From: Paul.Jackson-Cole@westsussex.gov.uk
Sent: 22 September 2009 10:19
To: Keith Morgan
Subject: Re: FW: Shoreham Cement Works - Land W of Steyning Road - ADC/0168/09
Attachments: K_Morgan_Adur_DC_25_8_09.pdf; E_Hughes_Horsham_DC_25_8_09.pdf

Morning Keith,

I have looked through the details of the 09 application and the letter provided by the applicants agents. Provided we can be satisfied that, as stated in the letter, that the application is a renewal of the current permitted uses on the site and that there is no proposed additional operational development on the site then I would not envisage any concerns being raised from WSCC.

The letter supporting the 09 application referenced an intention to include B8 uses but if this is simply a formalisation of what is already taking place at the site rather that the inclusion of a new use then my concerns would be withdrawn.

I hope this is of help.

Kind regards,
Paul

Paul Jackson-Cole | Principal Transport Planner, Local Development, West Sussex County Council
Location: First Floor, Northleigh, County Hall, Chichester, PO19 1QT
Internal: 82162 | External: 01243 382162 | E-mail: paul.jackson-cole@westsussex.gov.uk

Save the environment - think before you print.

"Keith Morgan" <Keith.Morgan@adur.gov.uk>

15/09/2009 15:56

To <Paul.Jackson-Cole@westsussex.gov.uk>
cc <planning.consultations@westsussex.gov.uk>
Subject FW: Shoreham Cement Works - Land W of Steyning Road - ADC/0168/09

Paul,

Further to yr comments dated 19 May 2009, the application ADC/0168/09 (for a further renewal of temporary permission granted originally in 1998 and renewed in 2000 & 2004) was withdrawn.

I have now received the attached letters from the applicant's agent saying that he is intending to re-submit the application (to us and to Horsham), explaining the background and asking whether further information is needed beyond the list of occupiers/uses.

Please can you let me know whether you still require the traffic information sought in yr response of 19 May.

Regards

Keith

Keith Morgan - Planning Services Manager | Planning, Regeneration & Wellbeing, Adur District Council
Location: Civic Centre, Ham Road, Shoreham-by-Sea BN43 6PR
Internal: 63239 | External: 01273 263239 | E-mail: keith.morgan@adur.gov.uk

Please think before you print this and save paper

From: Rob Huntley [mailto:rob.huntley@talk21.com]
Sent: 25 August 2009 16:51
To: Keith Morgan
Cc: Richard Andrew
Subject: Shoreham Cement Works - Land W of Steyning Road

Keith,
Further to the application submitted and subsequently withdrawn for the renewal of the planning permission for the use of this land for B1, B2 and B8 purposes (Ref ADC/0168/09), I attach a letter setting out the current position. I would ask is you could respond to the question I pose in the penultimate paragraph, so that I can prepare to resubmit the application as soon as possible.

You may know that Horsham Council has been seeking clarification of the position in respect of the part of the site in their district. For convenience I attach, for your information, a copy of a letter I have sent to Eddie Hughes at Horsham.

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Keith Morgan Esq
Planning Services Manager
Adur District Council
Civic Centre
Ham Road
Shoreham-by-Sea
West Sussex BN43 6PR

Our Ref
Your Ref
Date 25 August 2009

Dear Mr Morgan,

SHOREHAM CEMENT WORKS – LAND WEST OF STEYNING ROAD

I have been asked by my client, Callstone Ltd, to review the position regarding the planning context of the use of that part of the land at the Shoreham Cement Works lying to the west of Steyning Road.

As you know, an application for planning permission was submitted to your Council in April 2009 and was given reference ADC/0168/09. That application was stated to be for "*Renewal of existing temporary consent (SU/209/04/TP)*". That earlier planning permission, which was granted on 18 November 2004, authorised "*Temp use (5 years) of land and buildings for Class B1/B2/B8 uses (Business, Industry, Storage) incl cont use for vehicle repair/storage and res security caravan*". The 2004 permission was a renewal of a previous permission for the same use of the land, granted on 11 September 2000 under reference SU/134/00, which in turn was a renewal of a 1998 permission.

As a result of consultations initiated in respect of the recent renewal application West Sussex County Council and the Environment Agency sought clarification of several matters. To give time for these points to be considered and addressed the application was withdrawn. Part of the site, as you know, lies within Horsham District and a request for clarification of the position regarding that part of the site has been received from Horsham Council. I have written to Horsham in response and I enclose a copy of my letter for your information.

In the context of the recently withdrawn application, there was an exchange of emails between youself and Tim Farlam of Callstone. You pointed out in your email to Tim Farlam of 20 May 2009, that the County Council's request for clarification of the B8 elements was presumably prompted by the covering letter of 27 April which accompanied the application, as this commented that "*it is intended to include B8 within the uses applied for as part of this application*". As you also correctly pointed out in that email, the current planning

permission includes use for B8 purposes and so the comment in the letter was not necessary and could have been the cause of confusion to the County Council.

