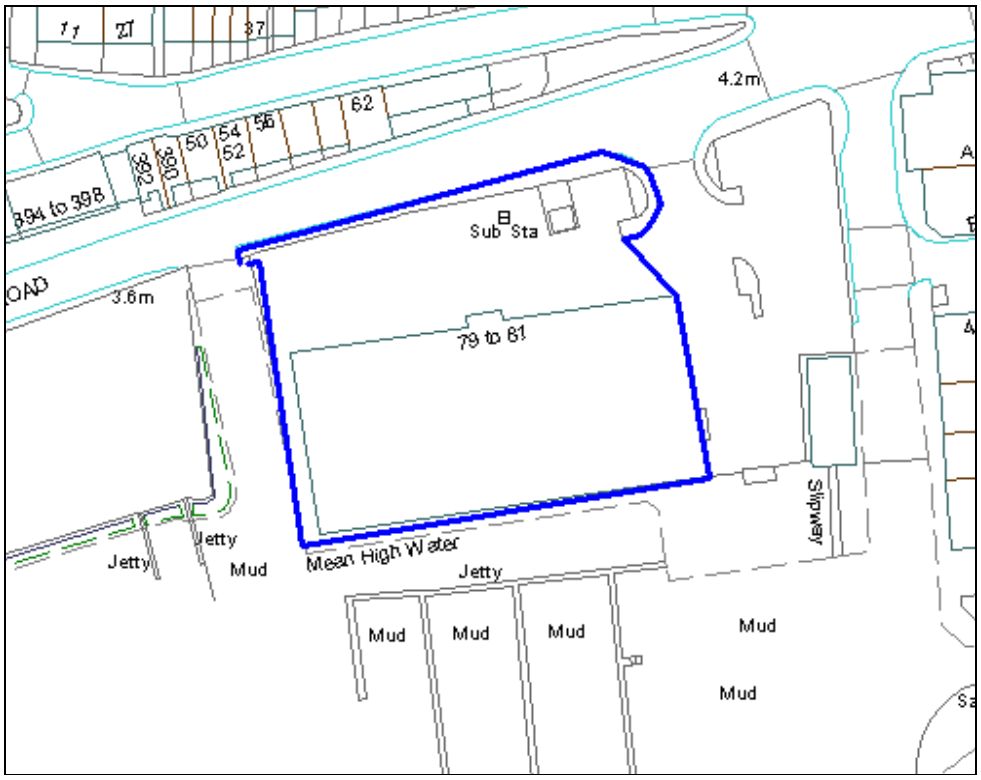
Application Number: AWDM/0400/12 Recommendation – Approve

Site: 79-81 Brighton Road, Shoreham, BN43 6RE

Proposal: Continued use (for a further 6 months) of former 'Parcelforce' building as a roller rink (renewal of AWDM/0560/11).

Applicant: GYSO Discos Ltd Ward: St Mary's
Case Officer: Peter Barnett



Not to Scale

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Proposal, Site and Surroundings

The application relates to the former Parcelforce building on the south side of A259 Brighton Road. Planning permission was granted in November last year for a temporary period until 31 May 2012 for the use of the building as a roller skating rink (Class D2), the use having commenced in August 2011. The previous owner obtained planning permission for a mixed use redevelopment of 79 flats and a hotel with commercial A1/A3 and gym uses (ADC/0088/07) and the application (ADC/0215/10) submitted by the Receivers to extend the time limit for implementation was approved in November 2011. An application by the new

owners to redevelop the site with a mixed-use development comprising 132 dwellings and a 1265sqm foodstore plus ancillary commercial A1, A2, A3, A5 and B1 uses has recently been submitted (AWDM/0501/12). This application is seeking a further 6 month renewal (until the end of November 2012).

The building has a floor area of 2,165sqm and comprises a main hall now in use as the roller-skating rink, measuring approximately 50m long and 25m wide, with a smaller rink (30m long and 15m wide) at the western end perpendicular to the main rink. There is a reception and skate hire at the eastern end plus a snack bar, shop and toilets. The car park at the front provides 25 parking spaces. The opening hours controlled by planning condition on the original planning permission are 9am -10pm every day. The original planning permission also required noise levels from the building to not exceed 55dB as measured 1.5m from the southern façade of the building and a noise report was subsequently submitted by the applicants to demonstrate that this figure was being achieved.

The site is adjacent to a vehicle repair garage and business units to the east. There are houseboats with an associated building directly to the south of the roller disco building and the yacht club to the west. There are residential properties and a disused tool hire shop on the opposite side (north) of the A259 Brighton Road (fronting New Road and Surry Street).

Consultations

West Sussex County Council: To be reported

Adur & Worthing Councils: The Environmental Health Officer has no adverse comments***:***

Representations

1 letter/email has been received from the occupier of Houseboat Merrydown objecting to the renewal on the following grounds:-

- Since the use began he has had to call the police and environmental health officers on several different occasions because of excessive noise
- People often wander into the private boat yard
- Owners of the roller rink have been rude, abusive and threatening when asked to reduce the music volume
- Situation is likely to get worse over time if this permission is renewed

Relevant Planning Policies and Guidance

Adur District Local Plan (saved policies): AG1, AR7
Revised West Sussex Parking Standards (WSCC 2003 & ADC 2004)
National Planning Policy Framework (DCLG 2012)

‘A Strategy for Shoreham Renaissance’ (2006)
Shoreham Harbour Interim Planning Guidance (ADC 2011)

Planning Assessment

Principle

In the Local Plan, the site lies within the area covered by the Town Centre Inset Plan but is not identified for any particular use or development. It lies outside but adjoining the eastern end of the Conservation Area. Policy AR7 permits the development of new recreational facilities within the built-up area subject to, among other criteria, local environmental considerations, including the effects on the residential amenity of nearby dwellings and on-site parking arrangements.

