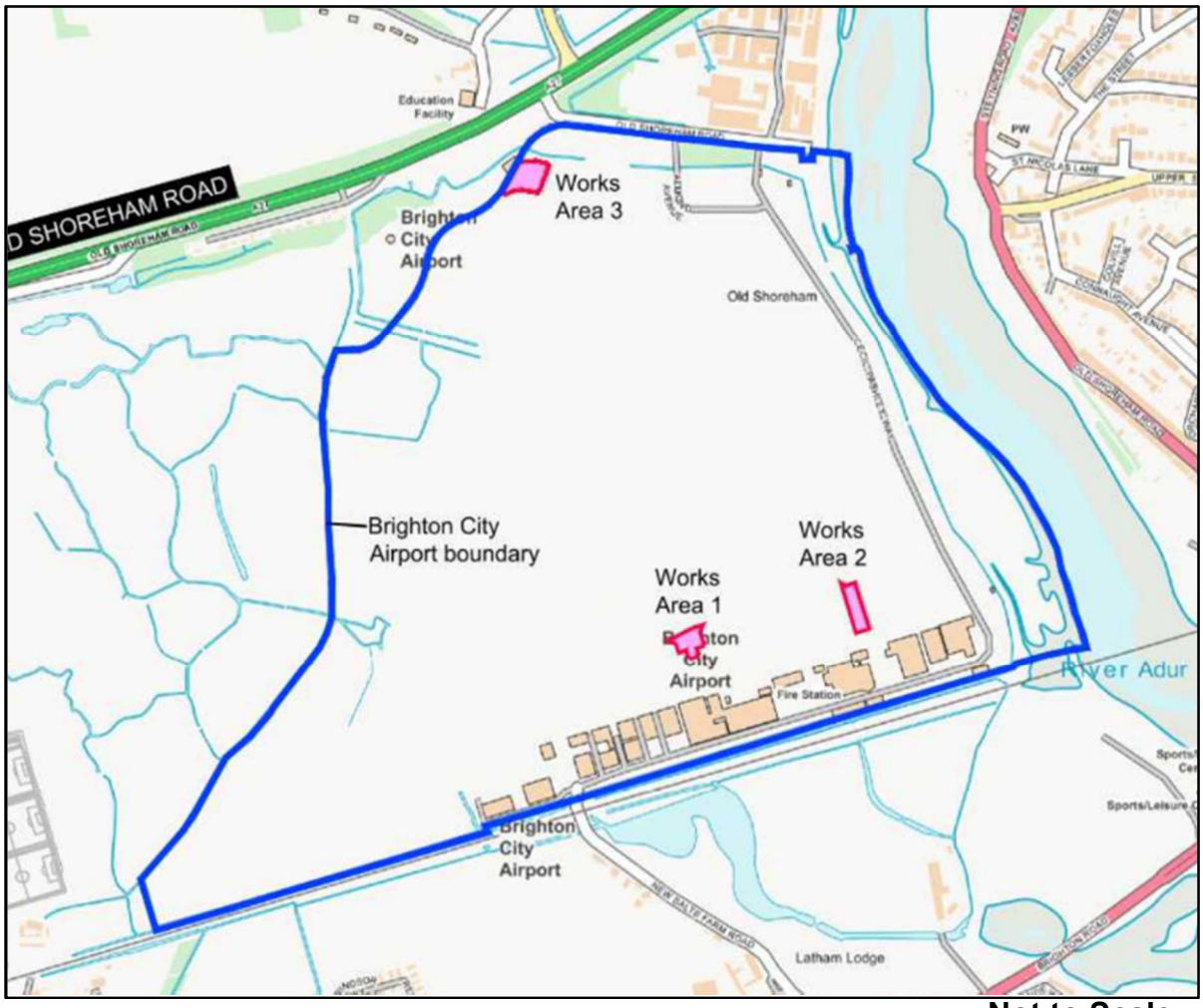
Application Number:	**AWDM/0018/23**	**Recommendation - Approve, subject to Deed of Variation to the original s52 legal agreement.**
Site:	**Shoreham Airport, Cecil Pashley Way, Lancing**	
Proposal:	**Extension of airport apron and use of spoil to re-level land**	
Applicant:	Brighton City Airport Limited	Ward: Mash Barn
Agent:	DMH Stallard LLP	
Case Officer:	Peter Barnett	



Not to Scale

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Update since last Planning Committee meeting

This application was on the agenda for the March 6th Planning Committee but was deferred to allow time for third party representations to be considered following a relatively late public consultation once it had been discovered that the nearest neighbours at Honeymans Farm had not been directly notified of the application. Publicity had only previously been given to the application by means of two site notices.

