Development Management - Delegated Officer Report

Application Number: AWDM/0505/20 Recommendation – Approve

Site: 1 - 3 Eastern Avenue, Shoreham-By-Sea

Proposal: Application to vary condition 4 of previously approved AWDM/1272/18. Amendment to allow access to the site by van during the extended hours (6pm-10pm Monday to Friday, 1pm-7pm Saturday and 10am-4pm Sunday and Bank Holidays).

Date of site visit: 21 September 2018

Neighbours checked: Y

Additional neighbour notifications: N

Proposal, Site and Surroundings

The application relates to the Ready Steady Store storage facility on the corner of Eastern Avenue and Gordon Road. It has been operating in its current use since the start of 2017 and working hours are restricted by conditions attached to permission AWDM/1272/18 which was a variation to the original hours and which was approved in October 2018.

Condition 3 states:

"*No operations or working shall take place on the site except between the hours of 7.00am to 10.00pm Monday to Friday and 7.00am to 7.00pm Saturday and 10.00am to 4.00pm Sunday and Bank Holidays.*"

Condition 4 states:

"*During the extended hours set out in Condition 3 (6pm to 10pm Monday to Friday, 1pm to 7pm Saturday and 10am to 4pm Sunday and Bank Holidays) access to the site shall be by car only (defined by the Vehicle Certification Agency as being motor vehicles designed and constructed for the carriage of passengers) and there shall be no access by van or lorry (defined by the Vehicle Certification Agency as being designed and constructed for the carriage of goods) and a height limiter shall be in place at the entrance to the yard to restrict access accordingly.*"

Condition 6 states:

"No Heavy Goods Vehicles shall move into or out of the service yard except between the hours of 8.00am and 6.00pm Mondays to Fridays and 8am to 1pm Saturdays."

This application seeks to vary Condition 4 as follows:

"*During the extended hours set out in condition 3 (6pm-10pm Monday to Friday, 1pm-7pm Saturday and 10am-4pm Sunday and Bank Holidays)*

access to the site shall be by car and van only and there shall be no access by lorry and a height limiter shall be in place at the entrance to the yard to restrict access accordingly."

Conditions 3 and 6 will not change so the hours of operation will remain as existing and HGV hours will remain as set out. The variation will enable access to the site by vans during the extended hours. The supporting letter submitted with the application explains:

"*The height limiter shall remain in place during extended hours, albeit the height limits will be increased from 2.1m to 3.3m to accommodate Luton vans. As a consequence, only cars and vans will be able to access the site during these hours. There will continue to be no access for lorries during the extended hours. Additionally, Albox Services Limited will continue to comply with the noise management plan, an updated version of which is submitted with this application."*

It goes on to further explain:

"*As explained previously, the storage solutions operation is different to a typical warehouse use, and by its nature is a passive use. Notably, those who visit storage solutions centres are in the most part, by car and small van, with half as many again arriving in small delivery vehicles such as Luton and Transit vans with only a tiny proportion being larger vehicles, such as removal vans visiting the site. Customers likely to receive deliveries by articulated vehicles are actively discouraged from becoming customers.*

Storage solutions centres do not generate high traffic flows and therefore typically do not have a detrimental impact on the adjacent highway network. For this reason and also on the basis that levels of noise, vibration and disturbance within a storage solutions centre is minimal, the storage solutions use does not impact on the amenity of nearby residential properties."

Finally it states:

"The principal effect of varying condition 4 will be to allow a very small number of vans to access the site during the extended hours. The benefits being twofold. First, it will provide Ready Steady Store with greater flexibility and convenience, plus it will improve efficiency. Secondly, it will remove the occasional situation where customers in vans unload from the pavement when the office is still open, but where the height barrier is required to be in place. In this connection, the proposals will be in accordance with Policy 4 of the Adur Local Plan 2017, which encourages proposals which meet the modern needs of businesses. Based on experience, it will not increase levels of activity. Accordingly, nearby residents will experience no impact as a result of the proposed variation. For this reason, it is considered that the relaxation of the condition will cause no harm."

The site is at the eastern end of Gordon Road and has residential dwellings immediately abutting its western boundary, as well as opposite the entrance. The car park of the site extends to the rear of 128 and 130 Gordon Road.

Relevant site history

SU/20/85 – Use of proposed industrial units as single warehouse (with offices) – approved

ADC/0466/10 - Variation of conditions 11 and 12 of SU/20/85 to change operating hours to 7.30am-6pm Mon-Fri and 7.30am-1pm Saturdays and hours of HGV movement to 8am-6pm Mon-Fri and 8am-1pm Saturdays – approved

AWDM/1244/17 - Application to vary condition 2 of previously approved ADC/0466/10. Amendment: extend operating hours to be 7.30am to 8pm Monday to Friday, 7.30am to 1pm Saturdays and no working on Sundays or Bank/Public Holidays.

