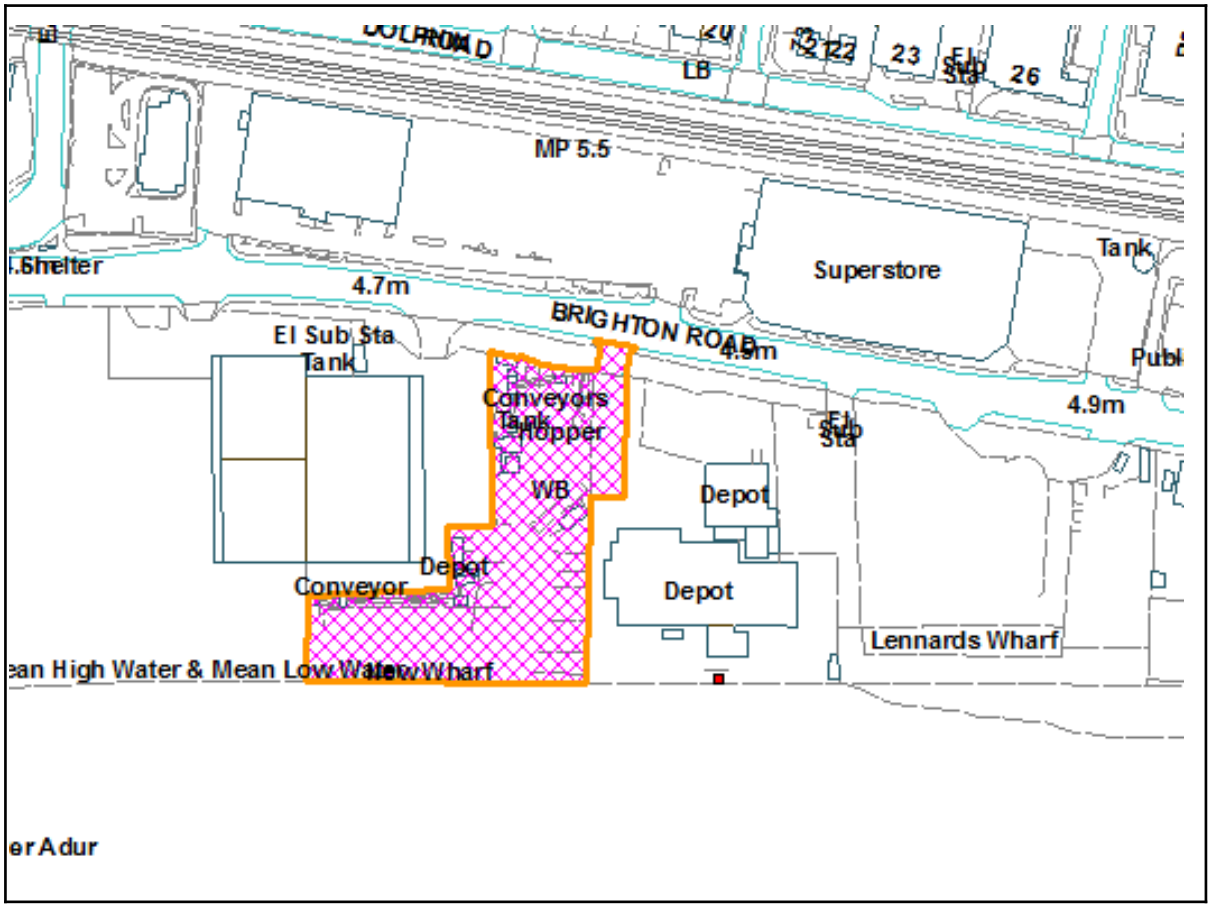
Application Number:	**AWDM/1228/25**	**Recommendation - Temporary Approval**
Site:	**Fishermans Wharf Brighton Road Shoreham-by-sea**	
Proposal:	**Temporary use of land as padel centre comprising six covered courts with associated changing rooms, cafe/retail/reception area, car and cycle parking.**	
Applicant:	Padel Republic Ltd	Ward: St Mary's
Agent:	Lewis and Co Planning	
Case Officer:	Peter Barnett	



Not to Scale

Reproduced from OS Mapping with the permission of HMSO © Crown Copyright Licence number LA100024321

Proposal, Site and Surroundings

The application site (0.4 hectare) comprises the western part of New Wharf which historically was a coal-handling wharf. In 1983 it became used for handling fish on the east part and for various temporary storage uses on the west part.

The use of the west part of the wharf for the handling, processing and storage of sea-dredged aggregates and concrete-batching with associated plant was originally granted temporary planning permission by WSCC in September 2000, and subsequently renewed until 2023 when the use ceased.

