Expiry Date - 15/12/2011

Development Control – Delegated Officer Report

Application Number:
AWDM/0832/11

Recommendation – No objection to County Consultation

Site: **Land Opposite Units 5 And 6 Malthouse Trading Estate Kingston Wharf Brighton Road Shoreham-By-Sea**

Proposal: **Consultation by WSCC on application WSCC/061/11/SU for variation of condition 7 to allow HGVs to leave the site between 6am and 7am Mondays to Saturdays (Days Aggregates)**

The Application

The application, submitted by The Day Group on land owned by the Shoreham Port Authority (SPA), constitutes a 'County Matter' and therefore the decision is made by WSCC and not this Council.

Permission was granted in 2010 for a bagging plant within a processing building with loose aggregate storage bays, open storage areas, site facilties and parking (WSCC/074/10/SU) and (ADC/0227/10). The site (0.51 hectare) is on the A259 comprising the eastern part of Kingston Railway Wharf, part of a site formerly used in the 1980s and early 1990s by Pioneer/UMA for aggregates processing and concrete batching, plus part of a wharf to the east used for a variety of temporary storage uses. To the east, is Stamco builders' merchant, and on the opposite side of the A259, Travis Perkins builders merchants. On the opposite side of the river are flats, houses, the Harbour Club and recreational boat moorings. The Sussex Wharf residential development and Quay Court flats are about 160m south west and houses in Harbour Way 170m south.

Condition 7 of the permission restricted vehicular movements to between the hours of 0700 and 1800 Mondays to Fridays and 0700 and 1300 on Saturdays. This application seeks to vary that condition to allow vehicle movements between 0600 and 0700.

The application is supported by a Planning Statement and Noise Report. They state that no other activity is proposed during that additional hour, including no loading of HGVs. Any vehicles leaving the site to make deliveries will have been pre-loaded the day before so that they can leave the following morning with the minimum of movement and disturbance. Up to 3 vehicles are expected to operate during the additional hour. These are not additional movements over the course of the day however (Condition 11 sets a daily average of 34 vehicles). The earlier start is required because of the demands of a number of customers who wish to have early morning deliveries which avoid peak time traffic.

The Noise report concludes that pre-loaded HGVs leaving the site will have a negligible impact on the nearest dwellings in Harbour Way.

Consultations and Representations

Consultations/Comments

Under the relevant Regulations, all consultations and publicity are carried out by WSCC.

Environmental Health: No adverse comments

Relevant Planning Policies and Guidance

West Sussex Minerals Local Plan 2003 (WSCC) (saved policies): 40
Adopted Adur District Local Plan 1993-2006 (ADC 1996) (saved policies): AG1, AE7-9, AT4, AT10
Shoreham Maritime – Vision to Reality (for ADC & Ptnrs 1999)
Shoreham Waterside North Interim Planning Guidance (for ADC & Ptnrs 2000)
PPS1 'Delivering Sustainable Development' (ODPM 2005)
PPS4 'Planning for Sustainable Economic Growth' (DCLG 2009)
PPG13 'Transport' (DTLR 2001) and updated 2011
PPG24 'Planning and Noise' (DoE 1994)
National & Regional Guidelines for Aggregates Provision in England 2005-2020 (DCLG 2009)
Minerals Planning Guidance MPG2 "Applications, permissions and conditions" (DETR 1998)

Planning Assessment

Policies

The Adur District Local Plan shows the site is within an area of wharves on the north side of the river which are identified for port-related use under Local Plan policies AE7-9 and AT4. These policies are subject to the environmental effects, including the effects of HGV traffic, being judged to be acceptable and do allow for non-port related use where wider benefits may be secured provided the operation of the Port is not adversely affected.

The site forms the east half of a 'safeguarded' mineral wharf site. South East Plan policy M5 requires safeguarding of mineral reserves, wharves and rail

depots. 'Saved' policy 40 of the West Sussex Minerals Local Plan 2003 states:-

- 'Wharves with current or potential mineral use will be safeguarded from inappropriate development. The improvement, modernisation and increase in capacity of aggregates wharves will be encouraged provided such operations would not have an unacceptable impact on the environment and would not cause a significant increase in disturbance due to factors including increases in noise, dust and traffic.'

The latest Government guidelines for aggregates provision in England (in 2009 as compared to 2003) and policy M3 of the South East Plan identify an increase in the contribution of marine-dredged aggregates and recycled materials within a background of declining overall demand.

Residential amenity

The main consideration is the impact on residential amenity of the additional hour of operation. Adur District Council had no objection to the use when originally consulted in 2010 subject to appropriate control over operations to protect amenity, including limiting the hours of operation and the number of lorry movements.

The current application makes it clear that the proposal only involves an earlier start of one hour to enable lorries to leave the site and does not include any other activities or an increase in lorry movements.

The Environmental Health Officer has been involved in pre-application discussions with the applicants and has no concerns about the proposal. The noise from up to three lorries leaving the site between 6am and 7am is not considered to be significant.

Traffic

Traffic generation per working day will not increase as a result of the variation of the condition (as controlled by Condition 11).

As regards total traffic generation, Shoreham High Street is an air quality management area and there are noise sensitive properties along parts of the A259 and on the north-south links to the A270 and A27. Whilst the use does not generate a high level of traffic in relation to total existing traffic flow on the A259, the type of vehicle used is prone to cause noise and vibration. However, the impact of an earlier start is not considered to be harmful to the wider area, particularly as it represents only three movements out between 0600 and 0700 with no return until after 0800.

Recommendation

Expiry Date - 15/12/2011

To inform West Sussex County Council that this Council has no objection to the proposed variation of the condition subject to a limit of a maximum of three HGV movements only between 0600 and 0700.

Case Officer Peter Barnett Date 31 October 2011

[redacted]