The EA also sought clarification on the location of the Security Caravan within the site (which is included in the current permission), details of drainage and the range of uses accommodated at the site. In your email to Helen Tier of the EA of 29 May 2009 you correctly commented that, irrespective of the temporary planning permissions, the underlying lawful use of the site is for B2 (General Industrial) purposes, as confirmed as a result of the determination of the called-in application and appeal in 2003, and that the security caravan is not within the small part of the site lying within Flood Zone 2.

To the extent that the EA is concerned to ensure that pollution of the environment is avoided at the site, separate and specific legislation exists which applies irrespective of any planning permissions or lawful uses.

No proposed operational development was included in the renewal application submitted in April 2009, and none is proposed. The drainage of the areas of hardstanding within the site is to remain unchanged, with no proposals to alter this. The identity of individual occupiers of parts of the site has varied over time and may do so in future, but the overall mix of uses is to remain unchanged from the present position, which is that authorised by the series of temporary permissions. The attached Plan and Schedule identifies the identity and nature of the occupiers of the various parts of the site at present. The schedule includes, under the "use" column, details of restrictions applicable to particular units of occupation. These are, of course, stipulations of the landlord rather than deriving from any planning requirements. The only conditions of the planning permission are a time limitation and prevention of external storage greater in height than "double-decker buses".

The uses accommodated on the Adur part of the site are all encompassed by the planning permission which is in force. Furthermore, in view of the lawful B2 (General Industrial) use which is acknowledged to apply to the land, there would of course be an entitlement for the whole of the site to revert to use for industrial purposes, irrespective of the series of temporary permissions which have been granted.

The long term aim for Shoreham Cement Works as a whole is to seek a redevelopment in accordance with Policy SCT3 of The South East Plan, which identifies it as a strategic site with economic development potential. Clearly, as you would expect, any redevelopment would have to be economically viable, not least to justify forgoing the existing use value of the land and the income that generates in the light of the lawful use and planning permission. These matters were, as I am sure you recall, extensively canvassed at the inquiry in 2003 and the subsequent Inspector's report and Secretary of State's decision.

In the current economic climate it is apparent that a substantial redevelopment of the site is unlikely to be achievable at present.

In the circumstances, and consistent with the objectives of supporting economic activity and fostering economic growth set out in The South East Plan (including policy RE3) and elsewhere, it is appropriate to ensure that the Shoreham Cement Works site continues to make a contribution to the supply of employment land.

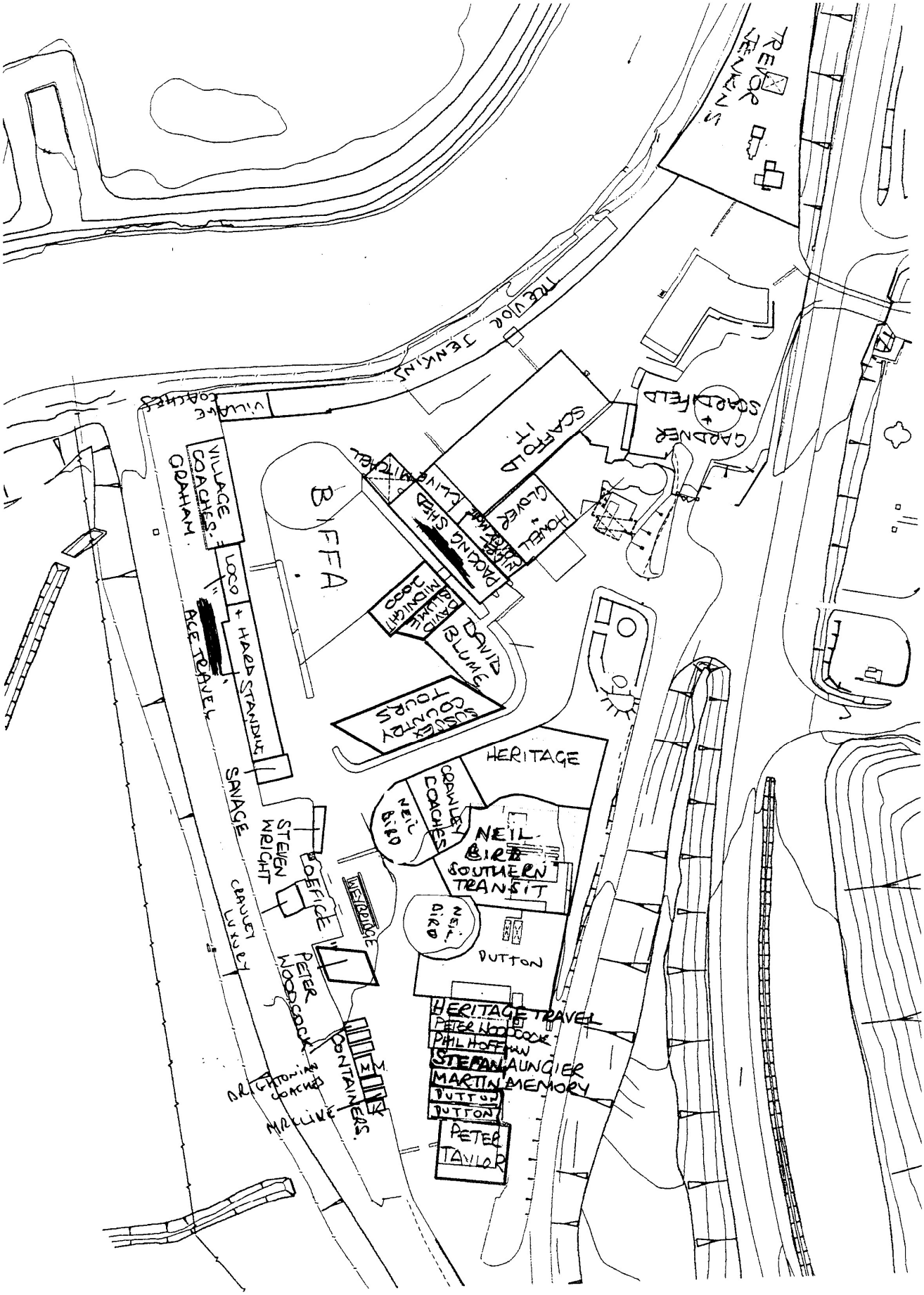
It is therefore intended to resubmit the application for the renewal of the existing temporary permission which was previously withdrawn. I intend to do this in the near future, but in the meantime it would be helpful if you would confirm that with the additional information on the nature and distribution of uses and occupiers within the site, you would regard this sufficient material to accompany the application.

