# Development Management – Delegated Officer Report

**Application Number: AWDM/0751/25 Recommendation: Approve**

**Site: Fishersgate Forge, Mill Road, Southwick**

**Proposal: Retention of altered pre-existing outbuildings (retrospective application)**

**Date of Site Visit: 26 June 2025**

**Neighbours Checked: Y**

**Additional neighbour notification: N**

**Proposal, Site and Surroundings:**

The site at 3 Mill Road lies on the eastern edge of an industrial estate in Fishersgate. Houses in St Richard's Road to the east back on to the site.

The application seeks to retain 2no. previously constructed, conjoined outbuildings on the site. The supporting information submitted with the application suggests that the outbuildings had been present in the location on the site historically and that the works involved improvements to the buildings rather than a new construction.

An aerial photo of the site prior to the works shows a building frame on the eastern boundary with St Richard's Road and a larger open fronted covered area to the west on the southern boundary. The works have reclad the open fronted area and enclosed the frontage to form a building with the previous building frame also clad. The site plan shows that the large building has been increased in footprint and it now connects with the second building and extends further west. There is a new roof canopy that projects to the north. The smaller building on the eastern boundary has been reduced in footprint.

**Planning History:**

None

**Consultations:**

**Adur and Worthing Councils: Public Health:** No objections

**Representations**

Letter received from the occupier of 42 St Richard's Road:

This building was being built a few months ago, replacing the existing roof/shelter. Previous to this alteration it was just a roof with a few sheets of plastic hanging down to give some protection from the elements. Now it has a new roof, windows and doors and appears to be a proper unit/warehouse.

There has been an unreasonable increase in noise in the mornings, sometimes starting from 6am.

There is also light pollution at night, flood lights on top of the roof that floods into our back rooms, lights left on in the new unit, which then amplifies with reflecting through windows.

**Relevant Planning Policies**

Adur Local Plan 2017 Policy 15, 34
National Planning Policy Framework (December 2024)
WSCC Guidance on Parking at New Developments (Sept 2020).

**Planning Assessment**

**Principle**

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 building has a more modern appearance and appears less ramshackle than its predecessors. It is not significantly larger or taller than before and is not considered to have a harmful impact on the street scene in this industrial location.

**Residential amenity**

The position of the building on the boundary with residential properties to the east means that consideration must be given to the impact on their amenities.

The building works themselves are not considered to result in a scale or form of building which is unduly overbearing or intrusive. The taller building is set off the boundary by 4.5m.

Clarification has been sought from the applicants about the nature of the use and whether it has changed since the new buildings were erected. They have responded as follows:

"*Since 1990 (and before) the buildings and whole yard have been used for general storage, fabrication of light & structural steelwork, painting, general packing and finishing, including assembly and processing of materials, e.g. assembling a stair flight for transport or fettling i.e. sanding off sharp galvanising after coming back from the finishers.*

*The buildings are used as ancillary to the main building and yard, which is the fabrication, preparation assembly and finishing of metalwork. They will remain in such operation.*

*Despite not having any historic photographs, the buildings have always been enclosed and not open-fronted since the time when the eastern building was garaging. The use has not been changed though and the improvements in the structure will actually reduce the noise projection as the doors are more substantial than they were*."

There is a discrepancy between the applicants' description of the previous building, which they claim has always been enclosed, and that of the objector who claims that it was previously open fronted. Street view images from as far back as 2009 suggest that it was open fronted.

Further information was therefore requested and a more detailed response was received, as set out below:

"*For at least 40 years, we have carried out fabrication within our yard & the building structures in question without any restrictions which has been critical for the business to operate. We load deliveries at 5:30am in the morning which whilst not very noisy does involve a forklift & requires external lighting. Then louder operations commence in the yard from 7am until 6:30pm at night Monday to Friday and 8am - 6pm on Saturdays. On occasion working later or earlier to suit business needs*."

With regard to the new buildings, the following information has been provided:

"*Part A structure is not abutting the neighbours boundary and has been in place for over 30 years, the works carried out included replacing cladding as it was unsafe & had deteriorated. The unit had always had a curtain which enclosed the space when needed from weather, however we improved this to a sliding door so it would help with noise as well as improving protection from weather & security. This space has been used for fabrication & material processing in line with operations detailed above.*

*Part B abuts the neighbours boundary and has been in place since the business commenced nearly 100 years ago with details on historic deeds. Again we have upgraded the cladding of what was there previously for longevity & safety. Generally this area is only used for painting & storage which are quieter activities.*

*We would like to confirm this information to help demonstrate that the buildings are not new but rather an improvement on the previous structures that have been in place for a long time*."

With regard to imposing restrictions on the use, the applicants have said that they are happy to accept a condition that no lighting is left on overnight on the buildings in question but have advised that they will continue to use yard lighting & other building lighting without restrictions as they have previously operated which is critical to their business.

They have also confirmed that they would accept a condition that there are no noisy works carried out within Building A (the larger building furthest from the boundary) only, outside of the general working hours of 7.30am - 6:30pm Monday to Friday and 8am - 6pm on Saturdays.
Building B, the smaller building which abuts the neighbours boundary, will generally only be used for painting & general storage so noise from this area will be more controlled close to the neighbours boundary.

The main impact appears to be from noise caused by early morning working and lights left on at night. The company has been contacted by Public Health and asked to refrain from any metal working in the yard before 7am. There are no planning restrictions on the site currently and the rest of the site could be used at any time. The new building is enclosed and likely to provide an improved situation in terms of noise protection compared to the previous structure. However, the applicants have accepted a restriction on noisy activities outside of working hours and this is to be imposed. It is also proposed that a condition be added to require lighting on the building to be switched off overnight. The applicant has accepted this also.

**Recommendation**

APPROVE

**Subject to Conditions:**-

1. Approved Plans
2. No metal working shall take place and no machinery shall be operated from within the buildings subject of this application outside of the hours of 7.30am - 6:30pm Monday to Friday and 8am - 6pm on Saturdays.
3. Lighting to be switched off between 9pm and 7am

**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: 27 August 2025

Authorised by: Jo Morin Date: 27.08.2025