The site is L-shaped and is on the south side of Brighton Road, opposite Halfords and B and Q. To the east is La Poissonnerie Fishmongers which is within the same ownership. To the west is a storage warehouse operated by Cinch which is undergoing renovation and which recently was granted a 5 year temporary planning permission for self storage units. Further west is the Free Wharf residential development. There are residential units on the opposite side of the river to the south.

Planning permission is sought for the temporary use (5 years) of the site as a padel centre. 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 would be located at the southern end of the site adjacent to the river and would 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 would 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 would be used.

The canopy is shown as having a predominantly white colour with grey walls closer to ground level. The applicant's agent has confirmed that some preparatory ground works are required (primarily to ensure the site is level). Concrete base pads will be installed to secure the courts and the canopy structure. The aluminium frame that the canopy is attached to is secured to these using anchorage bolts. The courts, steel frame and ancillary buildings are all prefabricated and delivered to site, with the ability to remove and relocate all of these structures to a different site at a later date. The main structure takes approximately 21 days to erect, with the other elements delivered to site and erected in a couple of days.

The courts would be available for use between 6am-10pm Monday to Saturday and 8am-6pm on Sundays. They will be made available to all members of the public on both a membership and pay-to-play basis. Coaching will be offered and the small shop will stock padel equipment, clothing and accessories.

Padel is one of the fastest growing sports globally and is currently expanding across the UK.

The application is supported by a Planning Statement, Noise Impact Assessment, Flood Risk Assessment and Transport Technical Note.

Relevant Planning History

As set out above plus:

On New Wharf (adjacent site to west):

AWDM/0671/25 - Erection of 33no. external self-storage units (Class B8), refuse store, cycle shelter and reconfiguration of car parking layout - 5 year temporary permission granted

AWDM/1367/25 - Application to Remove Condition No. 2 (Time limited temporary planning permission) from previously approved AWDM/0671/25 - under consideration.

Consultations

West Sussex County Council: No objection from a transport/highways aspect subject to conditions to secure car and cycle parking. Comments:

Access and Capacity

The existing vehicle access point on Brighton Road will be utilised, and no alterations are proposed to this existing access arrangement. From inspection of WSCC mapping, the existing access exhibits suitable visibility in both directions.

The submitted TN estimates a worst-case scenario of 150 vehicle movements per day. Factoring in car sharing and sustainable modes of travel, this could reduce to approximately 120 vehicle movements per day. Considering the previous uses at this site, which have operated with no known safety concerns, the LHA is satisfied that the anticipated increase in trips that could be generated can be accommodated into the local highway network without adverse safety impact.

Parking and Turning

Provision for 30 car parking spaces is proposed to serve this development. Without formal parking standards for this type of use, the LHA are minded to accept the parking assessment included in the submitted TN. Weight is given to the fact the site is situated in a sustainable location whereby visitors and staff need not rely on a private car for travel to or from the site. Provision for the secure parking of 12 bicycles has also been included in the plans.

From inspection of the plans, the proposed parking bays appear suitably laid out and on- site turning appears achievable.

Adur & Worthing Councils: The ***Environmental Health*** officer has no objection subject to conditions. Comments that the Noise Impact Assessment demonstrates that the proposed padel courts will not result in any material adverse impact upon residential receptors.

Conditions: The hours of operation must be restricted to those contained within the application; all doors and other openings must remain closed at all times, except to allow for access and egress; control hours of construction and submit a Construction Management Plan.

Surface Water Drainage Consultant: Following a review of the submitted information, we are unable to provide consultation comments until we receive more information on the structure required to cover the proposed padel courts. The FRA suggests that there will be no above ground structures, but the plans are unclear. We have concerns over the potential displacement of flood water and the impact it will have on the site and the surrounding area

The applicants have been asked to provide further information and any subsequent comments will be reported to members at the meeting

Environment Agency: No objection. The proposed temporary development does not increase the site's vulnerability, as the intended use falls within the 'Less Vulnerable' category (as per Annex 3 of the National Planning Policy Framework).

Southern Water: Site is within Southern Water's Total Capture Zone and requires further review

Any subsequent comments will be reported at the meeting.

