Development Management – Delegated Officer Report

Application Number: AWDM/0435/23 **Recommendation: Approve**

Site: **151 Brighton Road, Shoreham-by-sea**

Proposal: **Provision of 9no. electric vehicle charging bays (including canopy over 5no. bays at front of site), new substation and power supply equipment within 2.2m high fenced enclosures, removal of 2no. fuel pump islands with associated reduction in canopy size, rearrangement of car parking and associated works.**

Date of Site Visit: 4th April 2023

Neighbours Checked: **Y**

Additional neighbour notification: **N**

Proposal, Site and Surroundings:

The application relates to the Shell petrol filling station by the A259 Saltings Roundabout on the A259. The site is accessed from the north via a slip road which runs parallel to the Brighton Road and the exits are located to the north onto the roundabout or to the west via The Saltings. The main petrol station building is set back from the road with the petrol pumps, forecourt and additional parking spaces located to the north of the sales building. There is a single storey brick building to the east of the main building which comprises jet wash and car wash facilities. To the south of the sales building there are additional parking bays and air and water vacuum services. The surrounding area comprises a mixture of commercial buildings and residential properties. To the east, south and south-west of the application site there are a number of residential properties located on Shoreham Beach. To the west there is a detached building comprising a public house and restaurant.

It is proposed to provide an electric vehicle charging (EVC) hub at the site comprising the following works:

- The provision of 9no. rapid charge EVC bays - 5no. along the frontage adjacent to the eastern entrance and 4no. in front of the sales building, including 1no. disabled user space. The spaces along the frontage are to have a new canopy above.

- The spaces by the sales building will necessitate the removal of the two easternmost fuel pumps with associated reduction in canopy above.

- Provision of new substation compound adjacent to the western exit onto The Saltings

- Provision of ‘rectifier’ units with a new compound adjacent to the jet wash at the eastern end of the site

- General rearrangement of the car parking spaces

- New floodlighting and CCTV across the site

Planning History:

Numerous applications relating to the site's operation as a filling station.

Consultations:

West Sussex County Council: The Highways Authority has no objection.

Adur and Worthing Councils: Public Health: No objection subject to conditions relating to hours of construction, CMP, contamination

Representations

None received

Relevant Planning Policies

Adur Local Plan 2017 Policy 15, 18, 19, 28, 34
Sustainable Energy SPD (August 2019)
Adur Planning and Climate Change Checklist (June 2021)
National Planning Policy Framework (July 2021)
WSCC Guidance on Parking at New Developments (Sept 2020).

Planning Assessment

Principle

The provision of an electric vehicle hub on the site as part of the existing petrol filling station forms part of a nationwide initiative to reduce carbon dioxide emissions which is supported at both national and local level.

Policy 28 of the Adur Local Plan seeks to ensure that new development contributes to the mitigation of air pollution. Where practical, new development should be located and designed to incorporate facilities for electric vehicle charging points, thereby extending the current network.

The relevant issues are the effects on the amenities of neighbouring residential occupiers and the effect on the character and appearance of the area.

Visual amenity

The site is set back from the A259 by a slip road and wide grass verge. It is nevertheless a prominent site, with its large canopy and corporate signage. From the north, fronting the A259, the proposed works would see a reduction in the size of the main canopy over the fuel pumps but the provision of covered EVC spaces closer to the road. However, the new canopy would be lower than the main canopy and the sales building, at 3.7m high. It will consist of a canopy roof only with no side enclosures and will not be an unduly prominent or visually harmful addition to the street scene.

On the west side of the site, the proposed substation will be enclosed by a 2.2m high fence. This part of the site is raised above the pavement and road and sits adjacent to a garage compound at the rear of flats in Beach Green to the south and the main site exit to the north. This part of the development will be quite prominent with the substation compound coming up to the pavement edge, and sitting at a higher level than the pavement. A section drawing submitted with the application shows there to be a new 1.8m high retaining wall with a 1.8m high closeboard fence compound above that. It will sit forward of the line of the garage compound and flats directly to the south.

The applicant was asked to consider re-siting the compound further back into the site to not project beyond the line of the garage compound. However, their agent has responded by saying:

"*Due to existing foul drainage and sewers running along the rear boundary of the site this means the substation cannot be positioned against the rear wall.*
There is an existing interceptor located in the access road which has to be avoided as it creates a hazardous zone if the substation is positioned too close to it.
The existing built form combined with the above means it is not possible to reposition the substation as requested.

Additionally, the substation operators have quite exacting requirements about the position of substations in terms of proximity to existing cabling and to the public highway to provide the required access and the current location meets their requirements.

Whilst we have included the substation in this application, the substation could be installed under Permitted Development Rights by the DNO in this location without the need for planning permission which is a material consideration."

While this element of the scheme will be quite prominent, and it is regrettable that it cannot be moved further into the site, it is not considered that sufficient visual harm will be caused to warrant refusal.

Residential amenity

The majority of the development will take place a sufficient distance from residential properties and it is not anticipated that any harm to residential amenity will occur.

The proposed substation compound will be around 10-12m from the rear of the flats to the south. Environmental Health has no noise concerns following the submission of further details from the applicant which state that predicted noise levels will be around 24dB(A) at the nearest window.

Parking and access

There are no highway concerns with regard to parking and access at the site. The proposal will provide EV charging spaces without altering existing access points.

Recommendation

APPROVE

Subject to Conditions:-

1. Approved Plans
2. Standard 3 year time limit
3. Works of construction limited to the following times.
   Monday - Friday 08:00 - 18:00 Hours
   Saturday 09:00 - 13:00 Hours
   Sundays and Bank Holidays no work permitted
4. Construction Management Plan
5. If during development, any visible contaminated or odorous material, (for example, asbestos containing material, stained soil, petrol/diesel/solvent odour, underground tanks or associated pipework) not previously identified, is found to be present at the site, no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until it has been investigated by the developer. The Local Planning Authority must be informed immediately of the nature and degree of the contamination present and a method statement detailing how the unsuspected contamination shall be dealt with must be prepared and submitted to the Local Planning Authority for approval in writing before being implemented. If no such contaminated material is identified during the development, a statement to this effect must be submitted in writing to the Local Planning Authority.

Any soil moved from the site would need to be WAC tested and certificate of testing/acceptance from the waste centre would be required. This report and certificate shall be submitted to the Local Authority for approval.

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: 22 June 2023

Authorised by: Gary Peck Date: 22 June 2023