Development Management - Delegated Officer Report

Application Number:
AWDM/1371/12

Recommendation – Temporary Permission

Site: **European Metal Recycling,Kingston Wharf, Brighton Road, Shoreham-By-Sea, West Sussex, BN43 6RN**

Proposal: **Provision of acoustic container wall barrier along part south and west side of scrap yard (retrospective)**

Date of site visit: 22 November 2012

Neighbours checked: Y

Additional neighbour notifications: N

Proposal, Site and Surroundings

The site is a scrap metal yard on the south side of Brighton Road on the western arm of Shoreham Harbour. Retrospective permission is sought to retain containers which have been double-stacked (5.1m high) along the western and part-southern boundaries of the site for a total distance of 85m (35m along western boundary, 40m along southern boundary with a 5m return to the north). The containers are of mixed colours but the proposal is to paint them all green.

The company are actively looking to relocate but do not wish to vacate until a suitable alternative site is found. Given the potentially short-term period that they will remain on the site they do not wish to invest substantially in a security/acoustic fence and have instead installed the containers as a 'quick fix' to problems of noise and break-ins.

There are residential flats on the other side of the Harbour and residents have previously complained about noise from the facility, which was first granted permission in 1985, almost 20 years before the flats were built.

Relevant site history

SU/163/85 - Change Of Use From Shipping Of Scrap Metal To Its Storage and Processing & Erection Of Workshop, Warehouse & Office Building

SU/102/05 - Utilise Land For Storage Of Scrap Metal Products Prior To Processing Or Shipment – temporary permission expired 31 October 2010

Consultations

West Sussex County Council: No objection. As noted in the information submitted with the application, the use of the site for metal recycling is positive in waste management terms as it enables its management to move 'up the hierarchy', diverting material from landfill and benefitting the sustainable management of West Sussex's waste. Policy W1 of the West

Sussex Waste Local Plan: Proposed Submission Draft (November 2012) supports the County being self-sufficient in the transfer, recycling and treatment of waste, and aims to take 'zero waste to landfill' in the County by 2031. This use accords with that approach. They advise that it is for this Council to balance this against the future proposals for the area's regeneration.

In terms of the planning history of the site, they note that EMR's permission for metal recycling at this site expired in 2010, though this has not yet been followed up by their compliance team. They will be asking EMR to submit an application to continue their use of the site (or to move elsewhere), and will consult this Council.

Nonetheless visually they do not consider that the shipping containers are out of keeping with their surroundings which are characterised by industrial and port uses. Further, the containers provide a solid visual screen which is likely to be preferable to residents to views of a scrap metal site. There may also be benefits in terms of containment of the noise emanating from the activity, though from the material submitted they do not appear to have been fitted with material which would absorb any noise.

Adur & Worthing Councils: The Environmental Health Officer has no objection

Representations

None received

Relevant Planning Policies

The South East Plan 2006-2026 (GOSE 2009): SCT1-7, W1, W5, W7
West Sussex Waste Local Plan: Proposed Submission Draft (November 2012) W1
Adopted Adur District Local Plan 1993-2006 (ADC 1996) (saved policies): AG1, AE7-9, AT4, AT10
Draft Adur Local Plan (2012)
Shoreham Harbour Interim Planning Guidance (2011)
National Planning Policy Framework (CLG 2012)

Planning Assessment

Principle

The use of the site for metal recycling is positive in waste management terms as it enables its management to move 'up the hierarchy', diverting material from landfill and benefitting the sustainable management of West Sussex's waste. Policy W1 of the West Sussex Waste Local Plan: Proposed Submission Draft (November 2012) supports the County being self-sufficient in the transfer, recycling and treatment of waste, and aims to take 'zero waste to landfill' in the County by 2031. This use accords with that approach.

However, there has been a long standing aspiration to revitalise Shoreham Harbour and the surrounding area for the benefit of the community and wider sub-region. Shoreham Port Authority has produced a Masterplan which is supportive of exploring the potential for an eco-town at the Harbour and which supports sustainable development in general. It identifies specific areas of the Harbour and the proposals for those areas. At the western arm/River Adur area, which includes the EMR site, there is the potential for significant change with the relocation of such uses and, in the longer term, redevelopment for residential, leisure and employment uses.

The Shoreham Harbour Interim Planning Guidance states that development that is inconsistent with the regeneration objectives but could reasonably be permitted temporarily (without prejudicing the longer term vision) may be granted time-limited permissions of up to 5 years where appropriate.

Visual amenity

The containers have an industrial appearance and provide a substantial means of enclosure along the waterfront. However, they are seen in the context of this part of the Harbour where a variety of port-related uses take place and they are not therefore considered to be unduly harmful in visual terms. The proposed green paint will improve their appearance to some extent. Given the potential for the applicants to relocate within the next few years, it is considered that a temporary permission would be appropriate, requiring the containers to be removed after 3 years or on cessation of the use, whichever is the sooner.

Residential amenity

The containers are visible from the flats opposite but they do not cause any harm to outlook in the wider context. They help to reduce noise from the site, although there is a further 120m frontage of the site which remains largely open. However, the area which has been screened is understood to be one of the noisier parts of the site.

Recommendation

APPROVE for the reason:-

The development does not detract from the local environment and has taken place without resulting in unacceptable detriment to the amenities of neighbouring properties. It consequently not conflict with the saved policies of the Adur District Local Plan (AG1) or the policies of the South East Plan (CC1, CC6, BE1)

Subject to Conditions:-

1. Temporary 3 year permission
2. Containers to be painted green within 3 months
3. Permission relates to approved plans

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

Case Officer: Peter Barnett Date: 13 December 2012

Authorised by: Gary Peck Date: 13 December 2012