Development Management - Delegated Officer Report

Application Number: AWDM/0615/26 Recommendation – Approve

Site: Fishermans Wharf, Brighton Road, Shoreham-by-sea

Proposal: Application to Vary Condition 1 (Approved Plans), 3 (hours) and 8 (cycle parking) of previously approved AWDM/1228/25. Amendments: to extend opening hours to 6am - 11pm Mon to Sat and to 7am-7pm on Sundays and provision of 12no. cycle parking spaces.
ORIGINAL DESCRIPTION: Temporary use of land as padel centre comprising six covered courts with associated changing rooms, cafe/retail/reception area, car and cycle parking.

Date of site visit: June 2nd 2026

Neighbours checked: Y

Additional neighbour notifications: N

Proposal, Site and Surroundings

Planning permission was granted at the end of last year for the temporary use (5 years) of the site as a padel centre (AWDM/1228/25). Permission was subsequently granted earlier this year for minor amendments (AWDM/0220/26). The proposal involves the formation of 6no. padel courts (2no. of which will be championship standard) plus reception area, small ancillary shop and cafe and changing rooms. Those ancillary facilities will be located within shipping containers. The courts are to be located at the southern end of the site adjacent to the river and will be covered by a PVC membrane canopy 10.7m high, with a lower roof, 9m high, over the reception area and ancillary facilities. The covered court structure will be 75m wide. 46no. car parking spaces are proposed on the rest of the site, plus covered cycle parking. The existing access from Brighton Road will be used.

Work has commenced on site.

This application seeks to vary Condition 1 (Approved Plans), 3 (hours) and 8 (cycle parking). The main change, as originally proposed, was to extend the opening hours from the approved 6am-10pm Monday to Saturday and 8am-6pm on Sundays to 6am - 11pm Mon to Sat (an increase of 1 hour in the evening) and to 6am - 8pm on Sundays (an increase of 2 hours in both the morning and evening).

The application also includes details of the 12no. cycle parking spaces.

Relevant Planning History

AWDM/1228/25 - Temporary use of land as padel centre comprising six covered courts with associated changing rooms, cafe/retail/reception area, car and cycle parking – approved

AWDM/0220/26 - Application to approve/vary details pursuant to conditions 6 (Construction Management Plan), 9 (canopy details), 10 (Surfacing Details), 12 (surface water drainage), 13 (landscaping), 14 (verification plan), 15 (external lighting) and 16 (foul drainage) of Approved AWDM/1228/25. ORIGINAL DESCRIPTION: Temporary use of land as padel centre comprising six covered courts with associated changing rooms, cafe/retail/reception area, car and cycle parking - approved

AWDM/0682/26 - Advertisement Consent for externally illuminated fascia sign on north elevation of proposed padel courts canopy – still under consideration

Consultations

West Sussex Highways: Whilst additional movements would be anticipated during these times, the LHA is satisfied that these movements can be accommodated into the local highway network without adverse impact.
In regards to cycle parking details, the information provided is accepted by the LHA.

In summary, the LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 116), and that there are no transport grounds to resist the proposal

Environmental Health: I have had a look at the acoustic report that was submitted with the initial planning application and the maximum noise levels from the courts modelled at the facade of the nearest residential receptors would be acceptable for these varied hours. Therefore there are no EH objections to this application.

Further Comments from Environmental Health: The ambient noise towards the waters edge, where the existing noise survey was undertaken for this application, is close to the background noise levels as we are away from significant noise sources such as the A259. The ambient noise at 6am on a Sunday morning, recorded on the 10th August 2025 was measured at 42dB LAeq 1 hour. The ambient noise is fairly consistent throughout the day and evening over the measurement period, falling within a window of around 5dB(A. The background noise level at this time in the early morning was 40dB(A). I looked at this because we discussed concerns about early morning noise from the courts when it is quieter.

I am comfortable with the acousticians approach to this application and modelling data. This approach was agreed pre application with environmental health.

This application is not for "open to the air" padel courts, there is some noise attenuation provided by the structure that covers them. The modelling predicts a 1 hour facade level at the nearest noise sensitive receptors at block F Free Wharf, to be 23dBL(A)eq which will be below the existing background noise level for the area, even early in the morning.

Looking at the maximum noise levels likely from the Courts at the nearest facade, these have been modelled to be 35dB(A), worst case, at the nearest facade. Again, below the existing background noise levels for the area even at the more sensitive times early in the morning.

There will be a further 12dB(A) reduction of this maximum noise through an open window. So internal maximum levels from the padel ball through an open window will be 23dB(A) in the bedroom, comfortably within the 30dBLAeq level set by BS8233 2014. The modelled hourly noise from the paddle courts inside will be even lower at 11dB(LA)eq 1 hour. Remember the existing ambient noise at 6am on a Sunday morning was measured at 42dBL(A)eq. So without the padel courts internal bedroom noise levels would be 30dB(A) with the window open.

