRA:

Finished floor levels are set no lower than the above Ordnance Datum (AOD) identified within the FRA and approved drawings.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing/ phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the LPA.

Reason: The site is located partially within Flood Zones 3 and 2, according to our Flood Map. These indicate a high (0.5% AEP1) and medium (0.1% AEP) probability of tidal flooding, respectively. The 0.5% AEP (1 in 200 year) tidal flood level, including an allowance for climate change, is shown as 5.25m AOD. Furthermore, due to the close proximity of the site to the foreshore the site in a severe storm scenario will be vulnerable to overtopping, white water flooding and windblown debris. The above condition is therefore required in order to reduce the risk of flooding to the proposed development and future occupants.

29. External lighting in association with this development shall comply with Institution of Lighting Engineers Guidance Notes for the Reduction of Obtrusive Light, Obtrusive Light Limitations for Exterior Lighting Installations for Zone E2.

Reason: To safeguard the residential amenities of the local area in accordance with Policy 19 of the Adur Local Plan.

30. Notwithstanding the provision of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order with or without modification) planning permission shall be obtained before any change of use of the following components of the scheme:

- Building G&G1 - Office E(g)(i) defined as '*offices to carry out any operational or administrative functions*'.

to any use other than Use Classes as detailed in the Town & Country Planning (Use Classes) Order 2010 (or any Order revoking or re-enacting that Order with or without modification).

Reason: In order that the Local Planning Authority can retain control over further uses which it considers could be harmful to the vitality and viability of the designated centres in accordance with adopted Adur Local Plan 2017.

31. The office use at ground floor level shall only be open for trade in between the hours of 07.00 and 23.00 Monday to Saturday and 09:00 to 18:00 on Sunday. Any unit greater than 280 sq.m will comply with the Sunday Trading Act 1994 (or subsequent replacement) on Sundays.

Reason: To comply with Adur Local Plan Policy 16, and in accordance with the National Planning Policy Framework.

32. Deliveries to the commercial units shall only be made between the hours of 07.00 and 20.00 Monday to Saturday and 09.00 to 18.00 on Sundays.

Reason: To safeguard the residential amenity of the area in accordance with the Adur Local Plan.

33. Demolition and construction works shall not take place outside 08.00 hours to 18.00 hours Mondays to Fridays and 09.00 hours to 14.030 hours on Saturday. There will be no construction on Sundays or Bank Holidays.

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 residential amenity of the area in accordance with Policy 19 of the Adur Local Plan.

Informatives / Notes to Applicant

01. The applicant is advised to enter into a legal agreement with West Sussex County Council, as Highway Authority, to cover the off-site highway works. The applicant is requested to contact The Implementation Team Leader (01243 642105) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.

02. The applicant is advised of the requirement to enter into early discussions with and obtain the necessary licenses from the Highway Authority to cover any temporary construction related works that will obstruct or affect the normal operation of the public highway prior to any works commencing. These temporary works may include, the placing of skips or other materials within the highway, the temporary closure of on-street parking bays, the imposition of temporary parking restrictions requiring a Temporary Traffic Regulation Order, the erection of hoarding or scaffolding within the limits of the highway, the provision of cranes over-sailing the highway.
03. Approval should be sought from the Environment Agency for a Flood Risk Management Plan
04. Consent from the Marine Management Organisation is required
05. In respect of condition 10, A further application comprising a verification report must be made to the Local Planning Authority for approval in respect of the approved remediation scheme(s).

Application Number: AWDM/0028/21	
Site:	Land North of 33 Leconfield Road, Lancing
Proposal:	Construction of 2no. two-bedroom attached dwellinghouses, with 3no. parking spaces and cycle storage.

The Head of Planning and Development outlined the application and Members were shown an aerial photograph of the site. The Officer indicated on the plan the piece of vacant brownfield land, and shared further plans and photographs.

The Officer felt the proposal would improve the streetscene; had appropriate amenity space to serve the two dwellings; and would provide a valuable source of additional housing.

The Officer's recommendation was to grant permission.

Decision

The Planning Committee Members unanimously agreed to **GRANT** permission subject to the following conditions:-

- 01 Approved Plans
- 02 Full Permission
- 03 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 and Bank Holidays no work permitted
- 04 Construction work shall not commence until a scheme for the protection of the existing neighbouring premises from dust has been submitted to and approved by the local planning authority. The scheme as approved shall be operated at all times during the demolition and construction phases of the development. If during development, any visible contaminated or odorous material, (for example, asbestos containing material, stained soil, petrol/diesel/solvent odour, underground tanks or associated pipework) not previously identified, is found to be present at the site, no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until it has been investigated by the developer. The Local Planning Authority must be informed immediately of the nature and degree of the contamination present and a method statement detailing how the unsuspected contamination shall be dealt with must be prepared and submitted to the Local Planning Authority for approval in writing before being implemented. If no such contaminated material is identified during the development, a statement to this effect must be submitted in writing to the Local Planning Authority.

