Application Number:	**AWDM/1314/22**	**Recommendation - To contest the appeal against the non-determination of the application within the statutory timeframe**
Site:	**Land East Of 3 Salt Marsh Road, Shoreham-by-Sea**	
Proposal:	**Proposed mixed use building set over 5no. floors comprised of ground floor commercial space (Use Class E) and 34 new apartments**	
Applicant:	Cross Stone (Shoreham)	Ward: St Nicolas
Agent:	Mr Joseph Pearson, Lewis and Co Planning SE Ltd	
Case Officer:	Gary Peck	

Additional Supporting Information

The applicant's agent expresses surprise at the number of refusal reasons and the concerns about the height, scale, bulk and massing of the scheme given the previous outline approval on the site. The agent refers to the fact that their appeal will be dealt with by way of an Informal Hearing on the 23rd May but his client would rather have a constructive dialogue with the Council about this scheme and resolve any outstanding matters or revisions outside the appeals process. A fresh application has been submitted but is, as yet, validated.

The Agent also comments that,

The second reason for refusal appears to be based on several incorrect assumptions from the local highway authority. Firstly, they incorrectly assumed that references to the formal parking 'forecourt' to the north of the building were a reference to the section of pavement immediately adjacent to the commercial building rather than the actual formal parking forecourt to the north of it (this reference was only made in a superseded version of the Transport Statement so I am unsure why this comment has been reiterated in their updated comments). Secondly, they have incorrectly read the approved plans and access arrangements from the extant outline planning permission, which we addressed in detail at paragraphs 6.13 and 6.14 of our Appeal Statement. The secondary (southern) access and parking approved under AWDM/0935/13 served the proposed office units within the railway arches and <u>not</u> the proposed hotel (which had a ramped parking area accessed from the main access and below the building as proposed under this application). I can see where the confusion arises but the Transport Statement for AWDM/0935/13 approval clearly assesses the junction capacity for the "residential / hotel / foodstore junction" separately from the "B1 / railway arches access". These comments seem to be the

sole basis for this reason for refusal (as well as being used as justification for the first reason for refusal), which is concerning given the fundamental inaccuracies.

Also note the misleading wording at reason 3 in respect of drainage (that "it has not been demonstrated" that an adequate drainage strategy has been provided), when we explicitly addressed all these queries in our updated Drainage Strategy submitted three months ago. The fact that this has failed to elicit any updated response from your Technical Services team in over three months is not a reasonable reason to refuse the application. This suggested reason for refusal will inevitably add to our client's professional costs at appeal and therefore it's pretty imperative that officers seek updated advice from your Technical Services officers on this point prior to the Committee.'

Consultation Responses

Technical Services - The main issue is the attenuation tanks as they are still located beneath the proposed building and therefore our previous comments on the 16/08/22 still stand in respect to item 5

"The location of the proposed attenuation tanks is under the proposed building, this is not supported. As per policy, design must be maintainable and structurally sound allowing for reconstruction of crates within the development lifetime. The crates are also proposed to have a cover depth of only 0.15m, this is a very shallow depth and we query how achievable this is in practice. The scale of development may need to be reduced to ensure a policy compliant surface water drainage design."

WSCC Highways - Have indicated that they will review the additional information and Members will be updated at the meeting.