We then have to factor in that the new development was built with robust facades and mechanical ventilation because of the existing acoustic environment, and windows do not need to be open for ventilation as air is extracted and supplied to the dwellings mechanically through internal vents.

Therefore for the reasons given above, there is no evidence to suggest the Padel Courts will have a detrimental impact on these properties.

It may be worth agreeing a noise management plan condition to accompany any variation of planning permission. This would cover the use of a PA system or music that may be played during tournaments that potentially could be hosted by the venue and which was not considered during the original application.

A noise management plan will allow noise from such events to be considered proactively and will provide a pathway for residents to liaise with the venue in the event of any noise problems

Representations

2 objections received from residents in Anchor Close on the south side of the river:

- Concerned about the potential impact these extended hours may have on the neighbourhood.
- One particular issue is the likelihood of padel court users arriving before 6am or lingering after 11pm, which could further increase noise levels and disrupt the peaceful environment that families and children rely on for rest.
- Early morning activity, especially from 6am, may be particularly challenging as many residents are still sleeping, and maintaining a calm atmosphere during these hours is essential for the wellbeing and academic focus of school-aged
- children.
- Previous occupiers of the site were not permitted to begin industrial work before 7am, and their operations typically concluded by 9pm, ensuring that noise and activity were kept within reasonable limits.

- Extending recreational hours beyond these precedents may create new challenges for the community, especially since late evening activity until 11pm would cut into the quiet period many families depend on to unwind.
- Perhaps there could be a compromise on operating hours, or additional measures implemented to minimise noise during early mornings and late evenings.
- As a household we object to the late opening hours due to the potential noise impact to the area.
- Are the courts going to be fully covered, so the rear which is facing south to the house won't be open and allow noise and light to flood our houses?

Relevant Planning Policies

Adur Local Plan 2017 Policies 8, 15, 28, 34, 36
Shoreham Harbour Joint Area Action Plan 2019 CA7
National Planning Policy Framework (2026)
WSCC Guidance on Parking at New Developments (Sept 2020).

Planning Assessment

Principle

The principle of allowing the use was established when the previous application was approved.

Officers recommended that a 3 year temporary permission only should be granted up to the end of 2028, rather than the 5 years sought by the applicant. However, Members of the Planning Committee disagreed and granted permission for 5 years (until December 2030).

Policy P3 of the NPPF 2026 states:

1. Development proposals should be appropriate for their location, taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, whether these effects are on or off-site; and whether this is as a result of the development itself or the product of preexisting conditions in its vicinity. In assessing the potential effects of pollution, consideration should be given to the potential sensitivity of the site, and its intended occupiers and users, as well as that of the environment and population in the surrounding area (including where certain groups could be particularly vulnerable to its effects, such as children and older people).
2. Within this context development proposals should (**relevant sections only**):

a. Provide healthy living conditions for occupiers and users in terms of adequate access to light and avoiding exposure to levels of air, noise, artificial light or other sources of pollution which could have an unacceptable adverse effect on health and the quality of life. Where necessary suitable mitigation measures should be incorporated to secure acceptable living conditions;
b. Not give rise to, or contribute to, an unacceptable level of access to daylight and sunlight for neighbouring residents and occupiers, or unacceptable levels of air, noise, artificial light, water, soil or other forms of pollution on or beyond

the site. Adverse impacts of this nature should be avoided where possible, or else mitigated to an acceptable degree. Where possible, opportunities should be taken to reduce pollution affecting the wider area (such as through traffic and travel management or improved external lighting);
d. Mitigate and reduce to a minimum potential adverse impacts resulting from noise, not result in levels of noise exposure which would have a significant observed adverse effect, and maintain the character of tranquil areas (those areas that have remained relatively undisturbed by noise from human sources and are prized for their recreational and amenity value for this reason);
3. In applying this policy, it should be assumed, unless there is clear evidence to the contrary, that separate regulatory regimes for the control of pollution will operate effectively, as set out in policy DM7. This means that it will be appropriate to take into account emissions limits set through those other regimes

Residential Amenity

The primary concern with padel courts is the noise associated with them. There are a large number of new flats that have recently been constructed at Free Wharf immediately to the west, as well as existing residential properties across the river to the south. The proposed courts are currently permitted to be in use from 6am-10pm Monday to Saturday and 8am-6pm on Sundays.

The proposed increase in hours would see a later finish time by 1 hour Mon-Sat and an earlier start and later finish by 2 hours on Sundays. A supporting statement submitted on behalf of the applicants explains that the peak hours of use are likely to be mornings, evenings and at weekends. The changes to the proposed hours will improve the availability of the courts and the viability of the business.

