

Development Management - Delegated Officer Report

Application Number: AWDM/0220/26

Recommendation – Approve

Site: Fishermans Wharf, Brighton Road, Shoreham-by-sea

Proposal: Application to approve/vary details pursuant to conditions 6 (Construction Management Plan), 9 (canopy details), 10 (Surfacing Details), 12 (surface water drainage), 13 (landscaping), 14 (verification plan), 15 (external lighting) and 16 (foul drainage) of Approved AWDM/1228/25.

ORIGINAL DESCRIPTION: Temporary use of land as padel centre comprising six covered courts with associated changing rooms, cafe/retail/reception area, car and cycle parking.

Date of site visit: Visited when dealing with previous application.

Neighbours checked: Y

Additional neighbour notifications: N

Proposal, Site and Surroundings

Planning permission was granted last year for the temporary use (5 years) of the site as a padel centre. The proposal involves the formation of 6no. padel courts (2no. of which will be championship standard) plus reception area, small ancillary shop and cafe and changing rooms. Those ancillary facilities will be located within shipping containers. The courts would be located at the southern end of the site adjacent to the river and would be covered by a PVC membrane canopy 10.7m high, with a lower roof, 9m high, over the reception area and ancillary facilities. The covered court structure would be 75m wide. 46no. car parking spaces are proposed on the rest of the site, plus covered cycle parking. The existing access from Brighton Road would be used.

This application seeks to approve details reserved by conditions 6 (Construction Management Plan), 9 (canopy details), 10 (Surfacing Details), 12 (surface water drainage), 13 (landscaping), 14 (verification plan), 15 (external lighting) and 16 (foul drainage) on the previous permission and also to make minor amendments to the requirements of conditions 12 (surface water drainage) and 14 (verification plan).

The main change to condition 12 is to apply the requirements of the condition wording as recommended by the Council's Drainage Consultant rather than the wording of the condition as issued.

Relevant Planning History

The application site (0.4 hectare) comprises the western part of New Wharf which historically was a coal-handling wharf. In 1983 it became used for

handling fish on the east part and for various temporary storage uses on the west part.

The use of the west part of the wharf for the handling, processing and storage of sea-dredged aggregates and concrete-batching with associated plant was originally granted temporary planning permission by WSCC in September 2000, and subsequently renewed until 2023 when the use ceased.

On New Wharf (adjacent site to west):

AWDM/0671/25 - Erection of 33no. external self-storage units (Class B8), refuse store, cycle shelter and reconfiguration of car parking layout - 5 year temporary permission granted

AWDM/1367/25 - Application to Remove Condition No. 2 (Time limited temporary planning permission) from previously approved AWDM/0671/25 – appeal allowed

Consultations

West Sussex Highways: Satisfied with details pursuant to CEMP

Environmental Health: Condition 6: I recommend the CEMP also confirms they will follow BS5228:Code of Practice for noise and vibration control on construction and open sites.

Condition 14: The Preliminary Contamination Risk Assessment concludes a low risk of contamination impact for the proposed land use. I agree to the subsequent proposed variation to this condition, provided the caveat in 10.2 of the risk assessment, regarding the construction phase, be included.

Condition 15: No concerns following submission of further details

Trees and Landscaping: Details are acceptable

Surface Water Drainage: We accept the proposed method of surface water discharge to the River Adur and note that sufficient information has been provided to meet the wording of Condition 12. As a result, we accept the proposed rewording of the drainage condition to be built in accordance, as follows:

“All development shall be constructed in accordance with the submitted and approved Surface Water Drainage Strategy (Ref: 1185/DR-101/P2 | dated 11/02/2026), this includes the use of a rainwater harvesting tank and discharge to the River Adur, unless otherwise first approved in writing by the Local Planning Authority.”

Reason: To ensure the flood risk is adequately addressed and not increased in accordance with NPPF and Policies of Adur and Worthing Councils

Southern Water: Happy to discharge condition 12 (surface water drainage) and no objection to rewording of condition 16 (foul drainage)

Fire Service: Following communication with Lewis & Co planning regarding the fire hydrant requirement, they have passed on the details to their client, and they are looking to address this ahead of building regulations. The requirement will then be picked up and implemented at building regulations consultation phase, so the condition raised can be discharged and considered guidance information. Our Fire Safety Team will then pick this up when they are consulted.

Representations

None received

Relevant Planning Policies

Adur Local Plan 2017 Policies 8, 15, 28, 34, 36
Shoreham Harbour Joint Area Action Plan 2019 CA7
National Planning Policy Framework (December 2024)
WSCC Guidance on Parking at New Developments (Sept 2020).

Planning Assessment

The principle of allowing the use was established when the previous application was approved.

Officers recommended that a 3 year temporary permission only should be granted up to the end of 2028, rather than the 5 years sought by the applicant. However, Members of the Planning Committee disagreed and granted permission for 5 years (until December 2030).

Condition 6 (Construction Management Plan)

A CMP has been submitted which is considered to be acceptable by West Sussex Highways and the EHO. The wording of the condition will therefore be varied to ensure compliance with the approved CMP during the construction period.

