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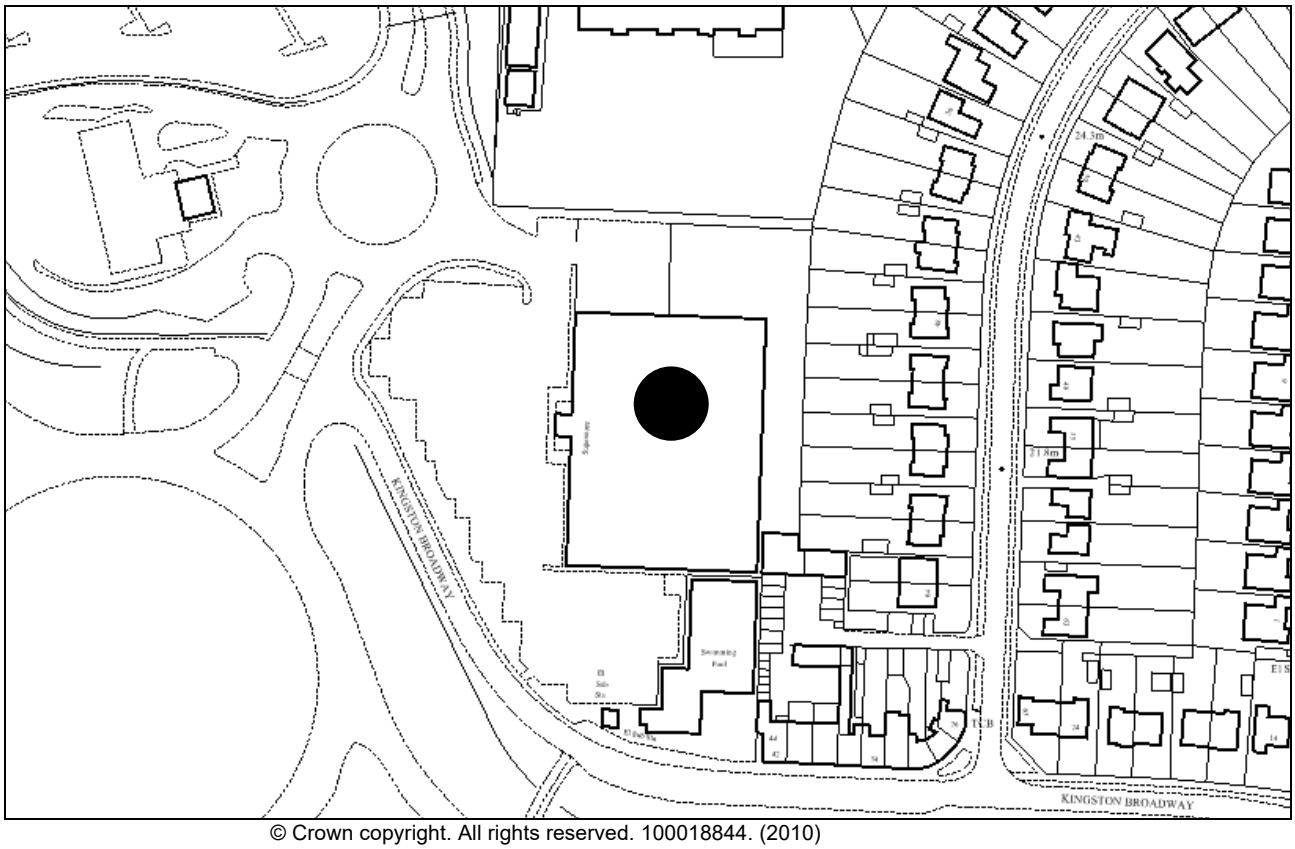
Application Number: ADC/0389/10 Recommendation - APPROVE

Site: Homebase, Upper Shoreham Road, Shoreham-by-Sea BN43 6TH

Proposal: Extension of internal mezzanine and reconfiguration of service yard and garden centre



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The Application

The application has been submitted on behalf of Next Retail Ltd who have acquired the premises. They seek to extend the internal mezzanine and to reconfigure the delivery area.

