

Development Management – Delegated Officer Report

Application Number:	AWDM/1217/25	Recommendation - Approval
Site:	Land East Of 1 To 11 Mercury House, Ham Road, Shoreham-by-sea, West Sussex	
Proposal:	Approval of Details Reserved by Condition 14 (Servicing) of Applications AWDM/1450/21 and AWDM/1024/23.	
Applicant:	PMC Construction and Development	Ward: St Mary's
Agent:	HGP Architects Limited	
Case Officer:	Giles Holbrook	

Relevant Planning History:

Reference	Description	Outcome
AWDM/1024/23	Erection of two blocks of development ranging in height between 3 - 9 storeys comprising 159 residential units comprising a mix of 1-bed, 2- bed and 3-bed units (including a minimum of 30% of affordable housing), commercial (Class E) floorspace at ground floor, and associated parking and landscaping. Application to Vary Conditions 1 of previously approved AWDM/1450/21 (approved drawings).	Application Permitted on 08.12.2023
AWDM/1450/21	Erection of two blocks of development ranging in height between 3 - 9 storeys comprising 159 residential units comprising a mix of 1-bed, 2- bed and 3-bed units (including a minimum of 30% of affordable housing), commercial (Class E) floorspace at ground floor, and associated parking and landscaping.	Application Permitted on 24.04.2023

Planning Assessment:

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Condition 14

Condition 14 states:-

“No commercial unit shall be first occupied until such time as until a Servicing Management Plan for has been submitted and approved in writing by the Local Planning Authority. This shall set out the arrangements for the loading and unloading of deliveries, in terms of location and frequency, and set out arrangements for the collection of refuse. Once occupied the use shall be carried out only in accordance with the approved Servicing Management Plan.

Reason: *To safeguard the operation of the public highway and in accordance with paras 110 -113 and policy 28 of the Adur Local Plan 2017”*

In response to the above referenced condition the applicant has provided a Servicing Management Plan (SMP) in respect of the 10x ground floor commercial units consented for use(s) within Class E to the Use Classes Order 1987 (as amended).

The SMP, as explained within the submitted document, is prepared without precise knowledge of individual commercial occupiers. It is understood that approved units are currently being actively marketed on the open-market for commercial uses falling within Class E. The SMP, however, does advance that commercial lending arrangements in-place for the delivery of approved residential units do impose some restrictions upon activities which can be undertaken within the approved commercial units, including the installation of commercial kitchens and shops selling alcohol or cigarettes.

The applicant has been unable to release details of commercial lending arrangements to allow independent verification, however, if accurately described, commercial contractual arrangements would impose natural limitations on forms of commercial activity with the greatest likelihood to demand frequent and/or antisocial deliveries and collections. This would include use by larger-format retail and food/drink type operations.

Understanding that the Council cannot rely upon, or enforce, the terms of an unknown commercial contract, the submitted SMP does explain servicing and collection arrangements for the approved commercial units. Dedicated commercial refuse stores are provided to the rear of the Brighton Road and Ham Road frontages, accessible from an internal gated courtyard leading off Ham Road. Plans submitted with the SMP identify a location for deliveries and refuse collections, with relevant swept-path diagrams provided to demonstrate accessibility to the internal courtyard by a typical delivery vehicle and refuse tender without impeding wider access to the site.

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The SMP, further, commits to coordinating commercial refuse collections to ensure that these coincide with residential refuse collection, and to limiting deliveries between the hours of 8am-6pm Monday to Saturday. No delivery/collection would take place during night time hours or on Sundays.

The submitted SMP has been reviewed by both the Council's Environmental Health team and Local Highways Authority, with no objection raised by either body.

It is considered that, subject to adherence to the SMP, commercial collections and deliveries associated with the approved commercial units would

Case Officer:
Authorised by:

Giles Holbrook
Stephen Cantwell

Date: 14.08.2026
Date: 20-08-2026