Sport England: No comment as the proposed development does not fall within their statutory remit

Representations

38 letters of support from addresses in Shoreham, Southwick, Lancing, Hove, Brighton, Hassocks, Burgess Hill, East Preston, Telscombe Cliffs, London, Wallington:

- Fantastic addition to the area
- Shoreham has real need for such a facility
- Lack of indoor, all-weather sports facilities in the area
- Will add variety and vitality to an area which has seen significant residential development
- Will provide a 'development break' and relief from residential blocks
- Need services and amenities to complement residential development
- Will provide much-needed recreational and social hub
- Fun, accessible and fast-growing sport
- Health and wellbeing benefits
- Brighton and Hove courts are over-subscribed
- Real demand for such facilities
- Excellent use of brownfield site
- Inclusive and diverse sport for all ages, genders and abilities

1 letter of objection from resident in Hancock Way, Shoreham:

- Noise, particularly at evenings and weekends
- Assessment needed to prove that satisfactory noise controls are in place

Relevant Planning Policies and Guidance

Adur Local Plan 2017 Policies 8, 15, 28, 34, 36
Shoreham Harbour Joint Area Action Plan 2019 CA7

National Planning Policy Framework (December 2024)
WSCC Guidance on Parking at New Developments (Sept 2020).

Relevant Legislation

The Committee should consider the planning application in accordance with:

Section 70 of the Town and Country Planning Act 1990 (as amended) provides that the application may be granted either unconditionally or subject to relevant conditions, or refused. Regard shall be given to relevant development plan policies, any relevant local finance considerations, and other material considerations; and

Section 38(6) Planning and Compulsory Purchase Act 2004 that requires the decision to be made in accordance with the development plan unless material considerations indicate otherwise.

Planning Assessment

Principle

The site is within the Shoreham Harbour Regeneration area and Policy CA7 of the the Joint Area Action Plan (JAAP) and Policy 8 of the Adur Local Plan identify this area as a location for change, with the aim of relocating existing business uses to facilitate comprehensive redevelopment and regeneration, primarily for the delivery of housing and employment generating uses with modern, high quality design expected.

Policies CA7 and SH9 and the related area priorities cover the provision of infrastructure to support regeneration including comprehensive flood defences, a new riverside foot and cycle path and roadside cycle route. The JAAP describes delivery and implementation, including an onus on developers to negotiate any land acquisitions necessary to implement the land allocation of individual parcels. The application site is identified within the JAAP as part of the land parcel WH4, which is expected to come forward towards the end of the plan period, which runs from 2019 to 2032.

The preamble to Policy 8 allows for temporary uses on a case by case basis:

"It is essential to ensure that the initial phases of development do not compromise the operations of businesses on sites which are unlikely to come forward until later in the process. In accordance with the Shoreham Harbour Interim Planning Guidance, and the Western Harbour Arm Development Brief prior to sites coming forward for redevelopment to alternative uses, planning permissions for continuation of current employment uses may be granted for temporary periods on a case by case basis."

This is repeated in Policy SH3 of the JAAP. However, this applies to sites where there is an existing employment use. It is not the case with this site. The provision of padel courts is therefore contrary to these policies. However, the owner of the site (who also owns the fish and meat market to the immediate east of the site) has indicated that he does not intend to sell the site in the immediate future.

It is therefore unlikely that this site will be available for redevelopment in the short term. However, the Council does not wish to prejudice future opportunities for redevelopment by granting a permanent permission for the padel courts. The site abuts the riverfront and there is an aspiration to provide a riverfront walk and to improve the flood defences along the riverside, which could not be achieved with the padel courts in their proposed position. The JAAP was adopted in 2019 and sets a policy framework until 2032. As we approach the end of the Plan period the Council would expect discussions and proposals to redevelop the site in line with the Plan to have come forward and be well advanced.

It is therefore proposed that, should the application be considered acceptable in all other respects, that a 3 year temporary permission only be granted up to the end of 2028, rather than the 5 years sought by the applicant. The reason for this being that it is consistent with timing envisaged in the JAAP, and will allow time for proposals to come forward, to be approved and implemented. A longer period of temporary planning permission would risk disincentivising these activities and reducing the likelihood that comprehensive regeneration and its infrastructure would be delivered within the plan period, such as continuation of the riverside path and flood defences currently under construction at the Free Wharf site.

In allowing a short term temporary use, it is noted that the application is not for a permanent development and the proposed structures can be relatively easily dismantled and removed.

Beyond these principles, the relevant issues therefore are the effects on the amenities of neighbouring residential occupiers, the effect on the character and appearance of the area, flood risk and highway considerations.

Visual amenity

The proposed canopy structure will be large and very prominent given its riverside location on Brighton Road. However, the area contains a number of large buildings on both sides of Brighton Road, including the refurbished warehouse at New Wharf to the west, the new flats at Free Wharf further west and the existing buildings at La Poissonerie to the east, plus the retail warehouses to the north. The roof of the canopy will sit below the top of the Cinch warehouse. Its size and height is necessary due to the requirements for padel play and court size. The site itself is currently vacant but was previously occupied by large concrete batching machinery.