Condition 9 (canopy details)

The condition requires the submission of further details of the colour and appearance of the proposed canopy. The applicant wishes to use a light grey colour (RAL 7038) which is considered to be suitable in the context of the surrounding development. As these details are acceptable, the condition can be varied to ensure compliance with the approved details.

Condition 10 (Surfacing Details)

The condition requires the submission of details of the proposed surfacing material for the site. It is proposed to maintain the existing concrete surface which is to be repaired in places and covered with tarmac. This is considered to be acceptable as it will avoid the need for extensive groundworks. The condition can be varied to ensure compliance with the approved details.

Condition 12 (surface water drainage)

The condition requires the submission of a detailed surface water drainage scheme and advises that it must prioritise the use of source control Sustainable Drainage Systems (SuDS) in consideration of the Non-Statutory Technical Standards for SuDS. The applicant has advised that this does not reflect the specific wording suggested by the Council's drainage consultant which would have allowed an 'over the wall' approach, whereby surface water runs off directly over the river wall.

The applicants have explained that discharge to ground/infiltration is not possible and no winter infiltration testing is necessary therefore. Full drainage details have been submitted with this application and it is proposed to vary the wording of the condition to ensure compliance with the approved details. The Council's drainage consultant has no objection to this approach and has suggested new wording.

Condition 13 (landscaping)

The condition requires the submission of landscaping details. It is proposed to install planters throughout the site, predominantly at the northern end of the car park. Each planter will contain a variety of plants and the Council's Tree and Landscape Officer is satisfied with the proposals. While not long term planting, the use of planters is an acceptable means of improving the amenity of the site for this short term use.

Condition 14 (verification plan)

An updated Preliminary Contamination Risk Assessment has been submitted which concludes a low risk of contamination impact for the proposed land use as the existing concrete surfacing is remaining. The applicant is suggesting a revised condition wording which states:

A gas-proof, damp-proof membrane should be laid under any new areas of surfacing to prevent the accumulation of radon gas in the buildings.

The Council's EHO has no objection but also wishes the following caveat to be included, as set out in the submitted Risk Assessment:

Should any unexpected contamination be identified during the development phase, the Council is to be notified, and any necessary remediation work carried out as required

The condition will be amended accordingly.

Condition 15 (external lighting)

The condition states that no external lighting shall be installed unless and until details have been submitted to and approved in writing by the Local Planning Authority.

Details have been submitted which show that the lighting comprises

- Two low-output LED uplighters directed solely at the Padel Republic signage above the entrance
- Three small LED entrance lights positioned immediately adjacent to the doorway for pedestrian safety

No floodlighting, external court lighting or wider site illumination is proposed. Given the minimal scale and highly directional nature of the fittings, the lighting will be confined to the immediate façade area of the building and entrance threshold. The uplighters are narrow-beam fittings directed exclusively onto the signage, and the entrance lights are low-output warm white fittings mounted at low level.

Due to the very limited number and intensity of the luminaires, the proposal would not produce measurable horizontal illumination across the wider site or vertical illumination affecting off-site receptors. All fittings will be:

- Warm white LEDs (approx. 3000K)
- Low output architectural fittings
- Directional and shielded to minimise glare and light spill
- Controlled via timers/photocell and switched off outside operational hours

There are no concerns with these details and the condition can be varied to ensure compliance with the approved details and to ensure that all external lighting shall be switched off within 30 minutes of the end of the operating hours set out in Condition 3 and shall not be switched on again until within 30 minutes before the re-opening of the facility.

Condition 16 (foul drainage)

The condition requires details of foul drainage. A drainage plan has been submitted which shows that the development will be connected to the existing public foul sewer in Brighton Road. Southern Water has confirmed that they have no objection to this approach and the condition can be varied to ensure compliance with the approved details

Recommendation

APPROVE

Subject to Conditions:-

1. Approved Plans
2. 5 year temporary permission as per AWDM/1228/25
3. Hours of operation 6am-10pm Monday to Saturday and 8am-6pm on Sundays.
4. All doors and other openings must remain closed at all times, except to allow for access and egress

5. Hours of construction 8am-6pm Monday to Friday and 8.30am -1pm on Saturdays
6. To be carried out in accordance with the approved Construction Management Plan.
7. Car parking
8. Cycle parking
9. External materials as approved
10. Surfacing materials as approved
11. To be in accordance with FRA
12. All development shall be constructed in accordance with the submitted and approved Surface Water Drainage Strategy (Ref: 1185/DR-101/P2 | dated 11/02/2026), this includes the use of a rainwater harvesting tank and discharge to the River Adur, unless otherwise first approved in writing by the Local Planning Authority
13. Landscaping as approved
14. A gas-proof, damp-proof membrane should be laid under any new areas of surfacing to prevent the accumulation of radon gas in the buildings. Should any unexpected contamination be identified during the development phase, the Council is to be notified, and any necessary remediation work carried out as required
15. External lighting as approved
16. Foul drainage as approved

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

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Fire hydrant advice

Case Officer: Peter Barnett

Date: 14 April 2026

Authorised by: Louise Prew

Date: 15/04/2026