Padel courts generate noise when the padel hits the ball and when the ball strikes the glass panel around the court. Players' voices are also a source of noise.

A Noise Assessment was carried out on behalf of the applicants as part of the original application for the courts, which included a noise survey to determine the existing ambient noise climate. The survey found that traffic noise along Brighton Road was the primary source of noise in the area. Noise readings were also taken from padel courts on sites in London and Birmingham with maximum noise levels at a distance of 20m from the court typically ranging from 58dB to 68dB, with the highest level being 70dB. At 5m distance, noise levels reached 77dB.

The proposed courts are to be located within a tent-like structure with acoustic properties which is expected to reduce sound by 33dB. This assumes that the tent is sealed with no openings or gaps in the fabric. The nearest court will be 9m from the boundary with Free Wharf. The facade of the nearest flat is around 16m from the boundary, meaning a 25m separation from the courts.

The assessment has found that the maximum noise level at the facade of the nearest flats in Free Wharf as a result of a padel hitting a ball will be 35dB at a distance of 20m. A lower figure of 24dB is predicted for when a ball hits the glazed screen. The World Health Organisation advises that 50dB is the

threshold for the onset of moderate noise annoyance. The existing ambient noise level at the site is 42dB between 6am and 10pm with the highest predicted equivalent noise level at the nearest flats being below this. The Assessment concludes that noise from the courts would be "noticeable but not intrusive and would result in ‘no observed adverse effect’. This is defined in the PPG as ‘Noise can be heard but does not cause any change in behaviour, attitude or physiological response. Can slightly affect the acoustic character of the area but not such that there is a change in the quality of life.”

The change in hours proposed would largely fall within the definition of “daytime hours” (typically 7am-11pm), however the earlier start on a Sunday at 6am would fall within night-time under noise guidance. While the noise assessment demonstrates that the minimum requirements for both daytime and nighttime hours would be met, there are concerns that the earlier and later finish times on a Sunday in particular would be unneighbourly and unsociable. Consequently, the applicants were asked to amend the hours on Sundays to 7am -7pm (a reduction of 1 hour at either end of the day) and they have agreed. It is considered that these hours are more reasonable for a Sunday, particularly as the use has not commenced yet and noise impacts from this specific site are unknown. An 11pm finish during weekdays and on Saturdays is considered to be acceptable (also subject to a trial period). The courts are covered which will help to muffle any noise and prevent light spillage, while comings and goings are from the north side of the building facing Brighton Road, away from residential dwellings (the flats to the west are screened by a storage warehouse on the neighbouring site).

The Council’s Environmental Health Officer has considered the application and is satisfied that the maximum noise levels from the courts modelled at the facade of the nearest residential receptors would be acceptable for these varied hours and he has no objection.

However, in order to safeguard nearby residents, it is recommended that the variation in the hours is permitted for a temporary period of 1 year only initially to allow the noise impact to be assessed and reviewed subject to a further application.. As per the EHO advice, a Noise Management Plan will also be required.

Cycle parking

The submitted details show the provision of 12 covered cycle parking spaces arranged as Sheffield stands. They are to be located on the north side of the building and will have an acceptable visual impact. There are no highway objections to the proposal.

Recommendation

APPROVE

Subject to Conditions:-

1. Approved Plans
2. 5 year temporary permission for use as per AWDM/1228/25

3. Hours of operation 6am-11pm Monday to Saturday and 7am-7pm on Sundays for 1 year period only from date when courts are first in use. Applicant to notify LPA 14 days before commencement date. On expiry of 1 year, hours of operation to revert to 6am-10pm Monday to Saturday and 8am-6pm on Sundays.
4. All doors and other openings must remain closed at all times, except to allow for access and egress
5. Hours of construction 8am-6pm Monday to Friday and 8.30am -1pm on Saturdays
6. To be carried out in accordance with the approved Construction Management Plan.
7. Car parking
8. Cycle parking in accordance with approved details
9. External materials as approved
10. Surfacing materials as approved
11. To be in accordance with FRA
12. All development shall be constructed in accordance with the submitted and approved Surface Water Drainage Strategy (Ref: 1185/DR-101/P2 | dated 11/02/2026), this includes the use of a rainwater harvesting tank and discharge to the River Adur, unless otherwise first approved in writing by the Local Planning Authority
13. Landscaping as approved
14. A gas-proof, damp-proof membrane should be laid under any new areas of surfacing to prevent the accumulation of radon gas in the buildings. Should any unexpected contamination be identified during the development phase, the Council is to be notified, and any necessary remediation work carried out as required
15. External lighting as approved
16. Foul drainage as approved
17. Noise Management Plan to be submitted and approved before use commences

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

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Fire hydrant advice

Case Officer: Peter Barnett Date: 5 October 2026

Authorised by: Stephen Cantwell Date: 7th October 2026