Given the previous use of the site and the scale and nature of buildings in the immediate surroundings, it is not considered that it will be an unduly incongruous addition to the area. Its colour scheme is considered to be acceptable in its context. New planting is proposed by the site frontage to soften and enhance the appearance of the site, which is currently entirely hard surfaced. In the longer term Policy CA7 requires that new buildings must retain views from the coast at Shoreham Beach, to the South Downs.

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 to be in use from 6am-10pm Monday to Saturday and 8am-6pm on Sundays.

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 has been carried out on behalf of the applicants, including 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 Council's Environmental Health Officer has considered the Assessment and is satisfied that it demonstrates that the proposed padel courts will not result in any material adverse impact upon residential receptors. Subject to conditions to control hours of operation and to ensure that all doors and other openings remain closed at all times, he has no objection.

Accessibility and parking

The Transport Note considers that the use will generate up to 150 vehicle movements a day. West Sussex Highways consider that, taking account of car sharing and the availability of sustainable modes of travel, this could reduce to

approximately 120 vehicle movements per day. Considering the previous use at this site for the unloading, preparation and storage of minerals aggregate with concrete batching plant, WSCC is satisfied that the anticipated increase in trips that could be generated can be accommodated into the local highway network without adverse safety impact.

Flood risk and Surface water Drainage

The site falls within Flood Zone 3a, allowing for climate change, as referred to in the Shoreham Harbour Joint Area Action Plan (JAAP) and has a high probability of fluvial flooding in a future climate change (rising sea level) event. The proposed use falls within a 'Less Vulnerable' category as defined in the NPPF and there is no requirement for an Exception Test.

To address the Sequential Test, the FRA highlights the following:

"Flood mapping data identifies areas with a high probability of flooding to the south and north of the Site, while the central areas have a low probability of flooding from all sources. The proposed padel courts are located in the southern section of the Site, with car parking designated for the northern section.
Key facilities including the café, meeting spaces, and restrooms are situated in the central areas, aligning the more vulnerable functions of the Site, with the area assessed as having the lowest flood risk.
Additionally, these central facilities are constructed from containers, which are not permanent structures and can be relocated if required by future rises in sea levels due to climate change.
Therefore, although the Site has a high probability of flooding in future climate change scenarios, its temporary nature allows for potential relocation and unoccupancy.
Given that the main facilities are positioned within the area of lowest flood risk and are inherently temporary, the Site satisfies the requirements of the sequential test.
Nonetheless, it is recommended that a sequential approach continues to inform both the design and management of the Site to ensure safe development and operation throughout its lifecycle, particularly concerning flood risk"

To ensure that the site is safe for its lifetime, it is proposed to include the following, as set out in the FRA:
• Flood warning to the Site managers / staff and padel court players;
• Safe procedure for the Site managers / staff and padel court players;
• Safe egress from the Site prior to coastal / tidal flood event, and during all surface water / pluvial flood events;
• Ensuring no flood flows are displaced to areas outside the site area and increasing flood risk;
• Suitable flood resistant and resilient design of the central facilities,
• Ensuring surface water run-off from the Site will not increase flood risk elsewhere.

The JAAP allows for development in this location, although the proposal is not among the long term uses envisaged, but in flood risk terms it is no more vulnerable than potential future commercial uses and less vulnerable than potential future

residential ones. There is a justification for making a permission temporary, so that this does not weaken the aim of the JAAP for comprehensive flood defence along the Western Harbour Arm.

The Council's Drainage consultants have raised an objection as they would like more information on the structure required to cover the proposed padel courts and the impact of potential displacement of flood water on the site and the surrounding area.

The applicants have responded by reiterating that surface water / rainfall flooding is shown to be in the car park area with a maximum depth of 0.15m, and as the flood water is isolated due to depression in the ground, and not from overland flows from outside the Site boundary, the depth and anticipated flow is deemed to be low. As the car park has a low flood hazard, safe egress can be made from the site, via the car park, for all surface water / rainfall flood events and surface water will not be displaced to other areas outside of the site boundary.

A further response from the drainage consultants was still awaited at the time of writing this report and Members will be provided with an update at the meeting.

Contaminated Land

The application makes reference to some levelling and ground preparation works and, as the site may be contaminated as a result of previous uses on the land, a condition is recommended.

Recommendation

Approve

Subject to conditions:-

1. Approved Plans
2. 3 year temporary permission
3. Hours of operation 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. Construction Management Plan.
7. Car parking
8. Cycle parking
9. External materials as approved
10. Surfacing materials to be approved
11. To be in accordance with FRA
12. Surface water drainage
13. Landscaping
14. Contaminated land assessment required
15. No external lighting without permission