I look forward to hearing from you.

Yours sincerely,



Rob Huntley



SHOREHAM CEMENT WORKS, STEYNING ROAD, SHOREHAM
PLAN OF OCCUPATIONS

Schedule of Tenants Uses at Shoreham Cement Works, West Sussex as at 11th August 2009

Reference	Description	Current tenant	Use
SHCWS-GB1/2	Garage Bays 1,2 &8 Old Cement Works, Shoreham	Mr Kristian Dutton	General vehicle repairs within the workshop area plus additional hardstanding.
SHCWS-GB3	Garage Bay 3, Old Cement Works, Shoreham	Mr M Memory	Goods vehicle maintenance within the workshop area plus additional hardstanding
SHCWS-GB6	Garage Bay 6 & Ctn5 Old Cement Works,Shoreham	Brightonian & Ocean Coaches	Use of garage workshop for repair, maintenance and storage of vehicles together with external hardstanding space and Container No 5 for the storage of inert materials.
SHCWS-GB7	Garage Bay 7 Old Cement Works, Shoreham	Heritage Travel.	General vehicle repairs within the workshop area plus additional hardstanding. Vehicle repairs strictly prohibited on hardstanding space.
SHCWS-HS01	Hard Standing, Old Cement Works, Shoreham	Mr Clive Travel	External storage of motor vehicles. Vehicle repairs strictly prohibited
SHCWS-HS04	Hard Standing, Old Cement Works, Shoreham	Mr N D Bird t/a Southern Transit.	External storage of coaches and vehicles. Vehicle repairs strictly prohibited
SHCWS-HS05	Hard Standing, Old Cement Works, Shoreham	Crawley Luxury Coaches.	Hardstanding for vehicles. Vehicle repairs strictly prohibited
SHCWS-HS07	Hard Standing, Old Cement Works, Shoreham	Gardner & Scardifield Limited.	Storage of building materials
SHCWS-HS09	Hard Standing, Old Cement Works, Shoreham	Mr G Hawkins t/a Village Coaches.	Hardstanding for coaches and buses. Vehicle repairs strictly prohibited
SHCWS-HS10	Hard Standing, Old Cement Works, Shoreham	Biffa Waste Services Limited.	The storage of empty skips and waste containers relating to the Tenant's business and the carrying out of bin repairs.
SHCWS-HS12	Hard Standing, Old Cement Works, Shoreham	Midnight International 2000.	External parking of commercial vehicles and storage container.
SHCWS-HS13	Hard Standing, Old Cement Works, Shoreham	Mr D Savage	Hardstanding for vehicles and a boat. Vehicle repairs strictly prohibited.
SHCWS-HS15	Hard Standing, Old Cement Works, Shoreham	David Blume	External parking of commercial vehicles and container.
SHCWS-HS17	Hard Standing, Old Cement Works, Shoreham	Mr C Mitchell	External storage of paving slabs and related products and motor vehicles.
SHCWS-HS18	Hard Standing, Old Cement Works, Shoreham	C Jenkin & Son.	Storage of mobile homes awaiting refurbishment off site and not currently equipped for occupation, and other similar relocatable units awaiting refurbishment
SHCWS-HS21	Hard Standing, Old Cement Works, Shoreham	Mr N Crickmore	External storage of vehicles. Vehicle repairs strictly prohibited.
SHCWS-HS22	Hard Standing, Old Cement Works, Shoreham	Mr S Wright	External hardstanding for vehicle storage only. Vehicle repairs strictly prohibited.
SHCWS-HS23	Hard Standing, Old Cement Works, Shoreham	Mr A Howell & Mr O Glover	External storage of vehicles. Vehicle repairs strictly prohibited.
SHCWS-HS27	Hardstanding Old Cement Works, Shoreham	Mr Peter Taylor	Hardstanding for vehicles. Vehicle repairs strictly prohibited
SHCWS-LB	Loading Bay - Old Cement Works - Shoreham	R & B Recovery	Storage of vehicles only with strictly no vehicle repairs to be carried out.
SHCWS-LS	Loco Shed - Old Cement Works - Shoreham	Ace Travel.	Use of old locomotive shed for vehicle repairs together with external hardstanding for vehicles. Strictly no vehicle repairs to be carried out to external areas.
SHCWS-PP	Packing Plant, Old Cement Works, Shoreham	Scaffold It (UK) Ltd.	Storage of scaffolding equipment

