Development Management - Delegated Officer Report

Application Number: **AWDM/0147/15**

Recommendation – Approve

Site: 30A Cecil Pashley Way, Shoreham (Brighton City) Airport, Lancing

Proposal: New hardstanding for additional car parking together with turning circle. Installation of new windows in south elevation at first floor. Installation of 5no.air conditioning units to west elevation and 1no.air conditioning unit on the north elevation. Retrospective change of use to design, test and manufacture of lightweight diesel engines for marine, land and air purposes (Use Class B2).

Date of site visit: 17 March 2015

Neighbours checked: Y

Additional neighbour notifications: N

Proposal, Site and Surroundings

The site relates to a hangar building bordering the south side of the airfield at Shoreham Airport. The site is at the western end of Cecil Pashley Road accessed from a tarmac access road and with parking spaces immediately in front of the building.

The building was originally permitted in 2002 as a hangar/workshop (L/73/02) and condition 2 limits the use to mainly aircraft hangarage and maintenance with alternative use for the storage and distribution of pilots' or aircraft-related supplies (with ancillary offices). In January 2005, permission L/218/04 was granted for the use of the east half of the building for retailing of general aviation, pilot and associated supplies with a condition 2 restricting the use to such purposes and no other purposes within Use Classes A1 (shops) or B8 (storage and distribution). ADC/0496/06 reverted the use of the east half (30A to its originally permitted purpose (under L/73/02).

The current occupier 'Cox Powertrain' uses the building for the design, testing and manufacture of lightweight diesel engines for marine, land and air purposes (Use Class B2) and the current application seeks to regularise this use.

The applicant has provided the following information in support of the application:

Cox Powertrain is currently designing and developing a unique Diesel engine with endless future applications for air, land and marine at its engineering

base in Shoreham Airport. We moved from smaller premises at the airport last year (Unit 3 Highdown House) where we employed 6 staff.

Due to the company's success we needed to expand.

Since being at our new premises we have heavily invested in the infrastructure of unit 30A Cecil Pashley Way, to enable the design, development and testing of our unique and ground breaking engine. This progress has allowed us to increase our staff numbers from a previous 6 employees to the current number of 28. A large proportion of employees live nearby in Shoreham-by-Sea or close by in Sussex. Our intention is to increase employees further in line with the success of the development of the engine at Unit 30A. This expansion would enable us to sell engines in volume from a location yet to be decided.

The location on Shoreham Airport was chosen specifically due to its close proximity to Ricardo's Shoreham site, who we have been working in close collaboration with since the early days of Cox Powertrain's history.

In addition, we have also been working closely with Young Calibration Ltd and Bonner Engineering who are also based at Shoreham Airport. This collaboration has also influenced our rationale for this location.

New windows are proposed on the south side of the building at first floor level which would be powder coated aluminium finished in blue to match the existing door. Air conditioning units are proposed as detailed in the description. The application also proposes a new hardstanding to the west of hanger building to provide parking and turning facilities with steel chain link fencing to the western edge less than 1 metre in height to match existing fencing. This involves the removal of the existing waste/spoil bank. A pebble/gravel surface is proposed with drainage running to a perforated French drain and falling to the existing ditch.

Consultations

The **Highway Authority** has raised no objection and made the following comments:

The proposal for 7 new car parking spaces, 1 disabled space and cycle storage has been considered by WSCC as the local highway authority. The spaces have been laid out in accordance with Manual for streets guidance of 2.4m x 4.8m and additional space around the disabled bay has been included. A turning area has also been included to allow cars to exit the car park in forward gear. WSCC raise no objection.

Environment Agency: No comments received

Adur and Worthing Councils:
The Contaminated Land Officer has identified the site as being on or adjacent to potentially contaminated land. No other adverse comments confirmed from the Environmental Protection team.

The Planning Policy Officer comments:
The application site is located within Shoreham Airport which is subject to policies AE10 to AE14 of the Adur Local Plan 1996. The most relevant policy is AE10 which states that 'Priority will be given to uses which require an airport location because of the nature of the individual business concerned.'

Proposed Submission Adur Local Plan 2014
Policy 7: Shoreham Airport states the following:
'Within the existing developed area located at the southern end of the Airport, new development for aviation related B1, B2 and B8 uses, as well as other appropriate ancillary employment generating uses, will continue to be supported. Existing B1, B2 and B8 uses will be protected. Non-aviation relates uses will only be permitted in exceptional circumstances where it can be demonstrated there are significant regeneration benefits. Appropriate aviation-related training uses will also be supported in this location.'

The emerging Local Plan is now at Publication stage and should therefore have some degree of weight in decisions on planning applications.

Based on the additional information in Geoffrey Lawrance's email dated 29 June 2015, I have no objection to this planning application. The business has a link with the aviation industry and is compatible with an airport location as well as other businesses at the airport. I therefore consider that there is no conflict with policies in the existing and emerging Local Plan.

The Councils Engineer has commented as follows:

The site lies in flood zone 2 and 3, is prone to surface water flooding and has a history of being flooded previously. However that would not stop the development. My concern is the works adjacent to the existing ditch.Once this development takes place then will this unit will be responsible for maintenance of the ditch. Or will its maintenance be retained by the airport. Either way we must have clear access from the car park to the ditch therefore there must be no fencing.

If there is an intention to discharge into the ditch the applicant must make a land drainage application.

Can you get clarification on the following points.

