Development Management - Delegated Officer Report

Application Number: **AWDM/0038/13** **Recommendation – Approved**

Site: **North Building Unit 2, 23 Dolphin Road, Shoreham-By-Sea**

Proposal: **Proposed gas bottle enclosure to front of building and installation of a 3 metre high acoustic barrier (30 metre close boarded timber fence)**

Date of site visit: 5th February 2013

Neighbours checked: Y

Additional neighbour notifications: N

Proposal, Site and Surroundings

The application relates to an industrial building located to the north of No.23 Dolphin Road at the rear of the industrial site curtilage. The building is 30m wide by 55m deep, and 1,550sqm in area approximately, with an eaves of 5.5m. The building is of standard warehouse design with a corrugated metal wall and roof construction on a 2m high brick plinth. There is a parking area to the front with access from Dolphin Road.

To the east of the site are other industrial premises within the Dolphin Road Industrial Estate, however the site (and No.23 directly to the south) occupy the most western edge of the Dolphin Road estate. Directly to the east is Apex House a larger building (of similar depth) which is located to the north of Dolphin Way. To the north are semi-detached houses in Adelaide Square 17m away, and to the SW properties in Corbyn Crescent, with No's 49 & 51 being the closest at 26m away.

The building is currently in the process of being refitted for the new occupiers Pyroban. This is following permission being granted in October 2012 for the variation of condition 1 of planning permission ADC/0570/07 to allow occupation of the industrial premises by any alternative occupier to Edwards Ltd. This was subject to a number of conditions which are in the process of being discharged. In addition the current occupiers seek consent to erect a 3 metre high acoustic barrier in the form of a 30 metre close boarded fence adjacent to the western boundary. Also consent is sought for a proposed gas bottle enclosure to the front of the building on the western side. Both are the subject of this current application.

The fence is to be installed adjacent to the existing boundary within the application site. The existing boundary treatment will remain and the fence will create an additional barrier. It will be sited between the western side of the site and the rear garden of no 51 Corbyn Crescent, it will also abut part of the allotment site.

The gas bottle enclosure is required to hold 30 bottles of Argoshield and 30 bottles of Argon gas in four packs. The applicant has advised that this is not a hazardous material and is used for welding within the main warehouse unit. It is to be 5.3 metres deep, 2.8 metres wide and 2.2 metres high. With block walls on 3 sides and mesh on front and roof. It is positioned to the west side of the front entrance.

Representations: - 1 comment has been received via email stating that there is concern that while erecting the fence the climbing plant that has been growing for many years will need to be cut and in turn fall into the garden. If this is the case I am happy for it to be removed in its entirety and for it to be disposed of at no cost to myself. There are concerns over the gas bottles and if there is a risk of these exploding and what has been done to minimise risk.

Consultations: - Environment Agency: - No comments

Adur and Worthing Council's: - The Contaminated Land Officer has suggested that a contaminated land condition is required if ground works are proposed. The EHO (Environmental Protection) has no adverse comments on the proposals.

Relevant Planning Policies
Adopted Adur District Local Plan 1993-2006 (ADC 1996) (saved policies): AE2, AE4.
South East Plan (GOSE 2009): CC1, CC6, RE3, NRM10, BE1, SCT2, SCT3.
National Planning Policy Framework (CLG 2012)

Planning Assessment

Fencing

An acoustic assessment has been submitted with the application which investigates the noise levels of the proposed activities at the site by the new occupiers. The applicant's agent has stated that the acoustic barrier is required to reduce estimated noise levels to 51 Corbyn Crescent. Although the acoustic assessment presents the predicted readings to not exceed the external living area criteria at all locations it is felt neighbourly to incorporate a noise reducing structure in the form of the 3 metres high fence.

The fence will be visible from the rear of no. 51 Corbyn Crescent however there is existing screening in the form of a large climbing plant which covers the existing boundary fence/wall. This vegetation has been trimmed back on the side of the application site to allow the fence to be erected. The vegetation will however remain on the neighbours side and will continue to screen the neighbour from the industrial site adjacent and the proposed fence. The fence will add additional screening to the northern corner of the garden at no. 51, Corbyn Crescent and will reduce the visual impact of the warehouse building.

A fence of this height is considered to be acceptable in this instance in the light of the existing boundary treatment and benefits that the fence will bring with regards to protecting from any potential noise and visual screening. The vegetation which will remain is high and covers the majority of the eastern boundary. The fencing will also contribute to the softening of the existing

palisade fencing and industrial building which are visible to the rear of no. 51 to provide a more domestic outlook.

Gas bottle enclosure

The gas bottle enclosure will be a relatively small structure which will have a maximum height of 2.2 metres it will therefore be fully screened by the proposed fence. The neighbour has expressed concern with regards to the risk of explosion. Environmental Health has confirmed that the occupiers would have to work within the guidelines of Health and Safety legislation with regards to all the activity on site. There would be no increased risk of explosion on site as a result of the gas bottle store.

Recommendation

APPROVE for the reason:-

The proposed fencing will protect the amenities of the occupiers of the adjacent dwelling. The proposed gas bottle enclosure is required for the new occupiers of the site to allow them to function and provide economic growth and the creation of jobs and prosperity within the District. The development will not detract from the local environment and can take place without resulting in unacceptable detriment to the amenities of neighbouring properties. It would consequently not conflict with the saved policies of the Adur District Local Plan (AG1, AE2) the policies of the South East Plan (CC1, CC6,) or the National Planning Policy Framework.

Subject to Conditions:-

1. Standard 3 year time limit
2. The carrying out of business by the new occupiers at this site shall not commence until the acoustic fence has been erected in accordance with the plans hereby approved.
   Reason: - In the interests of residential amenity and to accord with policy AE2.
3. The works shall be carried out in accordance with the following approved drawing: -

   Drawing no. 2201023/11 – received 18th January 2013
   Drawing no. 2201023/10 – received 18th January 2013
   Drawing no. 2201023/05 – R – received 18th January 2013

Informatives

1. 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.

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

Case Officer: Hannah Barker Date: 11th February 2013

Authorised by: Jo Morin Date: 18 Feb 2013