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E Hughes Esq
Planning Compliance Officer
Horsham District Council
Park North
North Street
Horsham
West Sussex RH12 1RL

Our Ref
Your Ref
Date 25 August 2009

Dear Mr Hughes,

SHOREHAM CEMENT WORKS – LAND WEST OF STEYNING ROAD

I have been asked by my client, Callstone Ltd, to review the position regarding the planning context of the use of that part of the land at the Shoreham Cement Works lying to the west of Steyning Road and to reply to your letter of 31 July to Tim Farlam. I am also in discussion with Keith Morgan at Adur District Council and for your information I enclose a copy of a letter I have sent to him regarding the part of the site which lies within that District.

As you know, planning permission was granted by your Council in April 2002 (ref UB/10/02) for "*Use of buildings and concreted areas for storage*". This was a renewal of a previous time limited permission granted under reference UB/52/98, and was itself time limited to 12 February 2002. The period mentioned in the permission has expired and no application to renew the permission has yet been submitted. In the light of this, I have been considering the available options. Amongst these are to make an application, albeit belated, for the renewal of the planning permission for storage use previously granted, or to rely on the underlying lawful use of the site for B2 (General Industrial) purposes, as confirmed as a result of the determination of the called-in application and appeal in 2003. This use can be relied on irrespective of the subsequent temporary planning permissions.

The uses accommodated on the Adur part of the site are all encompassed by the planning permission which is in force on that part of the site. Furthermore, in view of the lawful B2 (General Industrial) use which is acknowledged to apply to the land, there would of course be an entitlement for the whole of the site to revert to use for industrial purposes, irrespective of the temporary permissions which have been granted by your Council and Adur.

The long term aim for Shoreham Cement Works as a whole is to seek a redevelopment in accordance with Policy SCT3 of The South East Plan, which identifies it as a strategic site with economic development potential. Clearly, any redevelopment would have to be economically viable, not least to justify forgoing the existing use value of the land and the income that generates in the light of the lawful use and planning permission which remains in force on the Adur part of the site. These matters were, as I am sure you are awarw, extensively canvassed at the inquiry in 2003 and the subsequent Inspector's report and Secretary of State's decision.

In the current economic climate it is apparent that a substantial redevelopment of the site is unlikely to be achievable at present. In the circumstances, and consistent with the objectives of supporting economic activity and fostering economic growth set out in The South East Plan (including policy RE3) and elsewhere, it is appropriate to ensure that the Shoreham Cement Works site continues to make a contribution to the supply of employment land.

It is therefore intended to submit the application for the renewal of the previous temporary permission authorising storage use. In the event that there is resistance to this it is likely that my client will wish to use the part of the site within Horsham for B2 (General Industrial) purposes. This would rely on the pre-existing lawful use for, to which there is an entitlement to revert following the expiry of the time limited permission.

I trust that this explanation of the present position is of assistance to you. I anticipate submitting an application for a "renewal" of the previously granted time-limited permission, but if there is any further clarification that would assist you please let me know.

Yours sincerely,



Rob Huntley

ROB HUNTLEY BSc DipTP MRTPI
VAT REGISTRATION No 864 4036 23

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