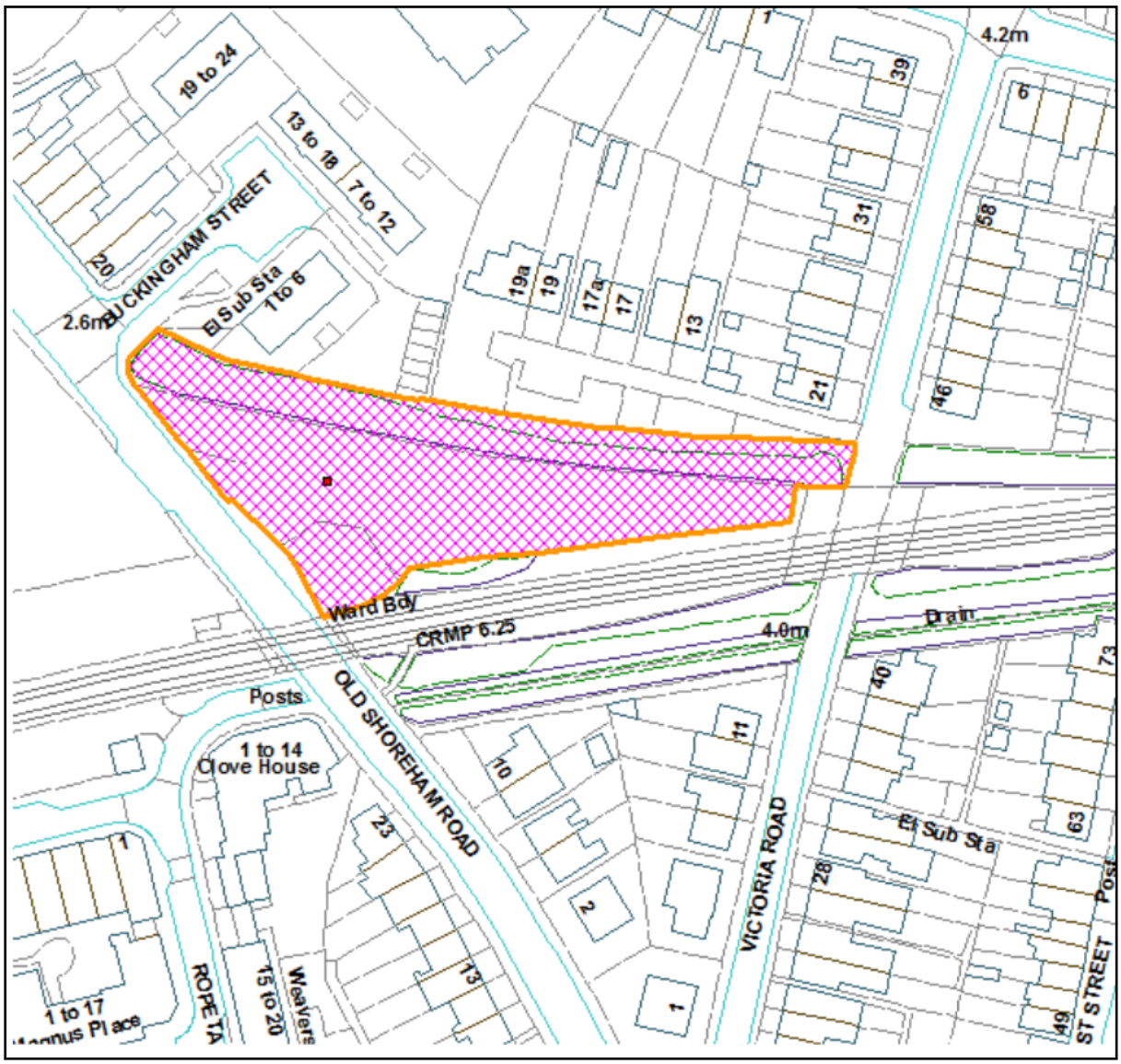
Application Number:	**AWDM/0092/25**	**Recommendation - APPROVE**
Site:	**Development Site At 12 To 18 Old Shoreham Road Shoreham-by-Sea**	
Proposal:	**Application to Vary Conditions 1 (Approved Plans), 3 (Flood Risk Assessment), 12 (Arboricultural Method Statement) and 13 (Hard and Soft Landscaping) of previously approved AWDM/2294/21 and Amended by AWDM/1579/24. Amendments: Removal of wall fronting Old Shoreham Road; New boundary treatment around plots 1 and 2; Reduction in levels to the rear gardens of plots 1 and 2 and introduction of retaining wall; Change to plots 1 and 2 which will now be a full three storeys (rather than partial two and partial three storeys as approved) and provision of patio store at ground level; Removal of steps adjacent to plot 7 and replacement with a wider 2m access (graded up to land levels to the rear); Internal amendments plots 4 - 7 to reduce the rear bedroom at first floor level, introduction of internal corridor**	
Applicant:	Trinity Homes Ltd	Ward: St Nicolas
Agent:	Mr Sam Sykes, ECE Planning	
Case Officer:	Gary Peck	



