

<b>Application Number:</b>	<b>AWDM/1801/21</b>	<b>Recommendation - GRANT</b>
<b>Site:</b>	<b>Former Riverbank Business Centre 39 Old Shoreham Road, Shoreham-By-Sea (Ropetackle North)</b>	
<b>Proposal:</b>	<b>Application to Vary Condition 26 of previously approved AWDM/0935/13 (Outline planning application (including approval of details of access) for redevelopment of general industrial land for a mixed use scheme with up to 120 new dwellings (Use Class C3), hotel (Use Class C1), offices and light industrial (Use Class B1), retail (Use Class A1), financial and professional services (Use Class A2) and cafe (Use Class A3), with associated roadways, parking and flood defence wall (site includes Riverbank Business Centre and 12-18 Old Shoreham Road) <u>Amendment:</u> to allow the retail store to be used as a convenience store to allow for extended opening hours from 7am to 10pm seven days a week (including bank holidays).</b>	
<b>Applicant:</b>	<b>Mr Philip Holdcroft, Landmark Estates</b>	<b>Ward: St Nicolas</b>
<b>Agent:</b>	<b>As above</b>	
<b>Case Officer:</b>	<b>Gary Peck</b>	

The Planning Services Manager brought to Members attention that there had been one further objection submitted on the ground of disturbance to residents in close proximity to the application site.

This application was deferred at the November meeting of the Committee to consider a further reduction in proposed opening hours.

The Planning Services Manager drew members' attention to new information from the applicant who had reported that they had secured a deal with the Co-op as their future tenant. They stated that they would not be reducing the opening hours to allow the new store to compete with other local convenience stores.

Within the report the applicants clarified that at present the lawful use of the retail store was not subject to any conditions regarding delivery times and that deliveries were to be undertaken directly in front of the store. However, the Co-op had presented a Delivery Management Plan, prepared by specialist consultants that quantified the number of daily deliveries required by the Co-op and also the type of vehicles used, proposed timing, on-site delivery parking details and other good management protocols. They explained that deliveries would be made from Old

Shoreham Road, reversing directly into the existing car park (via temporarily conning off the parking spaces in advance). The applicant considered this a significant betterment than the current lawful position of using the parallel street frontage parking bays.

The applicant's report addressed residents' concerns surrounding increased crime as a result of the extended opening hours and commented that incidents of anti-social behaviour attributed to a Co-op store were rare. However, Co-op were keen to stress a Management Plan could be agreed with local residents to tackle specific issues should they ever arise.

Members asked for clarification as to whether viability should be considered when deliberating planning decisions. The Planning Service manager elucidated that viability was not a planning committee consideration and that focus should rest upon any impact of extended hours on residents.

There were three representations from registered objectors encompassing concerns over heightened noise, lighting impact and disruption caused by increased traffic and foot fall created by the proposed extended hours.

The applicants and the Co-op made representations that addressed concerns over staffing levels being suitable for appropriate security explaining that the Co-op had tried and tested robust procedures that dealt with anti social behaviour. They explained the Delivery Management Plan in more detail and suggested a private meeting of selected residents and Co-op colleagues before the opening of the store facilitating a good relationship from the onset.

During the debate members queried the reasons behind the application for extended hours. The Planning Service manager clarified that at the outline application stage no opening hours for the retail unit had been included. The shorter hours had been added without details of possible tenants being available. The applicants had attempted to secure tenants who were satisfied with the lesser hours for a considerable length of time without success.

A proposal to Reject the application was put forward by members which was not supported by the Committee.

A proposal to Approve but with further conditions regarding Sunday and Bank Holiday opening hours was voted on and approved by the Committee.

## **Decision**

The Planning Committee agreed to **APPROVE** the application, subject to the following conditions:-

1. Approved Plans
2. Opening hours restricted to 0700 to 2200 hours Monday to Saturday
3. Operation to be full accordance with the submitted Delivery Management Plan
4. Opening hours restricted to 1000 to 1600 hours Sunday and Bank Holidays
5. Impose any conditions of the outline permission that remain applicable to the development.