Development Management - Delegated Officer Report

Application Number: AWDM/0318/21 Recommendation – Approve

Site: Pyroban Endeavour Works, 51 Dolphin Road, Shoreham-By-Sea

Proposal: Change of use from light industrial (Use Class E) to industrial (Use Class B2) and associated works.

Date of site visit: 19 May 2021

Neighbours checked: Y

Additional neighbour notifications: N

Proposal, Site and Surroundings

The application relates to an industrial unit at the eastern end of Dolphin Road which has a lawful B1 / E(g) use – light industrial with ancillary offices. It sits adjacent to 52 Dolphin Road to the east, a run of 5 units which are soon to be occupied by Higgidy (approved application AWDM/0126/21). To the west is another building occupied by Higgidy, a food production company (Class B2). To the north is a yard and buildings occupied by Westbourne Motors.

It is proposed to change the use of the building to Class B2 general industrial for use as a brewery and canning facility producing alcoholic and non-alcoholic beer.

The supporting statement submitted with the application explains:

"The operations to be carried out on site would be: wort production from malt; fermentation and conditioning of beers; packaging of beer into kegs and cans; and associated office work. These operations would be carried out predominantly within the warehouse building."

A number of new structures are proposed to be installed in connection with the brewery use. These are:

- 4no 8.3m high beer tanks
- 2no 9.8m high bulk malt silos
- 3m high chiller and 4m high CO2 tank enclosed by a 1.8m high metal security fence
- 2no. keg stores
- roller shutters and 3m high metal fencing

These structures will all be installed in front of the building within the yard on the south side.

Also proposed is an extension to the dropped kerb from Dolphin Road to provide a wider opening for lorry access and alterations to parking, resulting in a loss of 20 spaces and leaving 15 spaces only.

Relevant Planning History

SU/182/97/TP/17188 – Redevelopment with Class B1 Building (Light Industrial with Ancillary Offices) at rear of site with parking area at front.

Consultations

West Sussex County Council: The **Highways Authority** has no objection.
Access: There are currently 2 vehicle access points onto the public highway. The eastern access is to serve the car park and will remain as existing. It is expected that the site would generate a maximum of 2 articulated lorry and 3 transit vehicle trips per day which is unlikely to have a significant impact on the public highway. A vehicle turning diagram for large vehicles has been provided showing a widening of the western access to allow for vehicles to reverse into the yard area, which is acceptable. All deliveries and collections will be by prior arrangement and banksman will also be available if required. The separation between the 'yard' and parking areas is of benefit and care should be taken to ensure no parking occurs in the yard area.
Parking: The existing parking provision will be decreased to 15 spaces in order to make use of a proportion of the external space as an extension to the internal production area. Whilst WSCC Parking Guidance would suggest that 7 spaces are required, given the additional square meterage to be utilised within the outside space, it could be argued that a higher provision would be required, however 15 could be considered acceptable. Parking is at a premium in the area and given the number of employees a staff travel plan would be of benefit.

The Local Highway Authority does not consider that the 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 109), and that there are no transport grounds to resist the proposal.

Recommend conditions for car parking and turning

Adur and Worthing Councils: The **Environmental Health** Officer has no objection

Representations

None received

Relevant Planning Policies

Adur Local Plan 2017 Policy 4, 15, 25, 28
National Planning Policy Framework (February 2019)
WSCC Guidance on Parking at New Developments (Sept 2020).

Planning Assessment

Principle

Policy 25 recognises the Dolphin Road Industrial Estate as a protected employment site where proposed conversions to uses other than employment (B1, B2 and B8 of the Use Classes Order) will be resisted. The upgrading of existing employment sites and buildings will be supported.

This proposal seeks to change the use of a light industrial Class E (formerly B1) unit to a B2 use. B2 uses are accepted within the industrial estate and the site adjoins a number of buildings which are occupied by Higgidy for food production, also under Class B2.

