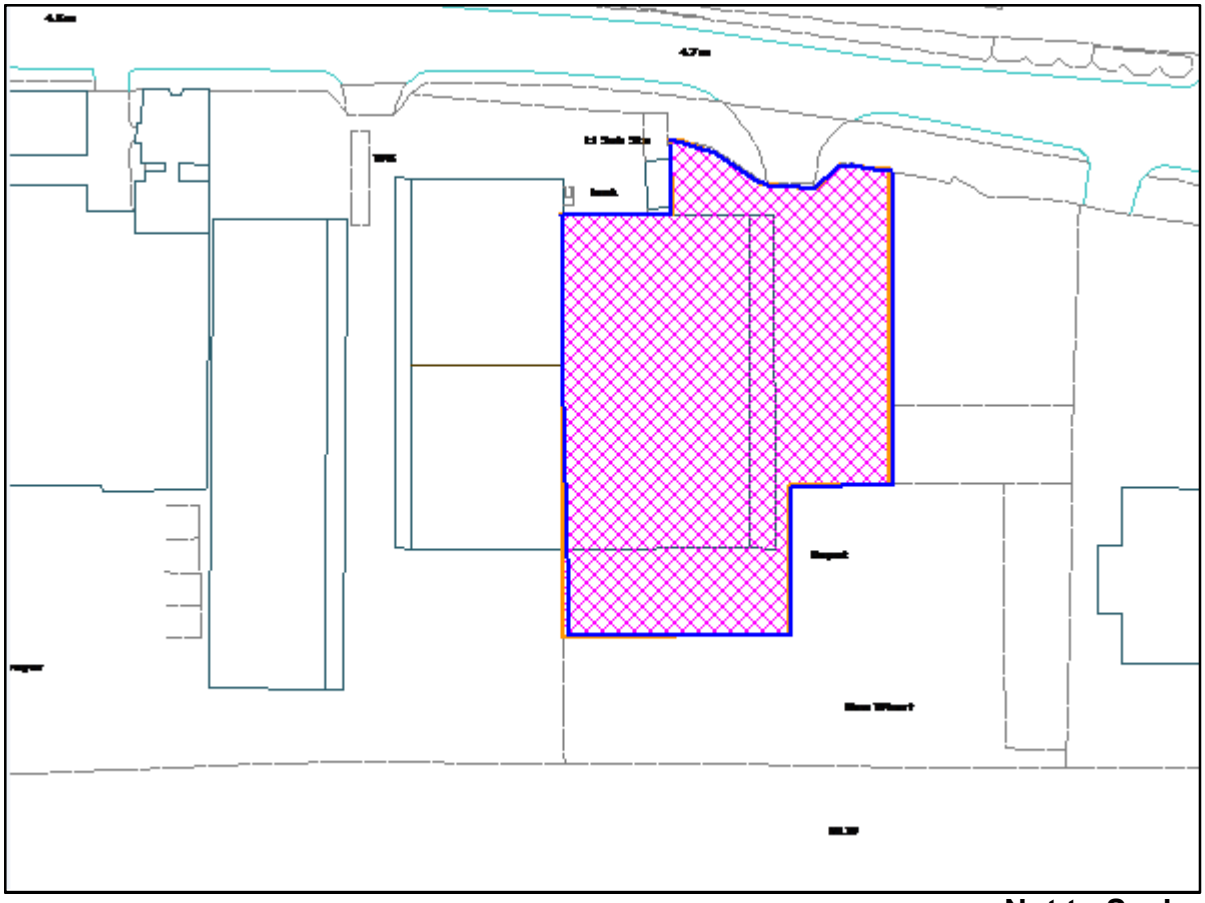
Application Number: AWDM/0099/16 **Recommendation – Approve**

Site: **Unit 3 New Wharf Brighton Road Shoreham-By-Sea West Sussex**

Proposal: **Change of use from B1c Light industry to B8 storage (retrospective)**

Applicant: Mr Lawrence Davison Ward: St Mary's
Case Officer: Peter Devonport



Not to Scale

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Site and surrounds

The site is rectangular in shape and is 0.35 hectares in size. It comprises a purpose built warehouse unit with ancillary offices and allied curtilage on the south side of Brighton Rd (A259), adjacent to the Western Arm of Shoreham Harbour. It sits to the east of Shoreham town centre in a long established Port related business/industrial/warehousing/commercial area and faces the modern residential development on the north side of the Shoreham Beach peninsula.

The main building is pitched roof and tall with an oversailing canopy characteristic of a warehouse and comprises 1970 sq ms of floorspace. It is set back from the road

and positioned on the west side of the site, facing east to the main service area. The interior of the warehouse comprises mainly racks though offices in two storey separate units lie within the main warehouse building on the north side. The site does not front the river and excludes the actual wharf which is attached to the land to the east.

