Development Management - Delegated Officer Report

Application Number: AWDM/0863/20 Recommendation – Approve

Site: 106 - 112 Brighton Road, Shoreham-By-Sea

Proposal: Application for variation of condition 5 of previously approved AWDM/0565/20 to allow amended operating hours of 7am-6pm Monday to Fridays inclusive, 8am-1pm on Saturdays and no working on Sundays or Public Holidays (plus access during out of hours gas emergencies).

Date of site visit: Seen using Google Maps

Neighbours checked: Y

Additional neighbour notifications: N

Proposal, Site and Surroundings

This application relates to 106-112 Brighton Road, Shoreham, on the north side of the A259 Brighton Road to the south of the railway line. It has recently been vacated by Northgate PLC who previously used the property as a vehicle hire premises under personal permission reference AWDM1123/14.

The site comprises a warehouse building with hard surfacing in front previously used for the display of hire vehicles. Immediately east of the site is a row of two storey terraced dwellings. To the north is the main coastal railway line.

The site has been acquired by the Southern Gas Network (SGN) for use as a storage and distribution depot. The supporting statement explains:

"*SGN's new Site at Shoreham has been identified as a suitable location for providing their main depot facility for the Sussex region due to its central location between Worthing and Brighton, direct access to the local road network and trunk roads including the A27 and its existing permission as a B8 facility with B1 ancillary uses.*
The Shoreham Site will provide a strategic location for SGN to maintain emergency first response times to national gas emergency calls in the region. The existing unit when reconfigured will also provide the base from which SGN would be able to manage the projected workload in the Sussex region over the next ten years."

Two applications have been submitted:

1. Variation of condition 5 of previously approved AWDM/0565/20 to allow amended operating hours of 7am -6pm Monday to Fridays inclusive, 8am-1pm on Saturdays and no working on Sundays or Public Holidays (plus access during out of hours gas emergencies) (AWDM/0863/20).
2. Extension of mezzanine floorspace; amendments to the external facades of the warehouse building; installation of perimeter boundary

fencing, barrier and gates for security purposes; and partial use of the external area for enclosed storage (AWDM/0865/20).

Relevant Planning History

• SU/207/86/TP/2249 – Outline application for warehouse with mezzanine floor for light industrial use. Approved on 6th January 1987;
• SU/233/87/TP/1638 – Application for approval of reserved matters of SU/207/86/TP/2249. Approved on 19th January 1988;
• SU/16/87/TP/1100 – Variation of Condition 11 of SU/207/86/TP/2043 to enable hours of working to be extended to 6.30am to 9.30am. Approved on 2nd March 1987;
• SU/288/88/TP/304 – Variation of Condition 3 of SU/207/86/TP to increase size of the mezzanine floor area to 1022m2. Approved on 6th February 1989;
• SU/94/89/TP/210 – Alterations to windows and doors. Approved on 13th June 1989;
• SU/131/05/TP/22002 – Change of use of 1st floor offices to private members snooker club with incidental bar and food area. Temporary approval granted on 16th August 2005;
• AWDM/1123/14 – Change of use to commercial vehicle hire and ancillary sales with associated servicing and vehicle wash. Approved on 13th October 2014.
• AWDM/0565/20 - Application for variation of condition 3 of previously approved SU/207/86 to regularise the use of the property as B8 warehouse with ancillary B1 floorspace with 284 sqm of mezzanine floor space. Approved on 22 May 2020

Consultations

Adur and Worthing Councils: The **Environmental Health** Officer has no objection

Representations

None received

Relevant Planning Policies

Adur Local Plan 2017 Policy 15, 25, 34
Shoreham Harbour Joint Area Action Plan 2019 Character Area 7
National Planning Policy Framework (February 2019)

The application site is located within Character Area 7 (Western Harbour Arm) in the Shoreham Harbour Joint Area Action Plan 2017. Whilst the properties on the south side of the A259 are designated for mixed-use redevelopment (B1 & C3 uses), the application site is not subject to any site-specific allocations.