The existing building is a large retail store with a ground floor area of approximately 3,266sqm and a mezzanine of 1,555sqm. There is also an outside garden centre on the north side of the building which backs onto houses in Hawkins Road to the east. The service yard/delivery area is also on the north side, to the west (front) of the garden centre. There is parking for 155 cars within the car park immediately to the west and south of the store.

Permission was granted for the building under application reference SU/23/92 for the retail sale of non-food goods and items. Condition 20 of that permission prevented the sale of food from the premises other than food sold for consumption on the premises ancillary to the permitted non-food retail use. Permission is not required, therefore, for Next to occupy and trade from the store. Permission is only required for the extension to the mezzanine and the external rearrangements.

The application proposes to extend and reconfigure the mezzanine from 1,555sqm to 2,785sqm, an increase of 1,230sqm. It should be noted that the mezzanine can be extended by 200sqm without requiring planning permission. The applicant, Next, intends to open their first 'Home and

Garden' store in the UK at the site and the extended mezzanine is described in the supporting Planning and Retail Statement as a key part of the proposal, enabling the upper level of the store to be used for 'roomset' displays which show a variety of different fully-furnished rooms using products from their Home ranges. In addition, the store will be used for the retail sale of fashion items usually associated with Next. A café is also shown on the plans which would operate ancillary to the primary retail use and would be for customer use rather than operate independently of the store.

A range of garden furniture will also be displayed in the former garden centre to the north of the store. This area is to be reconfigured to remove the existing delivery area from the front. A new service access is to be formed along the north and east edge which will wrap around the new garden centre with goods being brought in via a new yard on the north-eastern corner.

The application is supported by a Planning and Retail Statement, Transport Statement, Travel Plan and Noise Report.

A separate application is to be submitted for proposed major changes to the front elevation.

Consultations and Representations

West Sussex County Council: No objection subject to a condition restricting delivery times. As the change of occupier (from Homebase to Next) does not itself require planning permission, it is only the effects of the mezzanine extension and rearranged service yard that can be considered. Taking trip generation first, it is noted that surveys of the operation of the existing store have been undertaken to ascertain daily traffic flow. These surveys were undertaken on a Friday and Saturday, which are agreed as the weekly peak operating times for a retail store. Calculation of the trip rate from the proposed extended store has been based upon TRICS surveys. The anticipated trip rate derived from TRICS has been compared with that obtained via the survey of the existing store. For both, daily traffic counts are used rather than considering the impact at peak network operating times (most likely to be 1700-1800 on Friday and 1200-1300 on Saturday) and peak development traffic times (ie. at the times the proposed extension would be expected to generate its greatest amount of traffic). However, irrespective of this, from the comparison of the daily vehicle movements it is evident that the extended store would generate no intensification of use, and it is agreed that the extension will serve to increase the range of goods sold hence increasing length of stay but not necessarily increasing trip generation. Given the presence of the existing store, there seems limited benefit in seeking further work to assess or compare impact at peak network or development times. The comments made within the TA regarding the increased ability for customers to travel by sustainable transport due to the change in nature of the range of goods being sold is also agreed, with there being an existing network of foot and cycleways leading to the development site. The site also lies close to the Holmbush Centre (occupied by Tesco, and Marks & Spencer) and hence offers the ability for linked trips.

With respect to car parking, the WSCC Car Parking Standards contain a *maximum* standard of 1 space per 20sqm which would give a *maximum* of 340 car parking spaces for the store. The current provision of 155 spaces equates to 1 space per 44sqm. The Planning Authority may wish to consider the implications of the proposed parking provision. Consideration should be given to the fact that there is to be no anticipated additional vehicle movements.