Not to Scale

Reproduced from OS Mapping with the permission of HMSO © Crown Copyright Licence number LA100024321

Proposal, Site and Surroundings

This application seeks proposed amendments to a previous, unimplemented, permission for 7 dwellings. It is stated by the applicant that the amendments are proposed due to two main factors, firstly, technical difficulties in retaining the large wall fronting onto Old Shoreham Road; and secondly, following consultation with Network Rail a requirement to move the buildings further from the rail infrastructure (to limit impacting existing structures) by a minimum 2m.

As a result, the following amendments to the previous permission are proposed:

- Removal of wall fronting Old Shoreham Road;
- New boundary treatment around plots 1 and 2;
- Reduction in levels to the rear gardens of plots 1 and 2 and introduction of retaining wall;
- Change to plots 1 and 2 which will now be a full three storeys (rather than partial

two and partial three storeys as approved) and provision of patio store at ground level.
- Removal of steps adjacent to plot 7 and replacement with a wider 2m access (graded up to land levels to the rear).

As a result, this means that the previously approved plans need to be amended to reflect the changes if the revisions are approved and it is also proposed that 3 of the remaining conditions are altered to reflect the changes in respect of Flooding, Arboricultural Method Statement and Landscaping.

In respect of the flooding issues, it is noted that the approved Flood Risk Assessment related to the original proposal on the site for 9 dwellings (during determination of the application, 2 of the dwellings were omitted and permission was then granted for the remaining 7). For clarity, therefore, it is proposed that the condition be updated to reflect both the amendments made during the last application and those proposed now.

Given the proposed plot location changes the wording of Condition 12, relating to the Arboriculture Method Statement will also need to be amended as this refers to a previous arboricultural report.

However, in addition, the supporting information notes that the locations of trees as plotted on the previously approved application were inaccurate (this was queried by officers and members of the committee at the time). A new tree report has therefore been submitted as part of this application which shows the accurate location of such trees and identifies those that will now require removal. The trees that require removal are located on the northern boundary of the site and include 4 individual trees plus the partial removal of a small group of trees. To mitigate the loss of the trees on the boundary the applicant suggests that additional trees be planted in this location which can be secured through an amendment to the landscaping condition.

The application site is triangular and is bordered by the Coastway west railway line to the south and a disused railway embankment from the old Shoreham-Steyning-Horsham railway line to the north. There is a row of established trees to the northern boundary. Old Shoreham Road is the front western entrance to the site with the completed part of the Ropetackle North development across the road.

To the north of the application site are 3 storey flats in Buckingham Street, while to the rear, north east of the site are residential properties accessed via a private road to the west of Victoria Road.

Relevant Planning History

The application site formed part of the Ropetackle site originally granted outline planning permission in 2015 under reference AWDM/0935/13. The indicative plans submitted with the application suggested provision for mixed-use buildings in this part of the wider Ropetackle site comprising retail uses at ground floor level, with residential accommodation above.

Planning permission was granted in February 2023 for the *Erection of seven new-build townhouses (C3) consisting of a terrace of five houses (3 storey at front and 2 storey*

at rear) with integrated car parking and a pair of semi-detached three storey dwellings (3 storey at front and 2 storey at rear) with integrated car parking (Application reference AWDM/2294/21). The consent has not been implemented and the site remains undeveloped.

