Development Management – Delegated Officer Report

Application Numbers: AWDM/0219/23 & AWDM/1482/24

Recommendations: APPROVE DISCHARGE CONDITION APPLICATION AND FULL APPLICATION TO AMEND WORDING OF CONDITION 4 OF AWDM/1802/19

Site: Former 4 Old Shoreham Road, Lancing

Proposals: AWDM/0219/23: Approval of Details Reserved by Conditions: Condition 6 (Construction Management Plan) ; Conditions 7, 8 and 9 (Surface Water Drainage Scheme and Watercourse details); Condition 11 (Soft and Hard Landscaping details); Condition 12 (Schedule of Materials and Finishes) of approved application AWDM/1802/19

AWDM/1482/24: Full Planning Application following on from approved application reference AWDM/0337/18 (Demolition of fire damaged dwelling and erection of a replacement 5-bedroom dwelling at 4 Old Shoreham Road, retention of existing dwelling at 6 Old Shoreham Road and erection of 2 no. 4-bedroom dwellings. Closure of existing site access from A27 roundabout and creation of a new access road from Old Shoreham access road and associated vehicle parking and landscaping) for the erection of 2no 4-bedroom semi-detached replacement dwellings instead of the consented 1no 5-bedroom detached dwelling at 4 Old Shoreham Road. Application to vary Condition 4 of approved AWDM/1802/19 to read:
No part of the development hereby permitted, shall be occupied until the necessary traffic regulation order to implement the waiting restrictions at the junction Old Shoreham Road with Manor Way shown on Civil Engineering Practice's Drawing No. 120 "Proposed Site Access Arrangement and A27 Access Alterations" dated April 2018 has been made and approved and the local planning authority have obtained confirmation in writing from the local highways authority that they are in a position to implement the waiting restriction.

Date of Site Visit: Site visits made throughout the course of the applications at the site.

Neighbours Checked: Y

Additional neighbour notification: N

Proposal, Site and Surroundings:

The discharge of condition application was submitted in 2023 and sought to discharge remaining pre commencement conditions relating to drainage, construction management plan, landscaping and materials.

A subsequent application was submitted in November 2024 which sought to reword the only remaining pre commencement condition relating to a Traffic Regulation Order to be a pre occupation condition. This would enable works to commence on site if the condition were reworded and the 2023 application for discharge of conditions approved.

Number 4 is a vacant site with the host property having been damaged by fire. The application site also incorporates an area of disused land to the rear of the property which was previously an overgrown garden but was completely cleared in 2017. The site has been boarded off for some time but the existing dwelling removed previously which constituted the commencement of development. A number of conditions prevented any further work beyond the demolition of the existing dwelling and those remaining to be discharged form the current application. However, work commenced recently in advance of this decision being issued.

The site lies to the south of Old Shoreham Road, east of Grinstead Lane and west of Manor Way. The detached dwelling at 4 Old Shoreham Road is on the corner of the A27 and Grinstead Lane and is currently accessed from Grinstead Lane to the west, via a private driveway. The immediate character of the area can be described as residential. The 5 houses in Grinstead Lane which run along the western boundary of the site are visible from within the application site as well as the bungalows in Manor Way to the east of the site. To the south of the site is Haley Road, with a parking and garaging area being closest to the boundary of the application site.

Planning History:

There have been a number of previous applications on the site.

ADC/0467/06: Demolition of existing house and erection of 6 two-bedroom flats and terrace of 6 three-bedroom houses (two storeys including 4 with rooms in roof) served by new access road off end of service road (outline with layout and access details) – refused
ADC/0498/07: Demolition of existing house and erection of 4 No. 2 bed flats, 2 No. 2 storey 3 bed houses, 4 No. 2.5 storey 3 bed houses with associated access and parking (Outline application) – refused
ADC/0358/10: Demolition of existing houses (No's 4 and 6) and erection of 14 new dwelling units comprising 9 flats in 2 three-storey blocks (4 two-bedroom, 4 one-bedroom and 1 studio) at the north end of the site and 5 two-storey houses (4 semi-

