Dep 28/11

## Development Control – Delegated Officer Report

**Application Number: ADC/0610/07 Recommendation - APPROVE**

**Site: 26 Dolphin Road, Shoreham-by-Sea BN43 6PB**

**Proposal: Amendment to ADC/0041/07 to carry out development in 2 phases and deletion of conditions 18 and 19 (requiring on-site renewable energy generation and BREEAM standards)**

### The Application

This application is to carry out in 2 phases the development granted outline planning permission by the Committee, and to remove 2 conditions which were a policy requirement of the subsequently withdrawn LDF Core Strategy.

The outline permission was issued on 18 April 2007, following the completion of a section 106 Obligation requiring a TAD payment. The layout and access details were approved as part of the outline permission. A reserved matters application ADC/0579/07 has just been approved for the scale, external appearance and landscaping, being the same as the illustrative elevations submitted with the outline application.

The proposal is to retain the factory on the southern half of the site until expiry of the lease with the present tenants and, in the first instance to build the 5 northernmost units of the total of 10 units permitted. The 5 units involved (total 774sqm) would be built as per the approved plans, with the associated 20 parking spaces in front of them (on the eastern side) adjoining Dolphin Way. Parking for cycles and bin stores are also shown.

### Consultations and Representations

***Director of Services:*** The EHO has no comments.

***Third Parties:*** No comments received.

### Relevant Planning Policies and Guidance

West Sussex Structure Plan 2001-16 (WSCC 2005): LOC1, NE1, NE5, ERA1, ERA5, DEV1, DEV4-5
Adur District Local Plan 1993-2006 (ADC 1996): AG1, AE2, AE4
Revised West Sussex Parking Standards and Transport Contributions Methodology (WSCC 2003 & ADC 2004)
PPS1 'Delivering Sustainable Development' (ODPM 2005)
PPG4 'Industrial and Commercial Development and Small Firms' (DoE 1992)
PPG13 ' Transport' (DTLR 2001)
PPS24 'Planning and Pollution Control' (ODPM 2005)

**Planning Assessment**

***Policies***

The development has already been permitted as it is within the Dolphin Road industrial area which is specifically identified for business, industrial and storage use in the Local Plan (AE2 & AE4).

***Access and parking***

The details were permitted as part of the outline application and, as the provision for units 1-5 is within the curtilage of these particular units (not communal), the details are acceptable under the phased construction now proposed. The part of the site required for phase 1 is not part of the parking area for the existing factory being retained in the interim.

***Visual amenity***

Temporary matching external cladding would be required on the south side of unit 5.

***Sustainable energy and resource efficient buildings***

The Adur Core Strategy has been withdrawn and consequently its policies (requiring developments of over 1,000sqm floorspace to provide a minimum of 10% of their energy requirements from on-site renewable energy generation and measures to ensure new buildings achieve efficient environmental performance) no longer exist. The draft South East Plan contains policies encouraging such provision but it is not an actual requirement. Consequently, however undesirable it may seem, there is no policy basis for refusing to remove these 2 conditions

**Recommendation**

APPROVE

Reason:-

2PPii .....It can take place in 2 phases without resulting in unacceptable .....(.....DEV4-5). As Adur Development Plan Submission Core Strategy has been withdrawn since the outline permission was granted, there is no current policy requirement for developments of over 1,000sqm floorspace to provide a minimum of 10% of their energy requirements from on-site renewable energy generation or for measures to be taken to ensure the new buildings achieve efficient environmental performance.

Subject to:-

1. The conditions of permission ADC/0041/07 shall continue to apply to the development with the exception of conditions 18 and 19.
   R. For the avoidance of doubt.
2. Prior to commencement of its use, the south wall of unit 5 shall be clad externally to match the other external walls of units 1-5.
   R. In the interests of visual amenity having regard to policies AE2 of the ADLP and DEV1 of the WSSP.

Case Officer..... [redacted] Date..6/11/07