In January, permission was granted for a non-material amendment to the previous approval AWDM/2294/21. This permission granted an amendment to the description of development to read: *Erection of seven new-build townhouses (C3) consisting of a terrace of five houses (3 storey at front and 2 storey at rear) with integrated car parking and a pair of semi-detached three storey dwellings with integrated car parking.* (Application reference AWDM/1579/24). It was understood that the reason for the proposed change to the description relates to the need to remove a large wall which was once part of the railway embankment due to there being significant retaining structures behind the wall that would be impossible to retain with the approved layout

Consultations

Environment Agency:

Note that the important elements of flood risk mitigation required for this site are unchanged by the proposed amendments. Therefore, we are satisfied that the Local Planning Authority can determine whether to permit the proposed amendments to Condition 3 without further recourse to us.

Southern Water:

No objection

West Sussex County Council:

The Highway Authority confirms the variation proposed will not have an impact on highway safety or capacity. Therefore, no objection is raised.

WSP Drainage Consultant

We note that sufficient information has been provided for the approval of the application under the previous submission.

Environmental Health:

No adverse comments

Representations

1 letter of objection stating:

This is a ridiculous plan to dump 5 more houses into an already overdeveloped area. There is no infrastructure already and this is added to the hell and misery that local residents already have. This must be stopped. It invades on the privacy of the long term residents living just behind the area. It is a very dangerous road with many casualties already happened, It's insane to put anymore building there. it must be

stopped.

Relevant Planning Policies and Guidance

Adur Local Plan 2017

Polices 1 - The Presumption in Favour of Sustainable Development,
3 - Housing Provision,
11 - Shoreham-by-Sea,
15 - Quality of the Built Environment and Public Realm,
18 - Sustainable Design,
20 - Housing Mix and Quality,
34 - Pollution and Contamination,
36 - Flood Risk and Sustainable Drainage

'Supplementary Planning Guidance' comprising: Development Management Standard No.1 'Space Around New Dwellings and Flats'; No.2 'Extensions and Alterations to Dwellings'

Sustainable Energy SPD (August 2019)
Adur Planning and Climate Change Checklist (June 2021)
Planning Contributions for Infrastructure Provision (ADC 2013)
Demonstrating Genuine Redundancy of Employment Sites (ADC 2019)
WSCC Guidance on Parking at New Developments (Sept 2020).
National Planning Policy Framework (December 2024)
Technical Housing Standards – nationally described space standard (DCLG 2015)
Circular 11/95 'The Use of Conditions in Planning Permissions' (DoE 1995)

Relevant Legislation

The Committee should consider the planning application in accordance with:

Section 70 of the Town and Country Planning Act 1990 (as amended) provides that the application may be granted either unconditionally or subject to relevant conditions, or refused. Regard shall be given to relevant development plan policies, any relevant local finance considerations, and other material considerations; and

Section 38(6) Planning and Compulsory Purchase Act 2004 that requires the decision to be made in accordance with the development plan unless material considerations indicate otherwise.

