Development Management - Delegated Officer Report

Application Number: AWDM/0760/20 Recommendation – Approve

Site: Land North Of 56 Dolphin Road and East of 50 Dolphin Road, Shoreham-By-Sea

Proposal: New vehicle access onto Dolphin Road to serve existing parking area

Date of site visit: Assessed using Google Maps

Neighbours checked: Y

Additional neighbour notifications: N

Proposal, Site and Surroundings

The application relates to a parking area to the north of 56 Dolphin Road, within the industrial estate.

The Design and Access Statement describes the site as follows:

"*The application site is substantively surrounded by metal palisade fencing that is some 2.4m in height. Vehicular access to the site is from the south via Dolphin Road, over a hardstanding yard area within the demise of the adjoining commercial unit (56 Dolphin Road). There is a vehicular access that runs north from the site to connect to Middle Road. There are also vehicular access gates within the metal palisade fencing, along the western boundary, with the adjoining commercial unit. There is an existing opening in the palisade fencing along the eastern boundary of the site which provides pedestrian, stepped access from the application site on to Dolphin Road. The site is predominantly laid to concrete, and is used for vehicular parking.*

There is a covered cycle shelter stand in the southeast corner of the site which provides lockable parking for some 16 cycles. The site is broadly level, and is set some 650mm above the height of Dolphin Road to the east."

The proposed works are described as follows:

"*The scheme envisages the provision of a new vehicular access into the application site, direct off Dolphin Road. It is proposed to be located at the north end of the eastern boundary of the site.*

Due to the current change in levels between the site and the adjoining highway, the scheme envisages the creation of a ramped access on to the site. This would comprise a vehicular accessway some 5m in width, with pedestrian walkway to either side. The existing vehicular access to the south would be closed.

In association with this work, it is proposed to remove the existing metal palisade fencing along the eastern boundary of the site, and approximately 50% of the southern boundary, at its eastern end. This would be replaced by

a brick-faced retaining wall which would project some circa 1.3m above the ground level of the public highway to the east, and some 0.65m above the ground level of the application site. This boundary wall would contain planters along both boundaries enabling the provision of new soft landscaping.

In association with these works, the existing pedestrian stepped access in the eastern boundary of the site (close to its southern end) would be modestly widened to 1.6m. To facilitate this, the existing covered and secured cycle storage facility would also be modestly moved further to the west."

The applicant's agent has subsequently clarified that the existing access (from the south) "*crosses an adjoining industrial unit that is not within the ownership of Higgidy Limited. It is currently leased by Higgidy Limited, but that is the extent of their interest in this unit. It is therefore feasible that, in the future, this tenancy will end, and the access to the car park on this application site from the south will no longer be possible*." This explains the reason for the need for a new access from the east.

Relevant Planning History

SU/93/01 – New Access Onto Dolphin Road (East Side)

AWDM/1880/15 - Demolition of existing building and construction of new commercial building providing circa 2,450 sqm of B2 (general industrial) floorspace and circa 1,000 sqm of B1a (office) floorspace within a 3 storey building, with associated parking, plant room and landscaping – withdrawn

AWDM/1282/16 – Extension to existing hardstanding to provide 25 car parking spaces along eastern side of existing access road between 50 Dolphin Road and Middle Road to allow parking and restricted egress onto Middle Road

This permission contains a condition restricting use of the access road to a vehicular exit from Dolphin Road by staff and visitors at Higgidy Ltd between the hours of 8am and 7pm every day, unless required in an emergency. There shall be no use of the road by HGVs at any time.

Consultations

West Sussex County Council: The **Highways Authority** has no objection subject to condition/informative.
The proposal is for a new access onto Dolphin Road to serve an existing parking area. In previous comments from the Local Highways Authority (LHA), we requested clarity on the access arrangements and swept path tracking to be provided. These details have been submitted.
The LHA are satisfied with the swept path diagrams.
The LHA are satisfied with the details provided about the clarity over the access arrangements.

Adur and Worthing Councils: The **Environmental Health** Officer recommends a contaminated land survey if ground works are proposed plus control over hours of construction

Representations

None received

Relevant Planning Policies

Adur Local Plan 2017 Policy 11, 15, 25, 28, 34
National Planning Policy Framework (February 2019)

Planning Assessment

Principle

The proposal comprises works to upgrade an existing industrial site located within the built up area and can be supported in principle.

Visual amenity

The proposed works will remove a section of fencing and replace it with a low wall and planters which will soften and improve the visual amenities of this part of Dolphin Road.

Residential amenity

The proposal does not have an impact on residential amenity

Parking and Access

The proposal will provide a new access to an existing parking area. Exit from the carpark via Middle Road remains subject to conditions imposed on AWDM/1282/16. It is not considered that the change to the car park access will have a significant impact on highway safety and there is no objection from WSCC Highways.

Recommendation

APPROVE

Subject to Conditions:-

1. Approved Plans
2. Standard 3 year time limit
3. The use of the access track shall not commence until the access has been constructed in accordance with plans and details to be submitted to and approved in writing by the Local Planning Authority.
4. If ground works are proposed, contaminated land survey required
5. Hours of construction

Is recommendation contrary to letter(s) of representation? N

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.

Section 278 Agreement of the 1980 Highways Act - Works within the Highway The Local Highways Authority (LHA) advises the applicant 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 should note that it is an offence to undertake any works within the highway prior to the agreement being in place.

Case Officer: Peter Barnett Date: 7 August 2020

Authorised by: Gary Peck Date: 7 August 2020