Shoreham Town Centre is a key location for regeneration. The 2006 document ‘A Strategy for Shoreham Renaissance’ aims to “*regenerate Shoreham town centre as a sustainable community possessing economic, social and environmental diversity*”. The application site forms part of the ‘Waterside East’ key opportunity area in the Renaissance strategy and is specifically identified as an opportunity to “*create a destination along the riverside walk enabling leisure activities to take place and provide a high quality environment for both existing moorings and new residential development*”.

The ‘Interim Planning Guidance Update for Shoreham Harbour’, adopted on 14 October 2011, states that new development within the IPG area will be encouraged if it is consistent with the vision and regeneration objectives but not if it is likely to prejudice those objectives. It allows for appropriate temporary permissions so as not to conflict with future redevelopment.

The National Planning Policy Framework states that planning policies and decisions should aim to avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development. The use of planning conditions can mitigate and reduce to a minimum the impacts of noise.

As stated above, the policies allow for appropriate mixed uses, including leisure uses, but the key objective for this prominent site is to secure the redevelopment of the existing grossly unattractive building in order to help bring about the environmental and economic regeneration of the town centre.

Consequently, the use in question is only acceptable as a short-term interim use pending the consideration of the permanent mixed use redevelopment scheme by the new owners of the site. The roller skating use has involved only relatively minimal alteration, with the inside converted into 2 rinks, and the continued use is considered in principle to be an acceptable temporary use of a building which has stood vacant for many years. It is likely that the owners will not renew the

roller disco operator's lease once they have secured a permanent permission for redevelopment.

Visual amenity

No change to the outside of the building is proposed although some 'street art' has been painted on the brickwork of the front elevation. The building and forecourt has a rundown appearance following years of disuse and the use as a roller skating rink has made little difference, with the faded red metal cladding remaining unaltered, with no re-painting.

Residential amenity

The National Planning Policy Framework makes it clear that the impact of noise can be a material consideration in the determination of planning applications. One of the main considerations with the previous application was the impact on residential amenity, most notably on the occupiers of the houseboats to the south of the building. The roller skating rink involves use primarily as a roller disco with skating sessions to music. Representations initially received since the use began in August highlighted the noise disturbance suffered by residents. It appears that there are regular discos, plus special events which attract larger numbers of people. Alcohol is also being sold at the premises under a drinks licence and there was local concern that it was becoming more of a nightclub than skating rink.

Since permission was granted in November with hours, use and noise restrictions imposed the number of complaints has reduced. There have been two complaints made in recent months to the Environmental Health section, primarily concerning the volume of music from the roller disco.

However, the current application for the renewal has generated only one letter of objection from an occupier of one of the houseboats. The Council's Environmental Health Officer has not raised any objections to the renewal and there is no evidence to suggest that the use is not operating in accordance with the noise restrictions imposed at the time of the original consent. The approved noise survey demonstrated that noise levels were approximately 50dBA, well within the 55dBA limit. Noise may have arisen from doors being left open which is a management issue and can be dealt with by Environmental Health.

While there have been a few complaints it is not considered that these are necessarily symptomatic of a regular breach of the planning conditions and it is considered that, overall, the facility is operating within those restrictions.

The use has proved to be a popular leisure facility and has made good use of an otherwise redundant building. It is therefore considered that a further 6 month permission is justified.

Accessibility and parking

25 parking spaces are available at the front of the building. The site is located close to the town centre and is easily accessible by public transport or on foot. There is no evidence that the use has caused detriment to highway safety, particularly when compared with the previous use of the site as a mail distribution depot (or its original use as a retail warehouse).

Other Matters

With regard to people wandering into the boat yard, this is predominantly a management issue the applicant has provided signage to ask patrons leaving the disco to do so quietly so as not to not disturb residents. The applicant has confirmed that security cameras have also been installed.

Recommendation

APPROVE for the reason:-

The site is identified as a key redevelopment opportunity in the Shoreham Renaissance Vision and Shoreham Harbour Regeneration strategy and the use of the building as a roller skating rink is only acceptable as a short-term interim use pending redevelopment. The use also has the potential to cause disturbance to nearby residents. With appropriate conditions in place to control hours of operation and noise, it is considered appropriate to grant a short-term temporary permission which would retain planning control and thereby not conflict materially with the relevant policies of the Adur District Local Plan (AG1, AR7).

Subject to Conditions:-

1. Temporary permission expiring 30 November 2012
2. Use restriction
3. Noise from any music at the site shall not at any time exceed 55dB LAeq (F) 1 hour as measured 1.5m from the Southern façade of the building in accordance with the approved noise report from Acoustic Associates Sussex Ltd dated 2 February 2012
4. The premises shall not be open for use as a roller skating rink (including skating, the playing of music and any other associated activity) other than between the hours of 9am and 10pm on any day.
5. This permission relates to the following approved plans received 22 March 2012:
   Location Plan, Floor Plan

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Local Government Act 1972
Background Papers:

As referred to in individual application reports

Contact Officers:

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