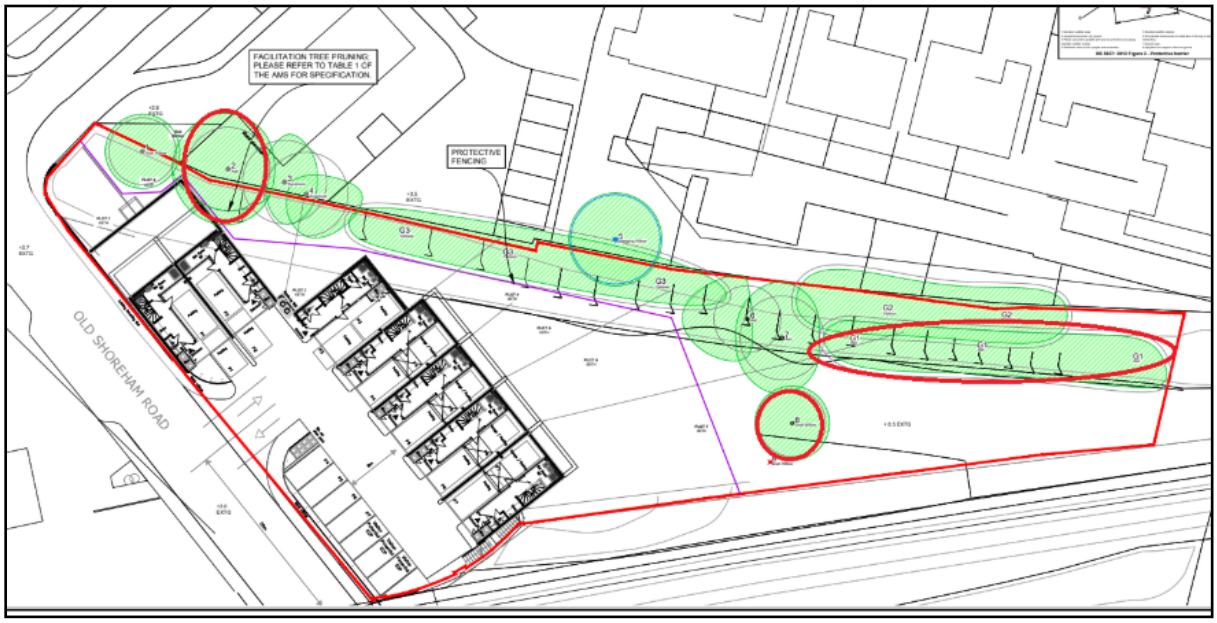
Planning Assessment

The principle of development has been established by the previous permission which was assessed against the current Adur Local Plan. Although a revised National Planning Policy Framework has been published since the previous grant of permission, it has not affected the need for local planning authorities to look positively at redevelopment of brownfield sites such as this. Accordingly, the main issues in the determination of the application are whether the proposed alterations materially affect the acceptability of the proposal.

During the determination of the previous application, the Committee required further clarification in respect of the retention and replanting of replacement trees - indeed, the application was deferred after its original consideration and determined at a later meeting after further information was submitted from the arboricultural consultant. In that respect, it is disappointing to find that the subsequent information submitted itself was found to be incorrect. However, as indicated in the previous drawings, the distance between the proposed dwellings and the nearest neighbouring properties was given as 38 metres, far exceeding the Council's standard of 22 metres:

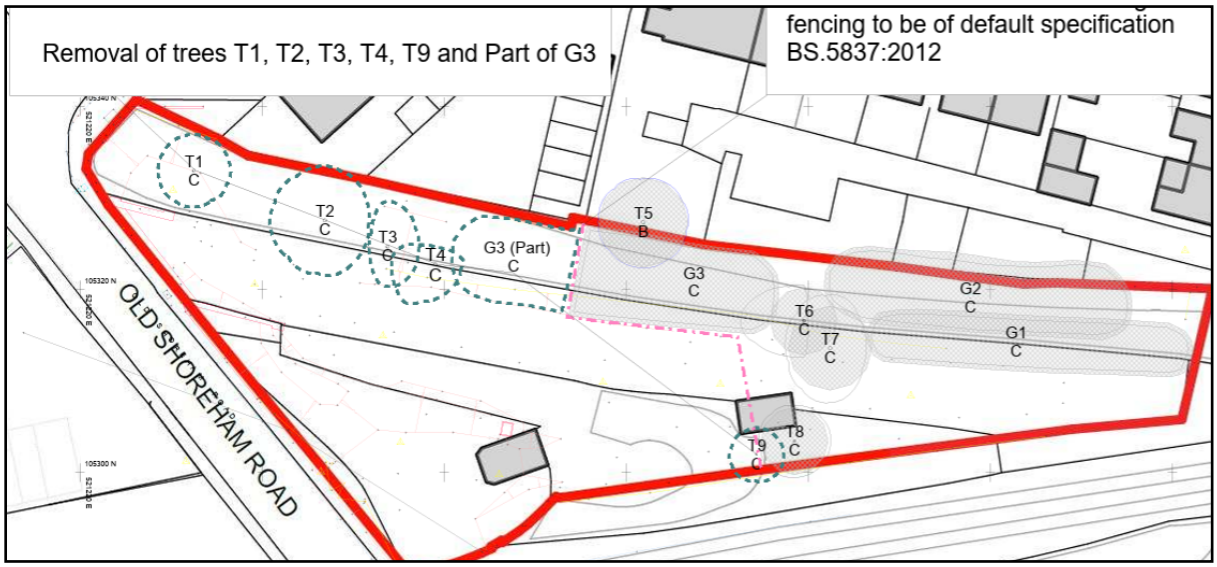


The drawings previously presented to the Committee also showed the then proposed extent of tree loss (edged in red) and replanting:





