Expiry Date - 23/06/2023

# Development Control – Delegated Officer Report

**Application Number: AWDM/0322/23 Recommendation – APPROVE**

**Site:** **Car Park Marks And Spencer Holmbush Centre Upper Shoreham Road Shoreham-by-sea**

**Proposal:** **Works to car park including the installation of eight electric vehicle charging bays, six with their own dedicated charging unit and one pair sharing a charger, a substation enclosure and associated electrical equipment**

**Date of site visit:** 03/04/2023

**Neighbours checked:** Y

**Additional neighbour notifications**: N

## Site and Surroundings

The application relates to the north-east corner of the Marks and Spencer car park at Holmbush Centre, located to the north of Upper Shoreham Road and Holmbush Roundabout. Surrounding land consists of an extensive car park serving the Holmbush Shopping Centre which extends from the site to the south and then wraps around the building to the west, the shopping centre itself to the west, a residential area beyond the vegetation to the east (Holmbush Close), and the southerly border of the South Downs National Park and associated ample vegetation to the north.

There are numerous Tree Preservation Orders which apply to the group of trees approximately 50m to the south of the site, infilling the space between the car park and Holmbush Close to the east.

## Proposal

Permission is sought for the installation of electrical charging equipment and associated works to the north-east edge of the Marks and Spencer car park. Whilst it is of note that much of the proposal including the bays and chargers themselves fall within permitted development rights, there are some elements that require planning permission. Thus, the whole scheme has been submitted by the applicant for completeness and to provide context. The works would include the installation of eight electric vehicle charging bays (six with their own dedicated charging unit and one pair sharing a charger), the installation of a substation enclosure, meter cabinet, pillar, and comms cabinet to the east of the charging bays, 2No. 3m CCTV poles, along with ancillary works.

The first six charging bays (to the west) would be 3m wide, each with a designated charging point situated to the centre of the top (north) of the bay and spaced 3m apart. The seventh bay would be 3.3m wide and the eighth bay 5.4m (allocated as an accessible bay). These two bays would share a larger charging point situated in-between the top of the bays as in the other six charging points. The bays would be 5m deep as exists. The 6no. charging points to designated bays would have a height of approximately 1.5m and the 1No. shared charging point would have a height of approximately 2.25m.

To the east of the site, the substation and associated cabinets would occupy an area of approximately 7m x 4.5m. The substation enclosure would be the largest cabinet with a height of approximately 2.85m and area of 3m2.

The parking bays together with the charging infrastructure and cabinets stretch approximately 33m along this north-east edge of the car park. The cutting back of the vegetation to the north and east of the site would be needed to accommodate the proposed charging points and equipment cabinets.

**Relevant Planning History:**

Applications post-2017 at the Holmbush Centre that include utility works and/ or works in relation to the Car Park are as follows:

The installation of Solar Panels to roof approved under NOTICE/0004/21 decision issued 23 Mar 2021 (Prior Approval Not Required).

Canopy roof over Tesco hand car wash area in car park approved under AWDM/0131/17 decision issued 28 Jun 2017.

Change of use of nine parking spaces to hand car wash and valeting operation including installation of an office and erection of a canopy approved under AWDM/0770/17 decision issued 15 Mar 2017.

Other permissions are related to advert/ signage consent and internal uses of the Holmbush Centre.

**Consultations:**

***WSCC Highway Authority***:

This application seeks works to existing car park for the installation of eight EV charging bays, with associated infrastructure and equipment, within the Holmbush Centre Car Park.

No alterations are proposed to the existing access arrangements. The proposed works are not anticipated to give rise to a material intensification of movements to or from the site.

The proposed EV bays will replace eight existing regular parking bays, and result in the loss of four existing parking bays. These works are not anticipated to give rise to an adverse highway safety impact or parking capacity issue in this location.

From inspection of the plans, the proposed parking bays are suitably sized, and manoeuvrability has been demonstrated via swept path tracking to the satisfaction of the LHA.

In summary, the LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 111), and that there are no transport grounds to resist the proposal.

***Senior Tree and Landscape Officer:*** Following the representation made by the resident residing at No. 4 Holmbush Close to the east of the site, the Council's senior tree and landscape officer was dispatched to investigate. They made the following comments:

'I took a look at the proposed EV Charging site, and as for clearing I believe that the spaces were coned off because of fallen trees, not to carry out works. There are several dead trees within this section, and some fallen and several dropped branches. The few trees that are present are not of particular merit and would not be considered for a TPO. If possible I would suggest that the existing trees could be removed with a condition that other dead trees onsite are replaced and/or new trees planted, to compensate.'

***Environmental Health (Public Health):*** No objection.

***Private Sector Housing:*** No comment.

***South Downs National Park Authority:*** No comment.

***UK Power Networks:*** Provided the following generic advice:

'1. The distance between buildings and substations should be greater than seven metres or as far as is practically possible.

2. Care should be taken to ensure that footings of new buildings are kept separated from substation structures.

3. Buildings should be designed so that rooms of high occupancy, i.e. bedrooms and living rooms, do not overlook or have windows opening out over the substation.

4. If noise attenuation methods are found to be necessary we would expect to recover our costs from the developer.

5. UK Power Networks require 24 hour vehicular access to their substations. Consideration for this should be taken during the design stage of the development.

6. The development may have a detrimental impact on our rights of access to and from the substation. If in doubt please seek advice from our Operational Property and Consents team at Barton Road, Bury St Edmunds, Suffolk, IP32 7BG.

