Development Management - Delegated Officer Report

Application Number: AWDM/0791/18 **Recommendation – Refuse**

Site: **29 Cecil Pashley Way, Shoreham (Brighton City) Airport, Lancing**

Proposal: **Removal of Condition 2 of approved L/171/98/TP storage and distribution of pilots 'supplies (with ancillary shop and office) and for no other purpose within class B8**

Proposal, Site and Surroundings

The application site consists of an industrial unit at Shoreham Airport. The unit sits at the western end of the airport, to the west of the New Salts Farm Road entrance to the Airport which runs underneath the railway line. The unit faces the access road but is adjacent to the airfield as there are no buildings to the north. It is currently occupied by Transair (UK) Ltd for the sale, storage and distribution of pilot and aviation supplies.

This application seeks permission to remove Condition 2 imposed on planning permission L/171/98. That condition states:

"The premises shall only be used for the storage and distribution of pilots' supplies (with ancillary shop and offices) and for no other purpose within class B8 of the schedule to the town and country planning (use classes) order 1987 (or in any provision equivalent to that class in any Statutory Instrument revoking and re-enacting that order)."

The application is accompanied by a Planning Statement which provides more information on the proposal. It states:

"*The current condition 2 is very restrictive on the uses to which this building can be put. While the current occupiers of the building are the largest supplier of pilot supplies in the UK, the arrangement of the building and its location adjacent to but outside of the airfield with no direct access to the hangars, taxiways and other operational airport land means that direct interaction with airport users is limited.*

Given that the building has no direct physical link to the airside operations of the airport, it is reasonable to allow other (non-aviation) uses of the building. The building would remain in B8 use with ancillary office and shop counter (depending on the business of the next occupier)."

It goes on to argue:

"As the Council will be aware, the Airport owners are in administration and therefore is in significant financial difficulty. Clearly this indicates that the previous policy of allowing only aviation-based operators to occupy the buildings at the airport has failed to provide a sustainable economic environment in the locality.

In this circumstance, it is supported at both local and national policy level to allow more flexible use of the buildings. This will hopefully enable these buildings to be occupied by a range of aviation and non-aviation businesses. This increased activity and occupation of the existing airport buildings will provide a more viable and vital environment at the Airport which will help to facilitate more business activity and thereby attract more businesses to the locality.

Quite simply, the current restrictive conditions and policies which allow only aviation related businesses within the application site and surroundings, have failed to provide an environment within which businesses thrive. The status of the Airport company as being in administration is a clear indication of this failure and is a highly compelling reason to allow greater flexibility in the terms of the planning permission for the applicant's building.

There are no material considerations that indicate planning permission should not be granted for a more flexible use of the building that would allow either aviation and/or non-aviation based B8 storage and distribution use of the site."

Relevant Planning History

As above

Consultations

Adur & Worthing Councils: The ***Planning Policy*** Officer objects. The Adur Local Plan was adopted in December 2017. Policy 7 specifically relates to development at Shoreham Airport. Within the existing developed area of the Airport (as indicated on the Policies Map) adopted policy seeks to protect and support aviation related B1/B2/B8/hangar uses; non-airside, locations will be protected and supported for the same, aviation-related uses; non-aviation B B1/B2/B8/hangar uses will only be permitted where it is demonstrated that the use will not impact on the operational viability of the airport.

The site is described as being 'adjacent to but outside of the airfield with no direct access to the hangars, taxiways and other operational land…' and 'having no direct physical link to the airside operations of the airport'. Although the site lies adjacent to the road, no other building separates it from the airfield area. It has not been demonstrated that access to the airfield cannot be achieved. It cannot categorically be described as 'non- airside'.

Furthermore no material has been submitted to indicate that any endeavours have been made to secure aviation related development, or in relation to the operational viability of the airport.

Shoreham Airport: Object. Although the building currently has no direct access to airside, we believe that access could easily be gained. This building is ideally located for air side operations and it would have an adverse negative effect to the airport if it was to be used for non aviation activities. Furthermore, we also have not seen any evidence of marketing for aviation activities.

The airport already has too many buildings next to the operational boundary that are not used for aviation activities, this deprives the airport of much needed operational income and as such we will object to any applications such as this one.

Lancing Parish Council: Object.

a) Concerns over the preservation of the historical aspects of the airport business.
b) Adur District Council should ensure that landowners have been notified
c) Decision should be made by the Planning Committee

Representations

None received

Relevant Planning Policies and Guidance

Adur Local Plan 2017 Policy 7, 25
National Planning Policy Framework (March 2012)

Planning Assessment

Principle

Policy 7 of the Adur Local Plan states that within the existing developed area located at the southern end of the Airport (as shown on the Policies Map), airside locations will be protected and supported for aviation-related B1, B2 and B8/hangar uses. Non-airside locations will be protected and supported for aviation-related B1, B2 and B8/hangar uses and for non-aviation related B1, B2 and B8 uses where it can be demonstrated that the use will not impact the operational viability of the Airport. Appropriate aviation-related training uses will also be supported. However, training which does not require access to operational facilities will not be supported in airside locations.

In this case, the building is considered to be 'airside' as no other building separates it from the airfield area. The applicants have not demonstrated that access to the airfield cannot be achieved. Both the owners of Shoreham Airport and the Planning Policy Manager have objected to the proposal with the Airport stating that airport access could be easily achieved and that the loss of this unit to non-aviation activities would have a

negative impact on the operational viability of the airport. The proposal therefore conflicts with Policy 7 of the Adur Local Plan.

Furthermore, while not required by policy 7, no marketing or other evidence has been submitted to help justify such a change of use. It has not been demonstrated that there is no reasonable prospect of the site being used for aviation related activities in the future.

Recommendation

REFUSE for the following reason:

1. The use of the building for non-aviation related purposes would have a negative impact on the operational viability of the airport. It has not been demonstrated that access to the airfield cannot be achieved or that the building is unsuitable for aviation-related business/storage use. The proposal therefore conflicts with policies 7 and 25 of the Adur Local Plan and the relevant paragraphs of the National Planning Policy Framework.

Case Officer: Peter Barnett Date: 28 June 2018

Authorising Officer: Gary Peck Date: 28 June 2018