The applicants have explained in their supporting statement that:

"*Excepting microbreweries, there are currently no significant breweries in Adur District. The introduction of a brewery here is therefore a benefit to the economic diversity of the District. The proposal would allow a successful local company to invest, expand and adapt to support economic growth and productivity. NPPF paragraph 80 insists that planning decisions should facilitate this. The brewery and canning facility would provide for 20 full time and 3 part time jobs. The proposal would create employment opportunities for local people. Such a provision of skilled manufacturing jobs is a further benefit to the local economy that complies with Local Plan Policy 4*."

It is considered that this proposal fully accords with the aims of Policy 25.

However, in order to retain control over the proposed B2 use and to retain a level of light industrial sites on the Dolphin Road estate it is recommended that conditions are imposed requiring the site to only be used as a brewery / canning facility and not for any other B2 use. This is consistent with the approach taken with Higgidy on the adjacent building to the east (AWDM/0126/21). A further condition is recommended requiring a return to Class E (g) (ii) or (iii) uses upon the cessation of the brewery / canning facility.

Visual amenity

The proposal will see the introduction of a number of external structures to the south (front) of the building, some of which are significant in height (the beer tanks are 8.3m high and the bulk malt silos are 9.8m high). Indeed, the silos will be taller than the building and will be visible from the north above the roof ridge of the building.

The building itself is set further back from the road than its neighbours to the east and west so the new forecourt structures will be screened to some extent by the adjacent buildings in views from east and west.

The site lies within an established industrial area where there is a mixture of large warehouse buildings while to the south there is a railway line with warehouse buildings on the other side, accessed off Brighton Road. The proposed structures, while visible, are considered to be appropriately located in this context. Distant views of the silos will be visible between the buildings fronting Brighton Road but it is not considered that serious visual harm will arise as they will be seen against the backdrop of the building and its industrial setting.

Residential amenity

The nearest residential dwellings are in Kingsland Close, over 100m away to the north. The new structures are on the south side of the building and therefore largely screened by that building. There are other industrial uses between the site and the nearest dwellings.

The applicants have provided the following information about noise and odour arising from the proposed brewery:

External Noise, these will all be working days only. Using a Spec sheet for the chiller and a comparison guide for the rest:

Chiller 69dB – constant

Grain offload 95dB – 1 hour once every two weeks

Malt transfer to mill 80dB – 1hour three times a day.

Co2 delivery 95dB – 5min once every two weeks

Yard – Artic Lorry noise once a day, and electric forklift constant.

Planning guidance classes aromas produced in brewing in the less offensive category similar to the bakery (Higgidy) currently operating adjacent to the site for which application is being sought.

Despite this categorisation Laine Brew Co. will install vapour capture to recover emissions on all processes above 95C and therefore have potential to produce significant vapour that could transmit odour.

All other processes are carried out cold with very low vapour/odour production that dissipates to below human threshold within 2m outdoors.

There are no Environmental Health concerns with the application and no conditions have been recommended. Higgidy enjoys an unrestricted 24 hour operation and it is not considered that a restriction on the brewery working hours is necessary.

On this basis, it is not considered that the proposal will cause a loss of amenity for local residents.

Parking and Access

The brewery and canning facility is anticipated to attract a maximum of two articulated lorry and three transit van trips per operating day. The new structures on the forecourt will result in a reduction of car parking spaces from 35 to 15 (loss of 20). However, the retained provision of 15 spaces exceeds WSCC Parking Guidance which requires only 7 car parking spaces.

WSCC Highways have commented that, given the additional square meterage to be utilised within the outside space, it could be argued that a higher provision would be required. They have not objected to the proposal though

and consider 15 spaces to be acceptable. They do recommend that a staff travel plan is prepared and this can be required by condition.

There are two accesses to the site on the southern frontage, the western most of which is to be widened to allow for vehicles to reverse into the yard area.

There are no highway objections to the proposal.

Recommendation

APPROVE

Subject to Conditions:-

1. Approved Plans
2. Standard 3 year time limit
3. Parking
4. Access
5. Travel Plan
6. Brewery only, no other B2 use
7. Upon cessation of brewery use, revert to Class E(g) (ii) or (iii)

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

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.

Case Officer:	Peter Barnett	Date: 10 June 2021
Authorised by:	James Appleton	Date: 11 June 2021