The main issue of concern was the use of a raised grass area on the NW boundary of the site for helicopter landing which is needed to facilitate a revised helicopter training circuit. The current training circuit takes a route across the new houses within the New Monks Farm development and the proposed site of the Primary School and pre-existing houses along the eastern edge of Lancing. It was agreed as part of that permission that this route should be amended with the new route going north through the Country Park and over the (former) IKEA site before going north of the A27 and returning along the River Adur.

The deferral was to also allow sufficient consideration of any noise impacts that this landing area would have on nearby residents.

However, following the deferral it has come to light that the area in question already has the benefit of planning permission to be used as a landing area, granted under reference L/8/01 in 2001. The applicants' agent has explained:

"*The levelling works of this area were all carried out as part of the original planning application L/8/01/TP permitted in 2001 and the Airport Company maintains the site to assure its suitability to accommodate helicopter operations.*

Although they have maintained the area, the Helicopter Training Area (HTA) known as November has not been used by the current owners of BCAL who purchased the company in May 2019. It appears that the training activity started to reduce circa 2015/16 when Erinaceous owned the leasehold of the Airport; however, since 2019 (and notwithstanding the general impact of COVID-19 on businesses) the current operators have noted a more sustainable helicopter operation. The reason that the use of it is being revived is because of the requirement to amend the Training Circuits to comply with Condition 44 (now Condition 22) of the permission on the main New Monks Farm Development.

The current owners of BCAL are content to limit the use of November HTA to the (permitted) hours 1000 to 1800 daily Mon to Fri. For any night flying requirement, helicopters would be treated as any other aircraft operating at the Airport and would use the existing fixed-wing circuit."

It is clear that the land in question has been raised and is a flat, grassed area capable of being used for helicopter landings. In light of the planning permission for the use, consideration of the impact of helicopter activity on residents cannot be taken into account and the use of that land has been removed from the application.

This application is therefore solely for the extension of the airport apron in two areas and the redistribution of the spoil from those works within an area at the north western

corner of the airfield. This is considered below.

Proposal, Site and Surroundings

The application relates to three areas of land within Shoreham Airport, on the airfield itself. Area 1 comprises grassland adjacent to the existing airport apron helicopter landing pad. Area 2 comprises grassland adjacent to another area of airport apron used for plane parking and maintenance. Areas 1 and 2 are at the southern end of the airfield, close to the main airport buildings.

Area 3 comprises footings of a demolished hanger, associated hardstanding and areas of scrubland in the NW corner, on the boundary with the New Monks Farm development.

The proposed development is as follows:

- Area 1(0.11ha) - Extension of the existing helicopter landing pad
- Area 2 (0.18ha) - Extension of the airport apron to provide additional space for parking of planes.
- Area 3 (0.3ha) – Re-levelling of land through spreading of spoil from areas 1 and 2

The supporting letter submitted with the application explains that:

"*These works are necessary to increase the amount of Airport apron available for the parking and maintenance of planes. These proposals do not seek to increase the frequency of use relating to the Airport but will help enhance facilities for existing users*."

The extension of the apron in Area 2 will also assist with moving aircraft off the taxiing route so that they do not obstruct it while they are being refuelled.

Relevant Planning History

L/33/90 - Extension to concrete apron and taxiway - approved.
L/91/90 - Additional taxiway linked to existing taxiway - approved.
L/144/94 - 3 helipads with access road (for fuel bowser) - approved.
L/60/98 - Additional hardstanding for aircraft parking and taxi way links - approved.
L/8/01 - Raising of ground level (by up to 2 metres in height) of the North-West part of the airfield to provide helicopter training ground - approved.
ADC/0275/06 - Concrete apron/taxi-way to replace existing grass/grasscrete/tarmac area - approved.
ADC/0259/07 - Concrete apron to replace existing grass concrete area - approved.