Concerns have been raised with regard to the servicing arrangements for the existing Homebase store. The proposals do show further development within the existing servicing area and the swept paths show the reversing of an HGV into the servicing yard. This manoeuvre appears to be slightly constrained by the layout of the site and the narrowness of the access road. The Transport Statement makes reference to smaller delivery vehicles being used but nevertheless turning within the site is still limited. It is appreciated that in any case turning for an HGV within the current service yard is very difficult regardless of the fact the service yard is used for external

storage. It is recommended that servicing arrangements and timings of deliveries are better controlled so as to avoid peak delivery times.

It is recommended that a letter or statement is secured via condition detailing servicing arrangements to ensure that deliveries do not take place at peak store times and when the car park is at its greatest use.

Adur District Council: The Environmental Health Officer raises concern that the relocated delivery yard will have a negative impact on the aural amenity of the residents whose houses back onto the site. The area is tight and delivery vehicles will have to reverse along the service road, to unload their stock, which in turn will probably be moved by fork lift. Therefore, it is likely the new application will be introducing noise from deliveries, ie. engine noise, reversing bleepers on the articulated lorries and on the fork lift trucks, etc; closer to the rear of the neighbouring homes. In addition there are no time restrictions on the development so these deliveries could occur at anytime. Additional information is being sought to address these concerns and the applicant's suggested means of mitigating noise and the EHO's further observations are intended to be reported at the Committee meeting.

Third Parties: An email has been received from a resident of a house to the rear (address unspecified) objecting for the reasons:-

- Proposed changes to the service area would cause a large amount of noise pollution with lorries reversing down the access road, with associated beeping or warnings.
- Objector works shifts and will be affected by lorry noise when trying to sleep during the daytime.
- Noise from existing service yard is already audible so bringing the service area closer to the backs of the houses will worsen the situation.
- The delivery area should be switched to the southern side of building where it abuts Wadurs swimming pool, rather than adjacent to dwellings.

Relevant Planning Policies and Guidance

The South East Plan (GOSE 2009): SCT1-4, SP3, CC1-4, RE3, T4-5,NRM10,BE1,TC2-3
Adur District Local Plan 1993-2006 (1996) (saved policies): AG1, AG3, AS3
Revised West Sussex Parking Standards & Transport Contributions Methodology (WSCC 2003 & ADC 2004)
Adur Retail Study (for ADC by DTZ 2006)
Adur District Council Retail Study Update (DTZ July 2009) and Shoreham Harbour Regeneration – Retail Capacity & Impact Implications Study (DTZ August 2009)
PPS1 'Delivering Sustainable Development' (ODPM 2005)
PPS4 'Planning for Sustainable Economic Growth' and Practice Guidance 'Planning for Town Centres' (DCLG 2009)
PPG13 'Transport' (DTLR 2001)
PPG24 'Planning and Noise' (DoE 1994)

Planning Assessment

Policies

The site, which consists of an existing retail store, lies within the 'built-up' area defined in the Local Plan but is not identified for any particular use or development.

Local Plan policy AS3 states that the expansion of large retail sites within the built-up area which in themselves would adversely affect the vitality and viability of existing town centres will not be permitted. The present proposal is for the enlargement of the building internally, not the site.

The South East Plan sets out the long term spatial planning framework for the region with the aim of achieving more sustainable development, protecting the environment and combating climate change. It was revoked in July by the Secretary of State for Communities and Local Government but this revocation was subject to a High Court challenge, the outcome of which was to quash the revocation decision. However, the intention to abolish the Plan remains and this is a material consideration which should be taken into account when considering development proposals.