AWDM/1272/18 - Application to vary condition 3 of previously approved AWDM/1244/17. Amendment to operating hours to be 7am to 10pm Monday to Friday and 7am to 7pm Saturday and 10am to 4pm Sunday and Bank Holidays for Albox Services Ltd.

Consultations

West Sussex County Council: The **Highways** Officer advises that WSCC raise no objection on highway safety or capacity grounds. The site offers larger vehicles space to enter, turn and exit in forward gear. Details of any increase in the number of large vehicles using the site have not been provided however it is unlikely this would exceed 30 movements in one hour and therefore it would not cause any highway capacity issues. Whilst there may be an overall increase it is not considered to cause any material capacity impacts.

Adur & Worthing Councils: The **Environmental Health** Officer has advised that the activity log demonstrates the majority of vehicle movements take place late morning/early afternoon and the pattern of usage has not significantly changed since before the extension of hours in 2018.
So long as all other conditions on application AWDM/1272/18 are still complied with I would have no objection to the requested variation of condition 4 of AWDM/1272/18.

Representations

None received

Relevant Planning Policies

Adur Local Plan 2017 Policy 15, 34
National Planning Policy Framework (February 2019)

Planning Assessment

Principle

The application site is not identified for any particular use or development. It lies outside the industrial area and adjoins residential development to the west, north and east, with the railway to the south. Policy 34 states that:

"*Development should not result in pollution or hazards which prejudice the health and safety of the local community and the environment, including nature conservation interests and the water environment. New development in Adur will be located in areas most suitable to the use of that development to avoid risks from noise, air, odour or light pollution*."

Residential amenity

This application seeks yet another variation to the operations at this storage facility. In this case the hours are not changing but the type of vehicle allowed to access the site during the extended hours is being amended to include vans. A vehicle activity log has been submitted by the applicant's agent which suggests that the majority of movements occur during the day with relatively low activity during the evenings.

The variation to allow vans as well as cars during the extended hours would allow larger deliveries to be made during the evenings and weekends, but would still not allow lorries to access the site at those specified times. The wording of Condition 4 will be amended from that suggested by the applicants to specify the size of vehicle that is prohibited from accessing the site during the extended hours.

The Council is not aware of there being any complaints received in the last year relating to this site and no objections have been received to the current application.

Taking this into account, and in view of there being no objection from the EHO, it is not considered that there are sustainable or reasonable grounds to object to the proposed variation. Numerous safeguards will continue to be in place, namely that HGV hours are not being altered, a Noise Management Plan will continue to be applied and lighting will be switched off outside of operating hours.

Recommendation

APPROVE

Subject to Conditions:-

1. Approved Plans
2. Standard 3 year time limit
3. No operations or working shall take place on the site except between the hours of 7.00am to 10.00pm Monday to Friday and 7.00am to 7.00pm Saturday and 10.00am to 4.00pm Sunday and Bank Holidays

4. During the extended hours set out in condition 3 (6pm-10pm Monday to Friday, 1pm-7pm Saturday and 10am-4pm Sunday and Bank Holidays) access to the site shall be by car and van only (Vehicles designed and constructed for the carriage of goods and having a maximum mass not exceeding 3.5 tonnes) and there shall be no access by lorry (Vehicles designed and constructed for the carriage of goods and having a maximum mass exceeding 3.5 tonnes) and a height limiter shall be in place at the entrance to the yard to restrict access accordingly
5. During the extended hours set out in Condition 3 (6pm to 10pm Monday to Friday, 1pm to 7pm Saturday and 10am to 4pm Sunday and Bank Holidays) the site shall be used as a self-storage centre only and for no other use within Class B8 of the Town and Country Planning (Use Classes) Order 1987 (as amended).
6. No Heavy Goods Vehicles shall move into or out of the service yard except between the hours of 8.00am and 6.00pm Mondays to Fridays and 8am to 1pm Saturdays.
7. The Noise Management Plan received 17 March 2020 shall be fully adhered to at all times.
8. Fork lift trucks, reach trucks and other similar loading vehicles used on the site shall be electrically powered only and they shall not be used during the hours of 6pm to 10pm Monday to Friday
9. The trolley bays shall be locked during the hours of 6pm to 10pm Monday to Friday,1pm to 7pm Saturday and 10am to 4pm Sunday and Bank Holidays
10. All external lighting shall be switched off within 30 minutes of the end of the operating hours set out in Condition 3 and shall not be switched on again until within 30 minutes before the re-opening of the store.

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

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: 17 April 2020

Authorised by: Gary Peck Date: 17 April 2020