Various other airport-related applications.

AWDM/0961/17 2020 - Planning permission granted for a hybrid application for:
1. Full planning permission for the demolition of existing buildings and erection of 249 dwellings with temporary access via Grinstead Lane, a Country Park, relocation and extension of the Withy Patch Gypsy and Traveller site, permanent access via a new roundabout on the A27, landscaping, and other associated infrastructure (including pumping facility at the River Adur);

2. Outline planning permission (with only landscaping reserved for a non food retail store (Use Class A); and,

3. Outline planning permission (with all matters reserved other than access) for the erection of a further 351 dwellings.

Full planning permission was granted in November 2021 (SDNP/20/05236/FUL and AWDM/1906/20 for the provision of a "Fourth Arm" from the New Monks Farm roundabout to Coombes Road (West) and closure of Coombes Road (East) junction with the A27.
AWDM/1831/21 - Reserved Matters approval granted in 2022 for 25,000 sqm at Shoreham Airport.
AWDM//0021/22 - Planning permission granted for the erection of 385 dwellings and Community Hub (Flexible Class E/F1/F2 use) along with associated access, landscaping, car parking and public open space (an increase of 34 dwellings from the outline approval of 351 dwellings (AWDM/0961/17).land East Of Shadwells Road At Mash Barn Estate, Mash Barn, Lane, Lancing, West Sussex

Consultations

West Sussex County Council: The **Highway Authority** has no objection. It is anticipated that there are HGV movements during the construction phase, but the minor re-levelling of land taking place within Area 4 is in an area adjacent to Cecil Pashley Way and located adjacent to the new access road from the A27 roundabout. Therefore, the additional vehicular trips generated during the construction phase are not expected to cause a detrimental impact on the operation of the local highway network.

Local Lead Flood Authority: As agent to the LLFA, Technical Services at Adur & Worthing Councils has responded in relation to the above application. Having reviewed this response, the LLFA has nothing further to add

West Sussex Fire and Rescue Service: Evidence is required to show the locality of nearest fire hydrants to each works area for the supply of water for fire-fighting to ensure they comply with the 90 metres distance required for a commercial premises. If an alternative supply of water for firefighting is to be considered it will need to conform with the details identified in Approved Document – B (ADB) Volume 2 2019 edition: B5 section 16. Evidence is also required for the access route to any new build properties in these areas, to ensure suitable access for a fire appliance.

Adur & Worthing Councils:

The ***Environmental Health*** Officer has no adverse comments to the revised application.

Technical Services:

Flood risk - The application is within flood zone 3, the site is shown to not be at a significant risk from surface water flooding. The Environment Agency should be consulted.
Surface water drainage - the FRA states that surface water from the hard standing and parking area will be disposed of via perimeter french drains, the application includes relatively small changes to impermeable areas, we therefore have no conditions to request.

Environment Agency: No objection subject to imposition of a contaminated land condition on any permission

Lancing Parish Council: Supports the application

Representations

3 letters of objection received, including 2 from Adur Residents Environmental Action (AREA).

- Strongly object to the application and the lack of duty of care for the impact it will have on the 15 families on the Withy Community Site.
- The Community has suffered significant and worsening problems since relocating to that site, affecting their well being and quality of life
- Failure of Adur to consult them in a timely manner adds to their feelings of marginalisation.
- Location of existing helicopter flight paths and practice landing pad is already causing unacceptable noise levels and safety concerns
- Enlarged pad is closer to the Withy site.
- Residents concerned about the safety of low flying helicopters so close to their homes.
- The amended flight plan will not improve the situation.
- Withy residents will have two legs of the circuit on either side of them.
- These are daytime problems as much as night time.
- Has the Civil Aviation Authority approved this route?
- Sussex Pad hamlet and Little Lancing school should be consulted.