For the time being the SE Plan forms part of the Development Plan. It states that development should be focused in urban areas, should be well designed and consistent with the principles of urban renaissance and sustainable development.
SCT1 gives priority to pro-actively pursuing sustainable economic growth and regeneration of the Sussex Coast whilst also protecting and enhancing its high environmental quality, its cultural and historic assets and promoting excellence in design of new developments in recognition of their importance to economic success and quality of life.
T4 states that Local Development Documents should adopt restraint-based maximum levels of parking for non-residential developments, linked to an integrated programme of public transport and accessibility improvements. It requires maximum parking standards to be set in line with PPG13, reducing provision below this where there is good public transport, and ensuring sufficient cycle parking.
BE1, entitled management for an urban renaissance, states that opportunities will be taken to improve the built environment, including by promoting design solutions relevant to their context and building upon local character and by supporting opportunities for appropriate higher density and mixed use development schemes.
TC2 is based on the aim of focussing new development in a network of primary regional centres (Brighton, Worthing, Eastbourne & Crawley in Sussex), followed by secondary regional centres (Horsham, Haywards Heath, Bognor Regis & Chichester in Sussex). However, it also states that LPAs will need to consider whether there is a need to rebalance the network of centres to ensure it is not overdominated by the largest centres and also whether there are areas where investment should be stimulated, including town centres with deficiencies, deprived areas, or areas that will undergo significant housing and employment growth.
TC3 states that no need has been identified for any further out of centre regional or subregional shopping centres or large scale extensions to existing ones, and the role and regeneration of town centres should not be undermined by an intensification of such development.

Relevant Government policy and advice on retail uses is now contained in PPS4 ‘Planning for Sustainable Economic Growth’, published in December 2009. It replaced both PPG4 and PPS6. It is accompanied by ‘Planning for Town Centres’ practice guidance on need, impact and the sequential approach. PPS4 defines retailing as being economic development and states that LPAs should adopt a positive and constructive approach to applications for economic development which accord with development plan policies. There is greater emphasis on promoting competition between retailers and encouraging consumer choice. The need to focus development in town centres or edge of town centres remains firm but PPS4 abolishes the ‘need test’ for planning applications (although need is still an important part of the Development Plan-making process). More emphasis is given to combatting climate change (including through encouraging sustainable travel and setting maximum parking standards), securing high quality design, social inclusion, and net job creation, but importance is still attached to avoidance of unacceptable impact on existing town centres through use of the sequential approach.

Retail Impact

The new PPS4 places most emphasis on a '***sequential test***' (including for extensions over 200sqm), the objective being to locate new retail developments within existing town centre primary shopping areas or within easy walking distance (300m) of them. The relevant policy states:-

"EC15: In considering sequential assessments required under policy EC14.3, LPAs should:-

a. *ensure that sites are assessed for their availability, suitability and viability;*
b. *ensure that all in-centre options have been thoroughly assessed before less central sites are considered;*
c. *ensure that where it has been demonstrated that there are no town centre sites to accommodate a proposed development, preference is given to edge of centre locations which are well connected to the centre by means of easy pedestrian access;*
d. *ensure that in considering sites in or on the edge of existing centres, developers and operators have demonstrated flexibility in terms of:*
    i. *Scale: reducing the floorspace of their development;*
    ii. *Format: more innovative site layouts and store configurations such as multi-storey developments with smaller footprints;*
    iii. *Car parking provision: reduced or reconfigured car parking areas; and*
    iv. *the scope for disaggregating specific parts of a retail or leisure development, including those which are part of a group of retail or leisure units, onto separate, sequentially preferable, sites. However, LPAs should not seek arbitrary subdivision of proposals.*

In considering whether flexibility has been demonstrated under policy EC15.1.d above, LPAs should take into account any genuine difficulties which the applicant can demonstrate are likely to occur in operating the proposed business model from a sequentially preferable site, for example where a retailer would be limited to selling a significantly reduced range of products. However, evidence which claims that the class of goods proposed to be sold cannot be sold from the town centre should not be accepted."

A Planning and Retail Statement accompanies the application. This shows that the catchment area of the proposed Next store at Shoreham has the potential to cover Mid Sussex District as well as Brighton & Hove and Worthing Borough.