A revised plan showing the loss of trees as a result of the revised scheme is shown below:



The plan above shows the trees to be lost on the western side of the site, closest to the properties in Buckingham Street. There are no windows in the southern flank elevation of the nearest building and the windows that do look across the site face in a south easterly direction, away from the orientation of the proposed dwellings. The previous concern in respect of neighbouring properties was more for those off Victoria Road to the north (despite their distance from the site) and indeed was the reason why the original scheme was reduced by 2 dwellings.

The new layout of the proposed dwellings is shown below:



While the distance between the proposed dwellings and the neighbours to the north remains well in excess of Council's standards, because of the nature of the site it is quite clear that effective replacement planting is provided to replicate the existing character of the site and provide a green backdrop as currently experienced by neighbouring properties. The applicant has agreed to the securing of the replacement planting by condition. Accordingly, it is considered that the revised proposal is acceptable in respect of its impact upon neighbours, having regard to the previous proposal.

The other material change is that the wall forming part of the old railway infrastructure would now need to be removed at the front of the site:



The impact of the removal of the wall is that the levels within the site change and so while some of the dwellings would have previously been split level to incorporate the change in site levels, they would now be 3 storeys to the front and rear. As the effective overall scale of the proposed dwellings will not change, your officers do not consider this change to have any material impact and indeed the removal of the wall may result in a more cohesive appearance to the street scene. It is not considered there is any objection to this alteration, therefore.

The remaining alteration is in respect of the proposed flood risk information but as noted both by the Environment Agency and the Council's drainage consultant, acceptable information was provided during the consideration of the previous application and in effect that information has been updated to take account of the revisions. The proposal is considered acceptable in this respect.

In conclusion, it is important given the need for housing in the District that a site such as this is developed acceptably. Having considered the proposed changes, it is concluded that there is no material change in circumstances to warrant a different decision being reached from the previous application and accordingly it is recommended that permission be granted.

RECOMMENDATION

To GRANT permission subject to the following conditions:

1. Approved Plans

2. Full Permission

3. The development shall be carried out in accordance with the principles established in the submitted Flood Risk Assessment (FRA) ('Site2B Ropetackle North, Shoreham Waterfront, Old Shoreham Road, Shoreham, BN43 5FL - Flood Risk Assessment & Surface Water Drainage Strategy', dated October 2021, ref: MC0031 ADL Ropetackle 2B, by Meridian Civil Engineering Consultancy Ltd) with regards to flood mitigation only including the following mitigation measures it details:-

   Habitable rooms shall be located above 6.3 mAOD, with the ground floors to only be used as non-habitable rooms (i.e. garages, storage and WC) (Sections 14.2, 15.11 & 15.13 of the FRA).

   These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

   Reason: *To reduce the risk of flooding to the proposed development and future occupants.*

4. Prior to commencement of the development hereby approved (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved in writing by the Local Planning Authority:

   (1) 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. (2) A site investigation scheme, based on (1) above to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site. (3) The site investigation results and the detailed risk assessment (2) 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. (4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express consent of the Local Planning Authority.

   The scheme shall be implemented as approved above and, prior to commencement of any construction work (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), a

Verification Report demonstrating completion of the 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. It shall also include any plan (a 'long-term monitoring and maintenance plan') for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the Local Planning Authority.

Reason: *To ensure any contamination risks are suitably identified and mitigated.*

5. Construction work shall not commence until a scheme for protecting the proposed noise sensitive development from transport noise 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 have regard to the principles contained within the Pro PG: Planning and Noise - Professional Practice Guidance on Planning and NoiseNew Residential Development 2017 and Calculation of Railway Noise 1995. The scheme should demonstrate good acoustic design, include full details of glazing, and a strategy to prevent overheating. The noise level of any ventilation units when in use should not exceed the levels specified in Pro PG: Planning and Noise - Professional Practice Guidance on Planning and Noise-New Residential Development 2017 and all duct work should be fitted on anti-vibration mounts. Following approval and completion of the scheme, a test shall be undertaken to demonstrate that the attenuation measures proposed in the scheme are effective and protect the residential unit from noise.