- 05 Approval of Finished Floor Levels
- 06 Development shall not commence, other than works of site survey and investigation, until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The design should follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations, and the recommendations of the SuDS Manual produced by CIRIA. Winter groundwater monitoring to establish highest annual ground water levels and winter infiltration testing to BRE DG365, or similar approved, will be required to support the design of any Infiltration drainage. No building / No part of the extended building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order in perpetuity.
- 07 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 Proposed Site Plan and numbered 420-P06.
Reason: In the interests of road safety.
- 08 No part of the development shall be first occupied until the car parking has been constructed in accordance with the approved site plan. These spaces shall thereafter be retained at all times for their designated purpose.
Reason: To provide car-parking space for the use
- 09 No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with the approved plans.
Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies.
- 10 No part of the development shall be first occupied until the electric vehicle charging space(s) have been provided in accordance with plans and details to be submitted to and approved by the Local Planning Authority.
Reason: To provide sustainable travel options in accordance with current sustainable transport policies.
- 11 Approval of Materials
- 12 Hard and Soft Landscaping
- 13 No additional windows....any side elevation...
- 14 Provision of refuse and recycling facilities

Informatives

- 01 Infiltration rates for soakage structures are to be based on percolation tests undertaken in the winter period and at the location and depth of the proposed structures. The percolation tests must be carried out in accordance with BRE DG365, CIRIA R156 or a similar approved method and cater for the 1 in 10 year storm between the invert of the entry pipe to the soakaway, and the base of the structure. It must also have provision to ensure that there is capacity in the system to contain below ground level the 1 in 100 year event

plus 40% on stored volumes, as an allowance for climate change. Adequate freeboard must be provided between the base of the soakaway structure and the highest recorded annual groundwater level identified in that location. Any SuDS or soakaway design must include adequate groundwater monitoring data to determine the highest winter groundwater table in support of the design. The applicant is advised to discuss the extent of groundwater monitoring with the Council's Engineers. Further detail regarding our requirements are available on the following webpage <https://www.adur-worthing.gov.uk/planning/applications/submit-fees-forms>. A surface water drainage checklist is available on this webpage. This clearly sets out our requirements for avoiding pre-commencement conditions, or to discharge conditions

- 02 The applicant is advised that in addition to obtaining planning permission that they must also obtain formal approval from the highway authority to carry out the site access works on the public highway. The granting of planning permission does not guarantee that a vehicle crossover licence shall be granted. Additional information about the licence application process can be found at the following web page:

<https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-driveways-licence/>

Online applications can be made at the link below, alternatively please call 01243 642105.

<https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-driveways-licence/vehicle-crossover-dropped-kerb-construction-application-form/>

Application Number: AWDM/1444/20	
Site:	1 Laylands Road, Fishersgate
Proposal:	Change of Use from Home Meals Service to mixed use of restaurant and takeaway (Class E and Sui Generis). External flue to the rear elevation with increased side and rear parapet heights to existing single storey rear projection.

The Head of Planning and Development outlined the application and began by showing Members an aerial photograph of the site, together with further plans and photographs.

The Officer advised Members there had been some concern raised from one of the flats above however, Officers felt the proposed conditions would mitigate any issues of potential disturbance.

The Officer's recommendation was to grant planning permission.

Members raised queries with the Officer for clarification, which were answered in turn. One raised was in relation to the potential for noise generated from the flue which could cause disturbance to neighbours. The Officer advised that Environmental Health were satisfied with the proposed condition and that the report only showed a condensed version of condition 3. He stated the applicant would be required to ensure that the ventilation extraction equipment was maintained in accordance with the manufacturer's recommendations and incorporated appropriate noise attenuation measures. Some Members also felt the hours of use were too late, with closing at 11pm. However, the Officer felt 11pm was appropriate for the premises but agreed a correct balance was needed.

Following debate, Members unanimously agreed the Officer's recommendation to approve the application, but with condition 4 being amended so that the premises closed at 10 pm on Sundays.

Decision

The Planning Committee unanimously agreed to **APPROVE** the planning application, subject to the amendment to condition 4 and the following conditions:-

1. Approved Plans
2. 3 years
3. Ventilation equipment erected prior to first use
4. Hours of use 9am to 11pm Monday to Saturday and 9am to 10pm on Sundays.

5. Details of sound insulation between ground and first floor