With regard to the sequential test, the applicants have stated that the purpose of the proposal is to provide a store with an integrated and wide range of Home products under a single roof. The extension of the mezzanine is therefore crucial as any unit smaller than proposed would simply replicate the core ranges of goods already sold in existing stores. The goods to be sold are likely to be bulky in nature and no sites exist within the town centres of Shoreham, Brighton, Worthing or Haywards Heath which are able to accommodate the size of store sought. The Parcelforce site was considered but this is likely to be redeveloped as part of a larger mixed use scheme and would not be suitable for a stand-alone retail store. The costs associated with site clearance and redevelopment for a retail store are also prohibitive.

In terms of the impact of the proposal on existing centres, the total estimated turnover of the proposal from residents within the study area in 2010 is £2.11m, rising to £2.19m in 2013. This represents 1.09 per cent of the total growth in comparison goods expenditure in the catchment area between 2010 and 2013 which is an indication that the impacts will be limited. There are no plans for the proposed store to replace any of the existing Next stores in the area as the Shoreham store is a new format store which will complement the existing fashion and Home stores elsewhere. Any trade that is drawn from existing higher order centres is not anticipated to be to the extent that it will adversely affect the vitality or viability of those centres.

It is concluded that there is no sound evidence available for the Council to be able to disprove the applicant's case as set out in their consultant's findings and conclusions such as to justify refusal of the application.

Transport Assessment – traffic generation and car parking

The applicant's Transport Assessment concludes that the proposed store extension will not generate any additional trips on Fridays and Saturdays above those currently experienced on the site. It also expects fewer trips to and from the site to be generated and is likely to have a negligible impact on the transport network. The site is in a sustainable location with a regular bus service and within easy reach by foot or bicycle. At present the car park is not used to capacity, being at only 54% capacity on Saturdays.

West Sussex County Council concurs that the extended store would not result in an intensification of use and agrees that the extension will serve to increase the range of goods sold hence increasing length of stay but not necessarily increasing trip generation. With respect to car parking, the WSCC Car Parking Standards contain a *maximum* standard of 1 space per 20sqm. Based on this, a maximum of 340 car parking spaces could be sought. Based on the current provision of 155 spaces with the proposed 6,790sqm store, a standard of 1 space per 44sqm is being achieved. There is the potential therefore for the car park to become fully occupied at times. However, many shoppers are likely to combine trips with other stores at the Holmbush centre and parking demand is therefore likely to be shared throughout the overall centre which would help to ease any potential parking pressures.

Travel Plan

An interim travel plan has been submitted which states that within 3 months of first occupation a site specific travel survey will be carried out. Employees will be encouraged to use sustainable travel modes, such as car-sharing and bike-to-work with a visitor/employee Travel Pack to be produced containing information maps for directions to the site with emphasis on public transport, cycling and walking.

Reconfigured Service Yard and impact on residential amenity

The existing Homebase store has experienced problems with the position of its delivery yard immediately adjacent to the entrance to the car park. Delivery lorries reversing into the yard have caused difficulties and obstructions. The proposal is to relocate the yard to the rear (east) of the existing yard, with the garden centre brought forward (west) away from the boundary with dwellings in Hawkins Road. The delivery yard would be accessed by a new, narrow road running to the north of the relocated garden centre. Lorries would be expected to reverse into the access road to a point where they would be prevented from going further. Goods would then be unloaded and brought to the store by hand, either using a pump truck to unload palletted tubs or by unloading stock delivered on running rails with wheels. Next has stated that they do not use forklift trucks.

The number of deliveries will be approximately 6 per week (7 at Christmas) and a delivery will normally take about 1 hour 30 minutes to unload.

While the relocation of the service yard will improve access arrangements for lorries, it does raise the concern that the relocated delivery yard would result in an increase in noise and disturbance to residents in Hawkins Road whose rear gardens back onto the yard.