detached three-bedroom and 1 detached two-bedroom) served by new access road off end of service road and 23 car parking spaces – refused
AWDM/0361/11: Demolition of existing houses (No's 4 and 6) and erection of 13 new dwellings (comprising 9 flats in 2 three-storey blocks at the north end of the site and 4 semi-detached two-storey houses at the rear) served by new access road off end of service road and 23 car parking spaces – refused and subsequent appeal dismissed
AWDM/0004/13: Demolition of existing house at 4 Old Shoreham Road and erection of 5 flats in a new building at the north of the site and 4 houses on land to the rear. Closure of existing site access from the A27 roundabout and creation of a new access road from Old Shoreham Road and associated vehicle parking and landscaping - refused
AWDM/0829/14: Demolition of existing house at 4 Old Shoreham Road and erection of 2 semi-detached houses and 2 double garages to the rear. Closure of existing site access from the A27 roundabout and creation of a new access road from Old Shoreham Road and associated vehicle parking and landscaping – refused and subsequent appeal dismissed
AWDM/0337/18: Demolition of fire damaged dwelling and erection of a replacement 5-bedroom dwelling at 4 Old Shoreham Road, retention of existing dwelling at 6 Old Shoreham Road and erection of 2 no. 4-bedroom dwellings. Closure of existing site access from A27 roundabout and creation of a new access road from Old Shoreham access road and associated vehicle parking and landscaping – permission granted in May 2019. The development was not implemented.

AWDM/1802/19: Full Planning Application following on from approved application reference AWDM/0337/18 (Demolition of fire damaged dwelling and erection of a replacement 5-bedroom dwelling at 4 Old Shoreham Road, retention of existing dwelling at 6 Old Shoreham Road and erection of 2 no. 4-bedroom dwellings. Closure of existing site access from A27 roundabout and creation of a new access road from Old Shoreham access road and associated vehicle parking and landscaping) for the erection of 2no 4-bedroom semi-detached replacement dwellings instead of the consented 1no 5-bedroom detached dwelling at 4 Old Shoreham Road. It is the intention of the applicant to implement the development in early 2025.

Consultations:

AWDM/0219/23

Environmental Health: Advised that amendments to the Construction Management Plan were required. Following the receipt of the required amendments, no further comments were received

West Sussex Highways: No objection subject to adhering to making site deliveries outside of peak traffic times

National Highways: No objection

WSP Drainage Consultant: Originally commented that in the absence of an acceptable drainage strategy and maintenance plan, they did not recommend the discharge of conditions 7-9.
Following the receipt of further information, it was then commented:
We are now happy for Condition 7 to be discharged. However, with regards to Condition 8, we would recommend changing the condition to request a maintenance plan prior to occupation rather than prior to development. This will allow the applicant to move forward in the development process without the need for this condition to be approved at this time.
Furthermore, it will allow more time for a specific and detailed plan to be completed which the applicant states they can do upon completion of the development.
From the specific maintenance and management plan we would expect to see the following, in addition to the currently uploaded information:
• *A drainage plan included within the appendix to demonstrate what maintenance is required and where.*
• *Specific design lifes of parts and components.*
• *An example inspection manual in the appendix to demonstrate how maintenance will be completed and filled out.*

A further application would have been required to amend the condition on the basis suggested above. The applicant's drainage consultant did not consider it necessary to make a further application and following the receipt of additional information and further consideration of the drainage strategy, WSP confirmed they now have no objection to the discharge of the remaining conditions.

AWDM/1482/24:

National Highways: Initially raised a holding objection until 10 March awaiting the progression of the TRO.

Following a response from the agent, an amended comment was submitted:

Having reviewed the case, including the attached confirmations from West Sussex County Highways, I am content that the safety, reliability and/or operational efficiency of the strategic road network in the vicinity of the site will not be unacceptably affected in the event that the proposed amendment to Condition 4 of approved planning AWDM/1802/19 is agreed by the Council.

Other consultees have confirmed that the amendment of the condition does not relate to their matters of concern (eg drainage, Sussex Police) and therefore no further objections are raised.

Representations

AWDM/0219/23: 1 objection was received from the Adur Floodwatch Group in respect of the discharge of conditions 7 to 9, 11 and 14.