   Reason: *To ensure adequate protection from noise development.*

6. Due to the close proximity to the Shoreham Air Quality Management Area, the applicant must follow the Air Quality & Emissions Mitigation Guidance for Sussex (2020):
   http://www.sussex-air.net/ImprovingAQ/GuidancePlanning.aspx. Prior to the first occupation of the development hereby permitted, an emissions mitigation assessment shall be completed, the purpose of which is to assess the local emissions from a development and determine the appropriate level of mitigation required to help reduce/offset the potential effect on health and the local environment. The emissions mitigation assessment must use the most up to date emission factors (available at
   http://laqm.defra.gov.uk/review-andassessment/tools/emissions.html).

   Mitigation shall include the promotion of cycling and walking, public transport, car clubs, low emission vehicles and associated infrastructure, etc. Reference should be had to the Adur/Worthing Air Quality Action Plan (available at https://www.adur-worthing.gov.uk/environmental-health/pollution/air-quality-andpollution/local-air-quality-management/#air-quality-action-plans).

   Reason: *To ensure adequate air quality and emissions mitigation.*

7. No development shall take place, including any works of demolition, 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 - HGV construction traffic routings shall be designed to minimise journey distance through the AQMA's.
   - 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,
   - a commitment to no burning on site, 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.
   - methods to control dust from the site.

   Reason: *To ensure an adequate Construction Management Plan for the duration of the development.*

8. 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.

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

   Reason: *In the interests of amenity.*

9. 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.

   Reason: *To ensure an adequate surface water drainage scheme.*

10. Development shall not commence until full details of the maintenance and management of the surface water drainage system is set out in a site-specific maintenance manual and submitted to, and approved in writing, by the Local Planning Authority. The manual is to include details of financial management and arrangements for the replacement of major components at the end of the manufacturer's recommended design life. Upon completed construction of the surface water drainage system, the owner or management company shall strictly adhere to and implement the recommendations contained within the manual.

    Reason: *To ensure adequate maintenance of the surface water drainage system.*

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

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

12. The development hereby permitted shall be carried out in full accordance with the Arboricultural Report Addendum (The Arboricultural Consultancy Ltd) ARA.WS.955.V2 22 January 2025 and Tree Protection Plan TPP.WS.955.V2 unless otherwise agreed in writing by the Local Planning Authority.

    Reason: *In the interests of visual amenity and to ensure the retention of those trees identified to be retained within the Method Statement.*

13. All hard and soft landscape works, including the works outlined in the Arboricultural Report Addendum (The Arboricultural Consultancy Ltd) ARA.WS.955.V2 22 January 2025 and Tree Protection Plan TPP.WS.955.V2 and to include the retention of the banking to the boundary of the site, shall be carried out in accordance with the landscape plans and details that shall be first submitted and approved by the Planning Authority prior to the commencement of development, and shall be carried out no later than the first planting season following completion of the development. Any trees or plants 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 the following planting season with others of similar size and species, unless the local planning authority gives any consent for variation. The approved hard landscape works, including car park surfacing, shall be completed prior to first occupation of the buildings.

    Reason: *In the interests of visual amenity and the environment and to comply with policies 15 and 30 of the Adur Local Plan.*

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

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

15. No part of the development shall be first occupied until the vehicle parking spaces have been constructed in accordance with plans and details submitted to and approved by the Local Planning Authority.

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

16. 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.

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

17. No part of the development shall be first occupied until Electric Vehicle Charging (EVC) spaces have been provided in accordance with plans and details submitted to and approved by the Local Planning Authority.

    Reason: *To provide EVC charging points to support the use of electric vehicles in accordance with current national sustainable transport policies.*

7 April 2025

Local Government Act 1972
Background Papers:

As referred to in individual application reports

Contact Officers:

Gary Peck
Interim Head of Planning & Development
Town Hall
01903 221406
gary.peck@adur-worthing.gov.uk