Planning Assessment

The application is proposing a modest increase in operating hours, to start one hour earlier each weekday at 7am. In addition the applicant has advised

that they require occasional access out of these hours to enable them to respond during gas emergencies. The applicants have advised that:

"*This would involve collecting specific items of equipment not held within the team commercial vehicles to be able to deal with non-standard situations. Out of hours access is only required on a periodic basis and is normally limited to around 5no. visits per month*."

Following discussions, the agent has provided further information:

"Whilst we cannot be entirely accurate about the number out of hours visits (as this will depend on the severity of the situation), we can estimate an average figure based on other depots. I've had further discussions with SGN regarding this matter and they have confirmed that the number of out of hours visits set out in the planning cover letter (approx. 5 times per month) is based on data obtained from their Kidbrooke Site in London. This depot is served by approx. 130 field based vehicles. SGN have confirmed that the new depot in Shoreham will be served by nearer 30 field based vehicles so the frequency of out hours visits is likely to be lower than 5 per month. Furthermore, SGN have identified an offsite location for the storage of boards and barriers (now removed from the revised Proposed Site Plan I sent through recently). This will only help to further reduce the expected number of out of hours visits."

They go on to state:

"An out of hours store (with pedestrian access) is located adjacent to the roller shutter door (see revised Proposed Site Plan). This will enable field based staff access to the building to pick up emergency stock items if they are not already stored in their vehicles.

The revised Proposed Site Plan now shows all parking spaces to the west of the roller shutter door. SGN will encourage staff to park their vehicles (including turning off their engines) as far west as possible, should they require out of hours access. This could be incorporated into site management procedure if this would give the Council additional comfort?"

The site plan shows that the out of hours store is to be located approximately 15m from the boundary with the nearest dwelling to the east. Staff will access the building via a door rather than roller shutters. They will park to the west of the shutter door, some distance from the nearest house.

The application is supported by a Noise Assessment. It concludes that:

"*Access to the Site during out of hours gas emergencies (evening or night-time) is likely to have a minimal impact and for only a very short period. For weekend daytime access, it is likely that the specific sound source would not have an adverse impact on the nearest noise receptors given the context of the area.*

The assessment also adds that due to the Covid-19 situation, it is likely that the ambient noise level around the site is currently lower than usual due to there being fewer vehicles on the roads. They would expect the noise impact to be less when activity in the local area returns to more normal levels."

While 5 visits per month outside of normal operating hours is considered to be relatively high in number, the nature of the visits is considered to be quiet in nature, with equipment collected from the building via the entrance doors rather than roller shutters. As explained above, the number of visits may well be less than 5 given the smaller size of this site compared with others used by SGN.

The adjoining house has no windows on the side facing the site and is not expected to suffer a loss of amenity. The Council's EHO has not expressed any concerns and a site management plan is not considered to be necessary.

Recommendation

APPROVE

Subject to Conditions:-

1. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 as amended (or any order revoking and re-enacting that Order with or without modification), the premises shall be used only for purposes within Use Class B8, with ancillary B1 use, as defined in the Town and Country Planning (Use Classes) Order 1987 or in any equivalent to that Class in any Statutory Instrument revoking and re-enacting that Order with or without modification.
2. No raw materials, finished or unfinished products or parts, crates, packing materials, nor any other items shall be stacked, stored or displayed on the site except within the building or within enclosed storage areas approved in writing by the Local Planning Authority.
3. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 (or any order revoking and re-enacting that Order with or without modification), the building shall not be further extended or altered by means of any development, including an increase in the extent of the mezzanine floor, as set out within Class H of Part 7 of the Schedule to that Order.
4. No working, trade or business whatsoever (including loading/unloading of vehicles and operation of plant and machinery) shall take place on the premises except during out of hours gas emergencies and between the hours of:
   7.00 am and 6.00 pm on Mondays to Fridays inclusive
   8.00 am and 1.00 pm on Saturdays
   nor at any time on Sundays or Public Holidays.
5. The building subject of the application shall not be subdivided or occupied by more than one business concern without the prior approval in writing of the Local Planning Authority

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

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning

permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Case Officer: Peter Barnett Date: 5 August 2020

Authorised by: Gary Peck Date: 5 August 2020