AWDM/1482/24: No comments received

Relevant Planning Policies

Adur Local Plan 2017

National Planning Policy Framework (December 2024)

Planning Assessment

AWDM/0219/23: The discharge of condition application has been the subject of detailed scrutiny in respect of the drainage proposals with additional information being submitted during the determination of the application. The Council's drainage consultant did not object to the details submitted but asked that the condition itself be altered to a pre occupation condition rather than a pre commencement condition to allow any further evolution of the proposals. The applicant was unwilling to submit a further application for the variation of the condition and after further consideration, the drainage consultant has considered there are no grounds to resist discharging the condition. Part of the difficulty with the assessment of the application has been that the imposition of the condition took place almost 5 years ago and as such a balance has to be struck between reasonably requiring the information required by the condition and taking account of more recent circumstances. It is felt that the balance has now been reached and therefore the condition, and others which are the subject of the application can be discharged.

AWDM/1482/24: This application sought to reword a condition imposed by National Highways in order to allow development to commence while the TRO process (which can be lengthy) is concluded but still requiring the required details prior to the occupation of the development. Although initially National Highways felt that a decision should be held in abeyance until March, they are now satisfied that the application can be granted.

Recommendations

APPROVE discharge of condition application AWDM/0219/23

APPROVE AWDM/1482/24 subject to remaining conditions that remain applicable to the development:

01 Approved Plans

02

i) Details of drainage, including its maintenance in perpetuity, and details of landscaping and use of materials, shall adhere fully to the details approved by the Local Planning Authority under reference AWDM/0219/23, unless the Local Planning Authority gives prior written approval for any variation.

Drainage

ii) No 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

iii) 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 maintenance manual.

Landscaping & Planting:

iv) Any plants which within a period of five years from the time of planting die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

03 No part of the development hereby permitted shall be occupied until the completion and opening to public traffic of the improvements to the A27 Trunk Road shown on Civil Engineering Practice's Drawing No. 120 "Proposed Site Access Arrangement and A27 Access Alterations" dated April 2018 (or such other scheme of works substantially to the same effect, as may be approved in writing by the local planning authority (who shall consult with Highways England).

Reason: To ensure that the junction of the A27 Trunk Road with the A2025 continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety.

04 No part of the development hereby permitted, shall be occupied until the necessary traffic regulation order to implement the waiting restrictions at the junction Old Shoreham Road with Manor Way shown on Civil Engineering Practice's Drawing No. 120 "Proposed Site Access Arrangement and A27 Access Alterations" dated April 2018 has been made and approved and the local planning authority have obtained confirmation in writing from the local highways authority that they are in a position to implement the waiting restriction.

Reason: To ensure that traffic can negotiate a U-turn between the service road and the main carriageway of the A27 Trunk Road at its junction with Manor Way and to ensure that the A27 Trunk Road continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety.

05 No part of the development hereby permitted shall be occupied until the local planning authority has been advised in writing by the local highway authority that the waiting restriction at the junction of Old Shoreham Road with Manor Way shown on Civil Engineering Practice's Drawing No. 120 "Proposed Site Access Arrangement and A27 Access Alterations" dated April 2018 has been implemented.Ref: AWDM/1802/19

Reason: To ensure that traffic can negotiate a U-turn between the service road and the main carriageway of the A27 Trunk Road at its junction with Manor Way and to ensure that the A27 Trunk Road continues to be an effective part of the Highways England Planning Response (HEPR 16-01) January 2016 national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety.

06 The hours of construction and demolition in connection with the development hereby permitted shall be restricted to 0800-1800 Monday to Fridays and 0800-1300 hours on Saturdays with no working on Sundays or Bank or Public Holidays.

Reason: In the interests of the amenities of neighbouring properties.

07 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), no windows or other openings shall be formed in any side wall of the dwellings hereby approved.

Reason: To prevent overlooking and to comply with policy 15 of the Adur Local Plan.

Informative: The applicant is requested to note the remaining conditions of the permission granted under reference AWDM/1802/19 remain applicable to the development.

Case Officer:	Gary Peck	Date: 30 January 2025
Authorised by:	Stephen Cantwell	Date: 30 January 2025