

**Adur Planning Committee
24 November 2014**

Councillor Brian Boggis (Chairman)
Vacancy (Vice-Chairman)

Councillor Carol Albury
Councillor Emma Evans
Councillor Geoff Patmore

Councillor David Donaldson
Councillor Peter Metcalfe
Councillor Ben Stride

** Absent

Officers: Planning Services Manager, Principal Planning Officer, Solicitor
and Democratic Services Officer

ADC-PC/027/14-15 Declarations of Interest / Substitute Members

There were no declarations of interest or Substitute Members.

ADC-PC/028/14-15 Confirmation of Minutes

Resolved that the minutes of the meeting of the Committee held on 27 October 2014 is approved as a correct record and that they be signed by the Chairman.

ADC-PC/029/14-15 Items Raised under Urgency Provisions

There were no items raised under Urgency Provisions.

ADC-PC/030/14-15 Planning Applications

The planning applications were considered, see attached appendix.

ADC-PC/031/14-15 Public Question Time

The Chairman invited members of the public to ask questions or make statements about any matter for which the Council had a responsibility or which affected the district.

There were no questions.

The Chairman closed the meeting at 7.55 pm it having commenced at 7.00 pm.

Chairman

Application Number: AWDM/1453/14

Site: **West Site, Kingston Wharf, Brighton Road
Shoreham-By-Sea, West Sussex**

Proposal: Consultation by WSCC (County Matter Mineral Application) for use of site in connection with permitted aggregate bagging operation on adjacent site for a temporary period until September 2016 (WSCC Ref: WSCC/073/14/SU).

There were no further representations made since circulation of the report.

The Principal Planning Officer reminded Members this proposal was for consultation by West Sussex County Council for use of the site in connection with a permitted aggregate bagging operation on an adjacent site for a further 3 year temporary permission period until September 2016.

A number of matters were still outstanding which the Officer felt would make it difficult for the Planning Committee to properly consider the full impact of this proposal within the time constraints for the determination of the application by WSCC.

The Environmental Health Officer had requested that any permission should contain conditions as those in the current bagging plant issued in 2010, and additional conditions to minimise dust from the process.

The Members raised a number of queries, which included objections from neighbours regarding dust in uncovered areas; the size of vehicles and their movements; and stockpiling of the roofing material 'Vulkatec'.

Decision

Members **AGREED** that,

WSCC be advised that further information was required in respect of the number of lorry movements and the routing of those lorries and details of the revised siting of the mobile bagging plant before the application could be determined.

Members agreed that subject to this further information being provided, a temporary permission be granted until 29 September 2016 and that their final views be delegated to the Planning Services Manager, in consultation with the Chairman of the Planning Committee.

If satisfactory information was provided, then WSCC would be advised that no objection was raised subject to the imposition of conditions that included requirements to comply with the submitted Noise and Dust Management Schemes with further consideration given to requiring 'Vulkatec' to be bagged or stored in enclosed areas within a reasonable timeframe after delivery to the site, including limitation of working hours to 7am-6pm Mon-Fri and 7am-1pm Saturdays, with pre-loaded HGV's allowed to leave the site between 6am and 7am Monday-Saturday and control over the number of lorry movements, restricting the number of movements to a maximum of 44 each day. Members also requested that they would like the application to be determined by the County Planning Committee rather than delegated by officers.

Application Number: AWDM/1508/14

Site: **25 Cecil Pashley Way, Shoreham (Brighton City) Airport, Lancing**

Proposal: Variation of condition 2 of approved application ADC/0132/06 to provide English lessons to foreign students and extend all aspects of aviation training.

The recommendation from Officers was to delegate with a view to granting planning permission.

The Planning Services Manager outlined this brief report to the Committee Members. The application consisted of a currently vacant industrial unit at Shoreham Airport. The site was located within a range of other industrial units, with the nearest residential properties being located to the south on the other side of the railway line.

A further consultation response had been received from the Planning Policy team who considered that the proposal conflicted with the spirit of policy AE10 of the Adur Local Plan 1996 as well as Policy 7 of the emerging Local Plan.

The Planning Services Manager highlighted condition 3 for the Members which restricted use to the ground floor of the premises. The Officer agreed however, that should the company be successful and want to make use of the other floor this could be considered.

The Members were advised Economic Development had been working with English Language Homestays since February to try and identify a suitable new premises in Adur but had little success and therefore supported this application.