The site is accessed from Brighton Road via a wide bell-mouth and parking for 25 cars is provided in the open curtilage.

Whilst the site has been recorded as light industrial, it has been used by the current occupiers and applicants, Paladone Products Ltd, for warehousing and distribution (B8 use), reportedly, since June 2002. Prior to that, the applicants advise it was also used for warehousing. The Planning History is not clear but suggests a long history of warehouse use, albeit, interrupted, with at least one light industrial episode.

The site is in Flood Zone 1 and the land is close to identified potentially contaminated land. It lies beyond the HSE Hazardous Substance Notification Zones.

Planning History

Application Number	Development Description	Decision	Decision Date	Appeal Decision	Appeal Decision Date
SU/100/92/TP/7441	Outline Application For Storage Warehouse	APPLICATION PERMITTED	20-07-1992		
SU/103/99/TP/18035	Advertisement Hoarding On West Side Of Forecourt	APPLICATION PERMITTED	16-08-1999		
SU/112/98/TP/17526	Unloading, Storage And Grading Of Mineral Aggregates And Concrete Batching (Wet Mix) Plant	TEMPORARY PERMISSION	26-09-2000		
SU/122/94/TP/15560	Temporary Use Of Part Of Wharf For Storage Of Road Construction Materials, Road Signs, Barriers Etc	TEMPORARY PERMISSION	12-09-1994		
SU/133/98/TP/17573	Redevelopment Of Industrial Building With Non-Food Retail Warehouse (1,032 SQ.M) With Parking And Servicing Areas (Outline)	APPLICATION REFUSED	13-08-2001		
SU/168/93/TP/8109	Non-Illuminated Signboard For Car Wash (Retrospective)	APPLICATION WITHDRAWN	29-10-1993		
SU/184/84/TP/3339	Two Advertisement Hoardings.	APPLICATION PERMITTED	20-11-1984		
SU/19/84/TP/2947	Six Advertisement Hoardings.	APPLICATION REFUSED	13-03-1984	APPEAL DISMISSED	27-09-1984
SU/206/85/TP/2788	Outline Application For Single-Storey Light Industrial Building (325 SQ M) With Parking For 5 Cars & 1 Lorry	APPLICATION PERMITTED	10-12-1985		
SU/296/01/TP/19592	Change Of Use From Industrial To Trade Warehouse With Incidental Retail Sales	APPLICATION WITHDRAWN	20-02-2002		
SU/31/83/TP/3554	Two Non-Illuminated Signboards In 'V'Formation.	APPLICATION PERMITTED	05-04-1983		
SU/47/99/TP/17881	Change Of Use From Industrial Building To Wholesale Fruit And	APPLICATION WITHDRAWN	18-05-1999		

	Vegetable Market (For 5 Years)			
SU/472/77/TP/9629	Change Of Use	APPLICATION PERMITTED 20-12-1977		
SU/48/87/TP/1187	Construction Of A Single-Storey Building For Light Industrial Purposes Of 415.86.Square Metres And On Site Parking Facilities For Nine Cars	APPLICATION PERMITTED 12-05-1987		
SU/80/86/TP/1918	Single-Storey Building For Light Industrial Use With On Site Parking For 9 Cars	APPLICATION PERMITTED 08-07-1986		
SU/95/93/TP/7878	2 Advertisement Hoardings On East Side Boundary	APPLICATION REFUSED 12-07-1993	APPEAL ALLOWED	07-12-1993

Proposal

The proposal is to retrospectively regularise the existing B8 warehouse storage use. No physical works are involved.

Proposed operational hours are 7.30 am to 6pm, Monday to Friday,

Supporting Statements

The proposal is supported by the following Statement;

The applicants, Paladone Products Ltd, took a lease on the building in June 2002, for use as a storage and distribution site. The previous leaseholders had also used the site for the same purpose, but the Planning Use of the site was B1C Light Industrial. In order to comply with the terms of the lease, the applicants have therefore instructed us to submit a planning application for a change of use in order to be regularise the situation.

The applicants have not made any changes to the building and will not be proposing any changes as part of this application. The building will continue to be used in the same manner as it has done by the applicant since 2002.

Consultations

Adur District Council

The Environmental Health Officer raises no objections**.**

The Highway Authority comments as follows;

The proposal to change the use of the existing B1c light industry unit to B8 storage has been considered by WSCC as the Local Highway Authority. No objection is raised subject to any conditions attached.

The application site has previously been used for B1c Light Industry and is now operating as a storage unit. This is a retrospective planning application.

The warehouse is located on Brighton Road, Shoreham-by-sea, and provides 1970sqm, employing 44 people.

