Development Management - Delegated Officer Report

Application Number: **AWDM/1681/16** **Recommendation –** Approve

Site: Marks and Spencers Plc Holmbush Centre Upper Shoreham Road

Proposal: Installation of 1 no. temporary refrigerated 12 metre container (between 1st November and 31st January annually)

Date of site visit: 21 November 2016

Neighbours checked: Y

Additional neighbour notifications: Site notice 21.11.2017

Proposal, Site and Surroundings
The application site comprises the rear of the easterly wing of the Holmbush Centre which is occupied by Marks and Spencers. The nearest neighbouring units comprise a fast food restaurant and large supermarket located within the remainder of the building to the west. The building overlooks the customer car parks to the south and east and with parking and servicing area at the rear (north) of the building. The site is situated adjacent to the A27 to the north/north west. There are residential dwellings to the east of the site beyond a steep embankment adjacent to the customer car park. The South Downs National Park is to the north. Planning permission SU/203/87 granted outline permission for the shopping centre with subsequent reserved matters applications.

Permission is sought for a refrigerated storage container to be located at the rear of the building adjacent to rear service doors and sited 1.5 metres from the pedestrian footway. The container would be 12.19 metres in length, 2.44 metres in width and 2.59 metres in height. The storage container was installed when the application was made, in a slightly different position to that shown on the plans, but has since been removed nearing the end of the temporary period (on 11 January 2017). An accurate noise assessment was not available at the time the application was made or during this period, but has since been submitted. The applicant has confirmed that they intend to install the container in the position as detailed on the submitted plans in future temporary periods.

Consultations

***Adur & Worthing Councils*:** The Environmental Health Officer raises no noise concerns

West Sussex County Council: The Highway Authority has made the following comments: The proposal is for temporary refrigeration container (between 1 November and 31st January annually). *From an inspection of the plans the container will take away 6 x staff car parking spaces during these times.*

No details have been provided of staff numbers or required number of staff car parking spaces. However, from an inspection of local mapping and knowledge of the site the Local Highway Authority consider that sufficient space on site remains for parking and that overspill parking could occur within the large customer car park and not in locations nearby on street that would be deemed detrimental to highway safety.

West Sussex Fire and Rescue: WSFR have commented based on the siting of the container as it was installed (further to the north within the access road), that a fire appliance would, in all probability, be able to turn in the remaining space but consideration should be given to it being moved to the submitted position and with future compliance guaranteed.

South Downs National Park: SDNP have made the following commetns:

As the landscape, with its special qualities, is the main element of the nearby South Downs National Park and its setting, attention is drawn to the South Downs Integrated Landscape Character Assessment (Updated 2011) as a key document as part of the overall assessment of the impact of the development proposal, both individually and cumulatively, on the landscape character of the setting of the South Downs National Park; this document can be found at:http://www.southdowns.gov.uk/about-us/integrated-landscape-character-assessment

Taking into account the above in the determination of this application, the SDNPA would also draw attention of Adur/Worthing Councils, as a relevant authority, to the Duty of Regard, as set out in the DEFRA guidance note at http://archive.defra.gov.uk/rural/documents/protected/npaonb-duties-guide.pdf

It may also be helpful to consider the development proposals in the context of National Park Circular 2010 for guidance on these issues at: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/221086/pb13387-vision-circular2010.pdf

The SDNPA trust that the above comments are helpful to Adur/Worthing Councils in the appraisal and determination of this planning application, in consideration of the setting and special qualities of the South Downs National Park.

Representations
One representation received from the occupiers of 5 Holmbush Close raising concerns over the potential for noise and disturbance, particularly at night.

Relevant Planning Policies
Adopted Adur District Local Plan 1993-2006 (ADC 1996) (saved policies): AG1
Adur Local Plan 2016 (Submission) Policies: 1, 15
National Planning Policy Framework (CLG 2012)
National Planning Practice Guidance

Planning Assessment
The storage container has now been removed and so the application would relate to its installation from 1 November 2017 to 31 January 2018 initially and annually for that same period thereafter, in the position shown on the submitted plans.

Although the storage container would have a typical utilitarian appearance, being located at the rear of the building where it is relatively well enclosed from the south by the existing building and from the north by the embankment adjacent to the A27, not readily visible from the national park, and adjacent to the rear service area. Given that a temporary period is sought annually and that the container would be removed for at least 9 months of the year, the proposal is considered acceptable in terms of visual amenity.

The comments raised in the representation are noted. The Environmental Health Officer is satisfied with the revised noise assessment provided and in the context of the scale of the existing shopping centre and relationship to nearby dwellings to the east, the impact on residential amenity is considered acceptable.

The Highway Authority has raised no concerns over the loss of staff parking for this temporary container and with its future siting being as per the submitted plans, would not cause any concerns in terms of access for emergency vehicles.

Recommendation

Approve

Subject to Conditions:-

1. Permission relates to approved plans
2. Temporary installation between 1st November and 31st January annually, removed outside that period.
3. Unless otherwise approved in writing by the Local Planning Authority the temporary refrigeration unit hereby permitted shall consist only of that specified in Appendix C of the submitted acoustic report by Sharps Taylor dated 21 March 2017.

Informative

- 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? Y

Case Officer: Rebekah Smith Date: 18 April 2017

Authorised by: Jo Morin Date: 18.04.2017