The applicant has submitted a Noise Report using a worst-case scenario of 1 HGV per hour (although deliveries are not expected to exceed 6 HGVs per week), 2 HGVs idling if 2 lorries were to arrive at the same time, and 1 smaller vehicle at the rear of the store within the yard area. The

report concludes that the predicted noise level from 1 HGV unloading is below the measured background level at the nearest affected dwelling. In order to minimise any potential for disturbance, the report suggests that HGV movements are limited to a point approximately half way along the access road with a speed bump or other device located within the road to indicate to drivers that they should stop. Signage is also recommended to indicate that engines should be switched off during loading or unloading.

The Environmental Health Officer is concerned at the potential for noise disturbance. The yard has a tall fence on the boundary which will help to mitigate noise to some extent, although this does contain some gaps. While HGV access will be limited, the movement of goods from the HGVs to the store over hard, uneven ground for approximately 65m is going to result in some disturbance.

Next has responded by stating that they would be happy to accept a condition requiring the replacement of the fence with no gaps to ensure no sound leakage and a restriction on delivery times. The provision of a roof over the yard was considered but this has a significant cost implication and is deemed to be unnecessary in any event as the findings of their noise report do not indicate that any harm to amenity will occur.

The Council's EHO is seeking further information from the applicants to address the noise issue. The imposition of a condition restricting delivery times would clearly be essential to between 7am to 7pm Mondays to Fridays, 8am to 1pm on Saturdays and not at all on Sundays or public holidays. Dependant on the outcome of the further information sought and advice awaited from the EHO, other conditions will be needed to provide a means of controlling any noise emanating from the yard, including by replacing the fence but also using any other appropriate and necessary methods.

Recommendation

Subject to receipt of satisfactory further information regarding noise from the service yard and consideration of the Environmental Health Officer's further advice, APPROVE for the reason:-

The proposed development is within the built-up area and the site is considered to be sequentially suitable for the type and size of retail store enlargement proposed without adversely affect the vitality and viability of established town centres. The site is accessible by a choice of means of transport without detracting unacceptably from the existing local urban environment. It can take place without resulting in unacceptable detriment to the amenities of nearby properties and without detraction from highway safety. It would consequently not conflict with the relevant policies of the Adur District Local Plan (AG1, AG3, AS3) and the South East Plan (SCT1-4, SP3, CC1-4, RE3, T4-5, NRM10, BE1, TC2-3)

Subject to:-

1. C1Ci (Standard time limit)
2. The Travel Plan submitted with the application shall be implemented in accordance with the timetable contained in the Travel Plan and shall continue to be implemented in accordance with the Travel Plan unless otherwise agreed in writing with the local planning authority.
3. No deliveries, loading or unloading of vehicles to the rear service yard shall take place on the premises except between the hours of 7am and 7pm Mondays to Fridays inclusive, 8am to 1pm on Saturdays, nor at any time on Sundays or Public Holidays.
4. The Noise Mitigation Measures/Recommendations contained within Section 7 of the RPS Acoustics Report dated 12 November 2010 (i.e. provision of a speed bump or similar device to limit HGV access and the provision of signage requiring vehicle engines to be switched off during deliveries) shall be implemented fully before any loading or unloading of vehicles first takes place.

5. The extended store hereby approved shall not commence trading until such time as a statement in relation to servicing arrangements, which shall include details relating to the timing and number of deliveries for the extended store, has been submitted to and approved in writing by the local planning authority. Deliveries to the store shall thereafter be in accordance with the approved statement unless otherwise agreed with the local planning authority.
6. Before the development hereby permitted commences a scheme shall be agreed with the local planning authority which specifies the provisions to be made for the control of noise emanating from the delivery yard. The approved scheme shall be fully implemented before the first deliveries are made to the reconfigured service yard and thereafter maintained.
7. The premises as extended shall not be used for the sale of food other than for consumption on the premises ancillary to the permitted use for the retail sale of non-food goods and items
8. This permission relates to the following approved plans date stamped received 13 October 2010:
   1:1250 Scale Location Plan, Drawing No. -000-001 (Planning Layout Ground Floor), Drawing No. -000-002 (Planning Layout Mezzanine Floor)

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