- Environmental Health Officers should visit the site to experience at first hand what the noise is like.
- No noise assessment has been carried out
- Construction vehicles will be using roads which run directly beside the Withy site.
- Contravenes human right to peaceful enjoyment of home
- Local residents and Council know that extending Shoreham Airport would involve operating and landing helicopters near to the site of the Shoreham Air Show tragedy in 2015. The tragedy happened on account of the altitude of the aircraft involved in that catastrophic incident.

- Locally, aviation safety is a sensitive subject. Radio Technical Commission for Aeronautics (RTCA) identified that 5G frequencies cause harmful interference to altimeters. Telecommunication operators have 5G masts installed within 3km of the application site. For instance, the 5G mast at Buckingham Park
- This application lacks consideration for aviation and public safety in this connection. However, NPPF Chapter 8 and Paragraph 97 directs LPAs that planning policies and decisions should promote public safety. Accordingly, to comply with that direction, consideration for public safety by Adur District Council is necessary.
- With recent and proposed major housing development, homes are being built closer to the Airport and there is the A27 and Old Shoreham Road (A283) to consider. Altimeters serve a vital purpose, providing a direct measurement of the clearance height of helicopter (aircraft altitude) over the terrain below or other obstacles. Approaching and landing a helicopter at the application site is a procedure for which accuracy from the altimeter is essential.
- The importance of accurate altitude information is self-evident if another incident like the Shoreham Air Show tragedy is to be avoided. Please give due consideration to aviation safety and that of our residents.

Relevant Planning Policies and Guidance

Adur Local Plan 2017 policies 7, 13, 14, 34, 35, 36
National Planning Policy Framework (July 2021)

Relevant Legislation

The Committee should consider the planning application in accordance with:

Section 70 of the Town and Country Planning Act 1990 (as amended) provides that the application may be granted either unconditionally or subject to relevant conditions, or refused. Regard shall be given to relevant development plan policies, any relevant local finance considerations, and other material considerations; and

Section 38(6) Planning and Compulsory Purchase Act 2004 that requires the decision to be made in accordance with the development plan unless material considerations indicate otherwise.

Planning Assessment

Principle

Paragraph 106 of the NPPF advises that planning policies should recognise the importance of maintaining a national network of general aviation airfields, and their need to adapt and change over time – taking into account their economic value in serving business, leisure, training and emergency service needs, and the Government's General Aviation Strategy.

The site lies outside of the built up area boundary, within the Local Green Gap between Shoreham and Lancing. Policy 7 of the Adur Local Plan is a site specific policy relating to the Airport. It states that new development at the Airport must be designed to minimise its impact on the landscape as well as on the open nature of the Local Green

Gap. Key views must be retained, and any impacts on the historic character of the Airport and the historic assets within it must be minimised.

Mitigation measures will be required to ensure that new development at the Airport does not impact on the ecological value of the airport itself or the adjacent Adur Estuary SSSI. Where possible, ecological enhancements should be incorporated as an integral part of the development.

The policy requires that a desk-based assessment and, where necessary, a field evaluation of archaeological assets should be undertaken before determination of any application. In this case, given the relatively minor scale of the development, a precautionary condition is recommended should permission be granted.

Any new development at the airport must not jeopardise the runway use or airport operations.

There is an existing Section 52 agreement for the airport which restricts development outside of the existing developed area (main terminal and associated hangers and industrial units) at the south of the airport.

The proposal seeks to improve operations at the airport, specifically relating to the parking and maintenance of planes. It is considered that, while including development outside of the developed area as identified in the s52 agreement, the works are reasonable and necessary airport-related development and are therefore acceptable in principle.

Visual amenity

The proposed works in Areas 1 and 2 comprise an extension to an existing hard surface and are not considered to have a significant or noticeable visual impact from outside of the airfield, in the context of the existing hardsurfaced areas at the southern end of the site. As there are no above ground structures proposed, the works will not have an adverse impact upon the setting of the listed terminal building or hangar.

The spoil from Areas 1 and 2 will be redistributed within Area 3 resulting in some minor regrading of the land. The land undulates in this location and these works are not considered to be significant in visual terms and will not have a harmful impact on the wider landscape.