There was a further representation made by the Ward Councillor, Cllr David Simmons, and the applicant, Mr Dec Mooney, answered some queries from the Members.

On balance, the Planning Services Manager felt that although there was at present a policy conflict with the nature of the business being operated at the moment, it was quite likely that the company would be able to develop closer links with the aviation industry. The potential loss of the company was considered to have more far reaching implications than the conflict with policy that may occur in this instance and therefore it was recommended that planning permission be granted.

Decision

That the decision be delegated to the Planning Services Manager to await the expiry of the Consultation period, with a view to granting planning permission if no new material issues are raised during the consultation period and subject to the following conditions:

- 1) Standard time limit
- 2) Development in compliance with approved plans
- 3) Ground floor of the premises to be restricted to the provision by English Language Homestays of English lessons to foreign students including lessons based around training purposes related to the aviation industry

Application Number: AWDM/1028/14

Site: **Unit 7 Chartwell Business Centre, 42 Chartwell Road
Lancing Business Park, Lancing, West Sussex, BN15 8FB**

Proposal: Change of use from Use Class B1/B8 (Business/Storage or Distribution) to gym (Use Class D2 Assembly and Leisure).

The recommendation for this change of use application was refusal.

The Principal Planning Officer briefed the Committee regarding this application. He informed the Committee that this gym would not be a mainstream gym but more of a weight training facility. Unit 10 was occupied by Wickers Gym but specialised in providing gymnastics sessions for children and had received funding from Sport England.

The Officer advised there had been strong objection from the Council's Economic Development Officer to the proposal as they considered the unit should be retained for industrial purposes and that Lancing Business Park was the main employment location for Adur.

Economic Development had recently viewed Unit 7 and felt there was potential for this unit to be joined with the vacant Unit 8 and 9 to provide a 15,000 sq ft industrial unit. It was felt this would help fill the gap in Adur's industrial market.

Following the Officer's briefing, there was a representation from the applicant, Neil Donohue, in support.

Following discussion, the Members understood the views of Economic Development, but sympathised with the applicant and were encouraged by the employment of 6 staff. There was the suggestion that temporary permission for three years be allowed but with certain conditions.

Decision

That this application be **AGREED** for the reason:-

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Subject to the following conditions:

1. This permission is for the use of the premises as a gym (Class D2) operated by Mr Neil Donohue (PreDon Ltd) for a period of 3 years only and the use shall be

discontinued permanently and the premises restored to their former use (Class B2) on or before the expiration of the period ending 24 November 2017.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

Existing and Proposed Floor Plans received 13 August 2014

Site Layout received 13 August 2014

Application Number: AWDM/1154/14

Site: **12 Benbow Close, Shoreham-By-Sea West Sussex BN43 5RY**

Proposal: Replacement of weather-damaged metal railings to a balcony with toughened glass panels in a stainless steel frame.

The recommendation for this application was approval.

The Planning Services Manager gave a brief outline of this application advising the property was part of a group of 6 townhouses. They all had balconies with metal railings, many of which showed signs of wear and tear.

The Officer advised there was no planning history directly relevant to the property but reminded Members of the appeal decision at 7 Hardy Close; this property being visible from the application site. The proposal was refused under delegated powers. The Officer advised if Members were minded to follow the appeal decision in considering this application they were entitled to do so.

The Planning Services Manager cited 11 Beach Road as an example of a similar application for a toughened glass balcony being permitted. The reason given being existing variations across the row with no symmetry. He advised the row of properties in Benbow Close also had differences that affected their uniformity.

The Officer concluded on balance, and notwithstanding the previous appeal decision at Hardy Close, a grant of planning permission could be justified.

There was a further representation, in support of this application, from the Ward Councillor, Cllr Liza McKinney.

The Members, having heard all the evidence, supported this application.

Cllr Ben Stride thanked the Planning Services Manager for his time considering this application as a test for future applications along Shoreham Beach.

Decision

That planning permission be **GRANTED** subject to the following conditions:

- 1) The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
Reason: To comply with Section 97 of the Town and Country Planning Act 1990.
- 2) No development shall be carried out unless and until a schedule of materials and finishes of the proposed balcony has been submitted to and approved in writing by the Local Planning Authority and the development shall be completed in accordance with the approved schedule.

Reason: In the interests of visual amenity saved policy AG1 or AH2 of the Adur District Local Plan

- 3) The development shall be carried out in accordance with the approved plans