WSCC are satisfied the change in use still provides the correct parking allocation recommended by our parking standards. These are 1 space per 100sqm for cars, 1 minimum lorry space and 1 space for every 500sqm. As such the existing parking of 25 cars and 3 LGVs is satisfactory for the B8 use.

The site is located directly off the A259 Brighton Road and the existing access is wide and provides good visibility in both directions. Details of the expected daily trip rates have not been included in the submission. It is assumed the number of staff trips will stay approximately the same as the number of employees will not change, however the number of LGV trips may differ and this should be shown.

Notwithstanding this information regarding trips, the impact this change of use will have (has had) on the existing highway network is not considered to cause any material capacity impact on the adjacent highway network.

Southern Water has no comments

Representations

None received.

Planning Assessment

The main issues raised by this proposal are:-

- The principle of loss of light industrial land (B1) and acceptability of B8 warehousing storage use.
- Impact on access and parking
- Impact on amenity/functionality of neighbouring uses and businesses
- Other environmental impacts

Relevant Planning Policies and Guidance

The Committee should consider the planning application in accordance with:

Section 70 of the Town and Country Planning Act 1990 (as amended) that provides the application may be granted either unconditionally or subject to relevant conditions, or refused. Regard shall be given to relevant development plan policies, any relevant local finance considerations, and other material considerations; and

Section 38(6) Planning and Compulsory Purchase Act 2004 that requires the decision to be made in accordance with the development plan unless material considerations indicate otherwise.

The Adur Local Plan saved policies comprise the Development Plan here but the Government has accorded the National Planning Policy Framework considerable

status as a material consideration which can outweigh the Development Plan's provisions where such plan policies are out of date; or silent on the relevant matter or at variance with the National Planning Policy Framework. Whilst the Saved Policies from the 1996 Local Plan are now twenty years old, the Council's own Conformity Assessment of the saved policies currently indicates broad compliance with the National Planning Policy Framework, where relevant policies exist. The weight accorded to the emerging Adur Local Plan as a material consideration is limited due to its evolving status.

As such the proposal should, as appropriate, be principally assessed against the National Planning Policy Framework and Planning Practice guidance and also saved Adur Local Plan Policies AE8, AE9, AT3, AT4, AG1 and AG3; The Revised Draft Adur Local Plan (2016) Policies 1, 2, 4, 8, 11, 15, 19, 29, 30; 35; 36; 37 Draft Joint Area Action Plan (JAAP); Development Brief Western Arm of Shoreham Harbour; the Draft Shoreham Harbour Transport Strategy; Noise Action Plan; Air Quality Management Area; ; Planning Noise advice document; Air Quality and Emissions guidance for Sussex.

The principle of loss of light industrial land (B1) and acceptability of B8 warehousing storage use.

The National Planning Policy Framework supports sustainable economic development to deliver the business and industrial units, infrastructure and thriving local places that the country needs and supports existing business sectors.

The site lies in a designated policy area in the Saved Local plan, where port related businesses will be allowed and existing wharves/berthings safeguarded. The adjacent wharf is unaffected and warehousing sits comfortably in this location, amongst similar industrial/ warehousing and port related uses and is well served by the arterial road (A259).

The Revised Draft Local Plan has different ambitions for the site and area as part of the regeneration of the Western Arm of Shoreham Harbour as a mixed use (residential and commercial area). This includes facilitating the strategic relocation of appropriate industrial uses to elsewhere in the Port or local area to free up waterfront opportunity sites. However, the timescale for such is long term and a simple change of use from industrial to warehousing without redevelopment does not prejudice this ambition, especially as this simply regularizes an event that took place some 14 years ago, and would have effectively become the lawful use anyway after 10 years uninterrupted use.

As such the proposal may be supported in principle and retention of the business helps safeguard the 49 jobs related to the business.

Impact on access and parking

In general terms, the site is well located. It connects directly to the A259 and, therefore, arterial road network and uses an existing access with adequate visibility, though no right turn facility. Parking and servicing space are adequate. The Highway Authority raises no objections.

Impact on amenity/functionality of neighbouring uses and businesses

The business is long established and adjacent to similar commercial uses and remote from any residential area.

No harm to any neighbouring business has resulted and the operational hours are satisfactory.

Other environmental impacts

No physical works re involved and so no breaking of ground and no risk from any land which may be contaminated. The site is in the least risk Flood Zone (1) and no works to drainage are involved. The site is outside of the Air Quality Management Area and any other designated potential Hazards.

Conclusions

The proposal is supported.

Recommendation

Grant Planning Permission subject to the following conditions:-

1. Implement as on approved drawings
2. Operational hours 7am to 9pm

Background Papers

Observations by Highway Authority
Observations by Environmental Health Officer
Observations by Southern Water

26th May 2016