Residential amenity

The original plans showed an area for proposed helicopter landing that was close to the relocated Gypsy and travellers' site at Honeymans Place. There was concern that noise from the proposed grass helicopter landing pad could cause unacceptable disturbance to these residents particularly given that these residents live in caravans/mobile homes.

However, as explained above, this area is an existing helicopter landing area, following the grant of planning permission in 2001. As such, this part of the application has been removed from consideration and the noise impacts arising from helicopter movements can no longer be considered as part of this application.

The application, as amended, is for new areas of hardstanding and the redistribution of the spoil elsewhere on the airfield site. It is not considered that these proposals will have an adverse impact on residential amenity. There may be some short term disturbance during the construction works, however, and it is therefore recommended that a Construction Management Plan is secured to enable suitable controls to be put in place over lorry movements and hours of operation.

There is still a need to discharge the relevant planning condition attached to the New Monks Farm applications, relating to amending the existing helicopter training circuit, and this will be dealt with as a separate matter. A meeting with Environmental Health is being set up to consider any additional noise impacts on neighbouring residents as a result of any revision to the current helicopter training circuit.

Accessibility and parking

The proposal does not result in any change to traffic or parking arrangements. There are likely to be some HGV movements during the construction phase but these are not expected to cause a detrimental impact on the operation of the local highway network and there is no highway objection to the application.

Flood risk and drainage

The site is located within a defended tidal flood zone 3.The Flood Risk Assessment submitted with the application explains that surface water from the new hardstandings will be collected and retained on site prior to being discharged to the tidal estuary of the River Adur via the existing onsite groundwater pumping station which dewaters the area in which the works are located. The site is defended against tidal flooding and is not at risk of flooding from fluvial sources, overland flows or at significant risk of flooding from groundwater.

There are no objections to the proposal from the Council's Technical Services team, Environment Agency or the Local Lead Flood Authority.

Ecology and biodiversity

A preliminary ecological appraisal has been carried out as the site is close to the Adur Estuary SSSI and a number of Local Wildlife Sites. However, on the site itself, Areas 1 and 2 comprise mown grassland adjacent to a concrete hardstanding and has low species value.

Area 3 is an existing helicopter landing area and was not surveyed. Area 4 used to contain an airport hangar and associated hardstanding which was demolished as part of the New Monks Farm development. The Area contains recently disturbed ground with standing water. However, priority habitat in the form of coastal and floodplain grazing marsh lies in close proximity to area 4. In addition, area 4 lies adjacent to a ditch which drains into the Adur Estuary SSSI which contains priority mudflats and coastal saltmarsh.

A Construction Environment Management Plan (CEMP) is recommended in the report as a means of protecting these priority habitats and the integrity of the SSSI as part of works. Some ecological enhancement is also recommended.

Safety

With regard to the issue of safety, the applicants' agent has explained that helicopter training at Shoreham does not involve any unusual high-energy manoeuvres at speed. He has stated:

"*Whilst the pilots of the helicopters use the altimeter to gauge their height on the descent profile to land, they use visual references to sustain a steady and controlled descent to landing. It is not proposed to change the route profile of the helicopters flying a visual circuit when Runway 20 is in use. The helicopter will be at approximately the same altitude as the fixed-wing aircraft crossing the A27 to make a landing on Runway 20*."

There are therefore not considered to be any safety concerns with these minor proposals.

s52 Agreement

As indicated earlier there is an existing legal agreement which restricts development outside of the original terminal buildings. This has been amended at various times to allow for the extended car park used by Ricardo's at the north eastern corner of the site and to allow for the erection of the 25,000 sqm industrial development. The development proposed by this application would require a further Deed of Variation and a draft has been prepared in anticipation that this application would be supported.

Recommendation

APPROVE, to be delegated to the Head of Planning to issue the decision, subject to the completion of a Deed of Variation allowing the development proposed outside the area of the original terminal buildings, subject to the following conditions :-

1. Approved Plans
2. Time limit

3. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the Local Planning Authority. The remediation strategy shall be implemented as approved
4. CEMP, to include details of ecological enhancements, to be submitted prior to commencement and implemented
5. Archaeological watching brief
6. Construction Management Plan

3rd April 2023

Local Government Act 1972
Background Papers:

As referred to in individual application reports

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