7. No building materials should be left in a position where they might compromise the security of the substation or could be used as climbing aids to get over the substation surround.

8. There are underground cables on the site associated with the substation and these run in close proximity to the proposed development. Prior to commencement of work accurate records should be obtained from our Plan Provision Department at UK Power Networks, Fore Hamlet, Ipswich, IP3 8AA.

9. All works should be undertaken with due regard to Health & Safety Guidance notes HS(G)47 Avoiding Danger from Underground services. This document is available from local HSE offices.

Should any diversion works be necessary as a result of the development then enquiries should be made to our Customer Connections department. The address is UK Power Networks, Metropolitan house, Darkes Lane, Potters Bar, Herts, EN6 1AG.'

**Representations:**

1 letter of objection has been received submitted by the resident of No. 4 Holmbush Close to the east of the site. They raised the following concerns:

- Their back garden backs onto the site; loss of privacy.
- Preparing the area (cutting trees and bushes) prior to permission being granted.
- M&S car park does not shut at night and regular disturbance occurs near to where the site is proposed.
- What time of the day the chargers would be available to use.
- The proposed location of the chargers – proposes a more suitable location to be to the front of the building where within the view of security or to the Tesco car park.
- Vandalism to the area.

**Relevant Planning Policies**

Adur Local Plan 2017 Policy 1, 15, 18, 19, 28.
Supplementary Planning Guidance comprising: Development Management Standard No.2 'Extensions and Alterations to Dwellings'.

National Planning Policy Framework 2021.

**Planning Assessment**

The scheme would help in providing infrastructure for electric vehicles as part of the overarching aim to reduce greenhouse gas emissions in the UK following a range of published targets. Given the strong policy support for EV charging in any event (most notably policy 28 of the Adur Local Plan and the National Planning Policy Framework (NPPF), the proposal is supportable in principle and would contribute to the strive to achieve said targets.

The key considerations are the effects on the character and appearance of the surrounding area, the effects on the amenities of neighbouring residential occupiers, the effects on the adjacent trees, and the effects on the highways.

***Visual Amenity***

The proposed site is located within a private area to the north-east corner of the Marks and Spencer car park, part of the Holmbush Centre. The site is well hidden from the street scene, therefore, there would be no impact in this respect. The site would be visible to the users of the Marks and Spencer car park owing to the large open space the car park occupies. Notwithstanding, the proposed charging infrastructure would not pose as an unduly prominent feature in this setting. The site would be in keeping with the prevailing authorised land use as a retail store with ancillary car park. The proposal would result in the loss of 4No. parking spaces, however, as highlighted by WSCC highways authority, this would have no impact on highways safety or parking capacity issues. Thus, the introduction of the EV infrastructure would be consistent with the prevailing use of the area on an existing hardstanding surface which denotes an effective use of land. There would be no adverse impact to the visual amenities of the area.

The Council's senior tree and landscape officer confirmed that they believe that the area the neighbour at No. 4 was referring to in their representation was coned off because of fallen trees, and not to carry out the proposed works the subject of this application. The officer further commented making note of the several dead trees and fallen branches at the site. The trees that are present at the site and to be removed are not of particular merit and would not be considered for a TPO. Moreover, the site is located a sufficient distance from the TPO's to the south of the site to result in any material impact. As proposed by the officer, a condition of planning permission should be included to address the dead/ fallen trees on site and the necessary removal of trees to implement the proposal.

***Residential Amenity***

The closest residential property to the site is No. 4 Holmbush Close to the east. This property is considered to be located at a sufficient distance from the site to result in any detrimental impact to the living conditions of the

resident(s). Further details of the proposed substation was requested by the Council's Environmental and Health Officer with regards to the noise emittance. The details were submitted by the agent and on receipt the officer raised no objection, thus, the Council can be satisfied that residential amenity would be safeguarded in this respect; the noise disturbance generated from the proposal would not be to an unacceptable degree owing in part to the existing use of the site as a car park. Although there would be some landscaping works taking place, this neighbour's predominant outlook to this direction (the vegetation in-between the site and their property) would remain; the proposal would not result in a materially harmful outlook for this neighbour.

Whilst the resident at No. 4 makes some valid points regarding the siting of the proposal, which has been proposed to the corner of the car park the closest point to their property, it is considered that the merits of the scheme, specifically the provision of 8No. EV charging points within an established car park, is supportable in view of the context of the area and the contribution the proposal would have to reducing greenhouse gas emissions by providing infrastructure to support renewable and low carbon energy. Furthermore, the agent has clarified that the chosen siting of the proposal was a result of involved discussions and a layered agreement, which is understood to have been guided by technical and logistical needs. In view of the above, it is considered that the proposal would not be so harmful to residential amenity to warrant a review of the siting of the proposal.

The proposal would not be materially harmful to the residential amenities of the area and would rather assist in the delivery of publically accessible EV charging points, as is a target set out in Policy 28 of the Local Plan and the NPPF.

***Parking and highway safety***

WSCC Highway Authority have indicated that there are no transport grounds to resist the proposal.

**Recommendation:**

**APPROVE** subject to Conditions:-

1. Approved Plans
2. Standard Time Limit
3. Trees To Be Replaced/landscaping

**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? Y**

Case Officer: Jason Albon Date: 22.06.2023

Authorised by: Peter Barnett Date: 22 June 2023