- *Who will maintain the existing ditch in the future, ie who will retain Riparian Rights.*
- *When will maintenance be undertaken, there will be a requirement placed upon the Riparian Owner to clear the reeds on a bi-annual basis. The ditch requires clearance now.*
- *Is any work proposed on the alignment of the existing ditch.*
- *How will maintenance be performed with the new fence line in position*
- *Will there be a discharge to the ditch if so please provide details of the headwall and give details of the discharge pipework in relation to the existing ditch maximum water levels.*

- *Who will be making the land drainage application? i would suggest that that is made before the application is determined because refusal to permit discharge to the ditch would stop the development.*

Lancing Parish Council: No objections

Representations
None received

Relevant Planning Policies
Adopted Adur District Local Plan 1993-2006 (ADC 1996) (saved policies): AE10, AE12, AE14, AG1, AP7
Proposed Submission Adur Local Plan (ADC 2014): 7, 26
National Planning Policy Framework (CLG 2012)

Planning Assessment

Principle
The site is located outside the 'built up' area within an area of countryside which separates Lancing and Shoreham. Development at Shoreham Airport is currently restricted by a legal agreement to the southern part of the site, on either side of the terminal building. The adopted Local Plan recognises the need for Shoreham Airport to be economically viable and supports limited development primarily for airport-related businesses consistent with environmental protection policies.

Policy 7 within the Submission Local Plan allocates the north-eastern part of the Airport for 15,000sqm of new employment-generating floor space (aviation and non-aviation related) subject to (amongst other things) improvements to the A27 Sussex Pad junction, completion of the Adur Tidal Walls, and mitigation of impacts on landscape, ecology etc. Policy 26 seeks to resist changes of use from Class B1, B2 and B8 on employment sites including Shoreham Airport.

The applicants supporting statement explains the rationale behind the airport location and in relation to the need for an airside location, the applicant has clarified as follows:

At this stage of their operation, the applicants are using the airfield for occasional access. However, as they anticipate aviation as a market for their engines, it is fully expected that the development subsequently will involve the use of airside application.

On the basis of this information the Planning Policy Officer is satisfied that the business has a link with the aviation industry and is compatible with an airport location as well as other businesses at the airport. It is therefore considered that the continuation of the use would have no conflict with policies in the existing and emerging Local Plan and so can be supported. However, other non-aviation B2 uses where there is no specific requirement for an airport location may be contrary to policy. Therefore a restrictive condition is recommended to limit the use of the premises to design, testing and manufacture of lightweight diesel engines for marine, land and air purposes (Use Class B2) and a personal condition to Cox Powertrain Ltd.

Flooding
The Environment Agency were consulted on the application as the site lies within flood zone 3 but no comments have been received. However, the development is not classed as vulnerable, is not within 20 metres of a main river and is considered 'minor' in relation to flood risk. The alterations to the building have no implications for raising flood risk in terms of the efficacy of existing drainage measures or operation of the wider floodplain.

In terms of the hard surfacing works, in response to the Councils Engineers concerns and comments, the applicant has provided amended plans to delete the French Drain and using permeable surface materials and has deleted the fencing to allow for maintenance access. The applicant has confirmed that no work is proposed on the alignment of the existing ditch and there would be no discharge to the ditch and that the Airport has responsibility for the maintenance of the ditch.

On this basis the Councils Engineer has confirmed no objection subject to a condition such that any deleterious material that falls into the ditch or surrounding reeds during construction is immediately removed.

Visual Amenity
The site is at the western edge of development within the airport site and can be seen from distant views from the north and south of the airport. Five of the six air conditioning units would be positioned on the west elevation where they would not be readily visible from vantage point of the access road approaching the site but would be visible from the proposed new hardstanding. The other unit, which is the smaller of the two designs, would be positioned at the rear of the building. In the context of this industrial/aviation hanger where there are other similar air conditioning units on premises within the airport the proposal is considered acceptable in terms of the impact on visual amenity. The proposed windows would be in keeping with the design of the existing entrance door and with windows on the neighbouring hanger and are considered visually acceptable. The proposed hardstanding would not cause any significant harm to visual amenity. The advertisements are the subject of a separate application which was approved on 28.04.2015 (AWDM/0149/15 refers).

Access and parking
The current parking provision is limited to 9 spaces directly in front of the building and the proposals would increase this to 16 spaces including a disabled bay and a cycle store is also proposed.

The increased parking provision is considered acceptable and the cycle store will help to encourage travel by alternative modes of transport. In the absence of any objection from the Highway Authority parking and access is considered acceptable.

Amenity of neighbouring occupiers

The Environmental Health Officer has raised no objection to regularising the use or to the proposed air conditioning units. The application proposals are

considered acceptable in terms of impact on the amenity of neighbouring occupiers.

Recommendation

APPROVE
Subject to Conditions:-

1. Standard time limit
2. Restrict use as per description
3. Personal to Cox Powertrain Ltd
4. All manufacture, and testing and any associated repair or maintenance of engines shall, as far as practicable be carried out within the enclosed building at 30A Cecil Pashley Way.
5. Potentially contaminated land
6. Details of cycle store to be submitted and agreed
7. Windows to match colour of existing door framework
8. Any deleterious material that falls into the ditch or surrounding reeds during construction shall be immediately removed.
9. Drawing numbers:
   Unnumbered Site Location Plan deposited 6 May 2015
   Drawing entitled 'Ground Floor Plan' deposited 6 May 2015
   Drawing entitled 'First Floor Plan' deposited 6 May 2015
   Drawing entitled 'Elevations' deposited 6 May 2015
   Unnumbered Block Plan Revision E deposited 9 September 2015
   Drawing entitled 'Section AA Through Proposed Additional Parking' Revision 8.9.2015 deposited 9 September 2015
   Emails of clarification dated 29 June 2015 and 9 September 2015

Informatives:
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.

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

Case Officer: Rebekah Smith Date: 14 September 2015

Authorised by: Peter Barnett Date: 14 September 2015