Development Control – Delegated Officer Report

Application Number: ADC/0432/10 **Recommendation – Temporary Permission**

Site: **Jefferson Calor, Lennards Wharf Brighton Road Shoreham-by-Sea BN43 6RE**

Proposal: **Continued use for open storage, distribution and sale of industrial gases (including LPG) (renewal of SU/221/04)**

The Application

The site is to the west of the unused part of this former aggregates wharf the whole of which was first granted temporary permission for open storage use in 1989 (SU/119/89) and renewed several times, the last expiring in 1999 (SU/121/96).

The Calor Gas part was given specific temporary permission in 1999 (SU/163/98), renewed in 2001 (SU/2/01) and 2004 (SU/221/04).

Permanent hazardous substances consent exists (SU/166/98).

Consultations and Representations

Environment Agency: No comment received.

Third Parties: No comment received.

Relevant Planning Policies and Guidance

The South East Plan 2006-2026 (GOSE 2009): SCT1-3, SCT7
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)

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.

Shoreham Harbour Regeneration Project and proposed Joint Area Action Plan

Shoreham Harbour is identified as a 'Strategic Development Area' (ie. a regionally-significant growth point) in the South East Plan referred to in policies SCT1-3. During 2007, SEEDA commenced to work with Shoreham Port Authority and Adur District

Council, Brighton & Hove City Council and West Sussex County Council to develop a new set of proposals for Shoreham Harbour with a view to producing a deliverable redevelopment programme (the Shoreham Maritime Vision of 1999 having been regarded as undeliverable by Brighton & Hove). This approach was endorsed by the Councils in September 2007 and it was agreed that a joint Area Action Plan (JAAP) be prepared for the wider harbour area. The target housing and employment figures to be included within the JAAP are under detailed consideration and options will be put forward. SEEDA proposed that a 'special delivery vehicle' be set up in order to implement the JAAP.

Shoreham Maritime Regeneration Strategy

The Shoreham Maritime Vision (adopted as supplementary planning guidance in 1999) has been regarded, since 2003, as an economically unfeasible strategy owing to the costs of substantial land reclamation from the sea and provision of a new link road from the port to the A270. However, the vision and the basic objectives remain highly relevant and are being taken forward into the Core Strategies for both Adur and Brighton & Hove as well as the emerging JAAP.

Within the Shoreham Maritime Vision 1999, the present application site lies within the area identified as 'Shoreham Waterside North'. This is an area in particular need of economic and environmental regeneration where the Vision shows existing uses (largely port-related or low quality storage premises) replaced with high density contemporary mixed use development. The currently emerging Port Master Plan produced by the Shoreham Port Authority will propose a new configuration for the Port and identify areas to be released from port use.

The more detailed Interim Planning Guidance (IPG) for 'Shoreham Waterside North' (adopted in 2000), puts the present application site in an area identified for mixed development of business and offices, residential and informal leisure and recreation, with the A259 incorporating landscaped pedestrian and cycle routes. It shows a continuous pedestrian walkway and cycle route along the riverside (present wharf edge), with links to the A259 at regular intervals. The latter is consistent with Local Plan policy AT10 which seeks extension of public rights of way alongside the river Adur when development proposals are submitted.

Whether the development is prejudicial to Shoreham Harbour Regeneration project

The proposed Joint Area Action Plan for the Shoreham Harbour area is only in its earliest stages as an emerging plan and not expected to be adopted until the end of 2012. However, it is still important to consider whether developments within the JAAP area could hinder the delivery and implementation of a holistic regeneration strategy for Shoreham Harbour or subsequent more detailed guidance (whether within the JAAP itself or a subsequent masterplan).

The development forming the subject of the present application is clearly at odds with the type of mixed use largely residential type of development identified in the Shoreham Maritime Strategy and Waterside North IPG and likely to be included in the proposed Area Action Plan. It would perpetuate the existing very poor environmental quality of the area.

However, it is recognised that the redevelopment of the area is not a short-term process and that this site and the adjoining ones are unlikely to be suitable for any potential "quick wins". This was the reason a temporary permission ADC/536/08

was granted to Stamco for the use of part of Kingston Wharf further to the west until 31 December 2013. More recently, Day Aggregates have applied for temporary permission to use another part of Kingston Wharf till that date (still undetermined by WSCC).

The present LPG storage use remains suited to a temporary permission because it involves mainly open storage areas with portable offices and structures easily relocatable. The above date is later than the programmed end of 2012 date of adoption for the proposed Area Action Plan. However, it has to be recognised that actual redevelopment proposals may take longer to achieve and are likely to depend upon setting up a 'special delivery vehicle' (as was proposed by SEEDA). On balance, 3 years is considered to be a reasonable period.

Other matters

The effect of the use of this site on the flats and houses at Sussex Wharf on the opposite side of the river is considered insignificant in relation to other nearby uses, notable the scrap metal site to the east. Traffic generation is similarly not a significant issue.

Flood risk

The site is within Flood Zone 3A. Under PPS25, the use is within the 'less vulnerable' category and merely a continuation of existing activities. On the recently-submitted FRA for Day Aggregates (ADC/0227/10), the consultants concluded that residual risk is limited to exceedence events beyond the expected operational temporary 3 year lifetime of the development.

Recommendation

APPROVE for reason:-

PP2 (amended)
Whilst the site is located within an area intended for comprehensive mixed use development under the Shoreham Maritime Vision (and the Shoreham Waterside North Interim Planning Guidance) as referred to in South East Plan policies SCT1-3, it is considered appropriate to grant a temporary permission in the interim as the use does not entail building works and helps meet the need for employment provision without being excessively out of keeping with existing environment or detracting from highway safety. It consequently does not conflict with the relevant policies of the ADLP (AG1, AE7-9, AE4).

Subject to:-

1. C1Dii …….hereby permitted shall be discontinued permanently…… …….31 December 2013.
   R. In order not to prejudice the future comprehensive redevelopment of Shoreham Waterside North in accordance with the South East Plan policies SCT1-3.

2. C16Ai R. As SU/221/04 but omitting WSSP.

Case Officer: Keith Morgan Date: December 2010