

Paul Airey Planning Associates Ltd

65 Harefield, Esher, Surrey KT10 9TG



Planning Dept.
Arun District Council
Arun Civic Centre
Maltravers Rd.
Littlehampton
West Sussex
BN17 5LF

15th July 2020

Dear Sir or Madam

**Proposed amendment of condition 4 (relating to hours of operation) of
planning permission A/154/17/PL to allow for longer hours of operation
The Vinery, Arundel Road, Poling BN18 9PY**

1. Planning permission was granted by Arun DC on 20 December 2017 for the *'Erection of industrial building (Unit 35b) for B1 (Business)/B8 (Storage or Distribution) purposes, relocation of existing site managers office & workshop.'*

2. This development is in the final stages of construction and the individual units are being let to a variety of businesses. During the marketing process, it has become clear that the operating hours conditions are a discouragement to some potential tenants. This application therefore seeks to justify a relaxation of the condition relating to the hours of operation. A letter of support from the letting agents is attached to this application.

3. The approved condition states the following:

Condition 4. No machinery shall be operated, no process shall be carried out and no deliveries taken at or despatched from the site outside the following times:

07.00hours to 18:00 hours Monday to Friday inclusive; 08:00hours to 13:00hours on any Saturday; No working on any Sunday or Public or Bank Holiday.

Reason: In order to safeguard the amenity in accordance with policies GE7 and GEN32 of the Arun District Local Plan

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4. It is proposed that the revised condition should read as follows:

Condition 4. No machinery shall be operated, no process shall be carried out and no deliveries taken at or despatched from the site outside the following times:

06.00hours to 20:00 hours Monday to Friday inclusive; 07:00hours to 18:00hours on any Saturday; No working on any Sunday or Public or Bank Holiday.

Background

5. The operating hours restrictions at the Vinery site were originally applied in relation to the planning application approved in November 2005 (A/14/05) to allow for the *Change of use of site from mushroom production facility to industrial B1 and B8 uses*. The restrictions on this permission were in fact less restrictive than for the development for which the current application applies, being 07.00 to 18.00 on Mondays to Fridays and 07.00 to 13.00 on Saturdays. (i.e. they allowed operations to commence at 07.00 on Monday to Friday and Saturday)

6. Since the original approval, there have been at least another 8 planning approvals in, or adjacent to, the site. While most of these have reflected the original restrictions on hours of operation, a number have applied different variations. The full list of hours of operation conditions applying to the site are attached as appendix 1, but it is noted that the following approvals granted different hours of operation.

1. The Fargo development adjoining the site - 06.00 to 18.00 on Mondays to Fridays and 0700 to 1300 on Saturdays.
2. New industrial building to accommodate specialist classic bus restoration business (industrial B2) A/79/14/PL. 8.30 a.m. and 17.30 p.m. on Mondays to Fridays inclusive and not at any time on Saturdays, Sundays or Public Holidays. This was a B2 approval
3. The Tributes building (B1/B8) A/177/19/PL for which no hours restrictions have been included in the conditions.

7. In 2013, the Fargo development (above) for a distribution warehouse on land to the rear of the Vinery was approved with less stringent operating hours, and as part of the approval were required to significantly improve the access into the Vinery site which provided the route into their site. The improved access and the overall

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upgrading of the site and the quality of the buildings at the Vinery, suggests that a relaxation of the restriction on operating hours can be justified. There is no evidence that the amenity of the residents adjoining the Vinery site has been compromised by the development of the site and, in fact, it is argued that the current operations at the site represent a significant improvement over the former use as a mushroom factory. The uses permitted at the site are industrial B1 (which requires compatibility with a residential environment) and B8.

8. It should be noted that a relaxation of the hours of operation will not lead to any additional traffic visiting the site, but will potentially spread visits over a longer period. In reality however, it is considered that only a limited number of companies would work on a regular basis outside the existing approved hours. The relaxation of the operating hours will however give greater flexibility to companies over how they operate, and in particular allow them to more easily respond to business pressures.

9. This is particularly important in the current economic situation caused by the corona virus. Unnecessary constraints on operations should be removed where this can be done without harming amenity, to allow firms to be more flexible with their working practices and also to allow peak time travel to be avoided if possible. In particular, allowing a wider time band for deliveries and dispatches would help companies to better synchronise with the operations of the wider economy.

10. Nationally, the government is encouraging local authorities to be flexible in considering reducing controls on construction working times and retail deliveries. Retiming deliveries to quieter periods has the potential to reduce road congestion while delivering a number of social benefits, such as improved air quality, reduced greenhouse gas emissions, and increased road safety during the busiest periods of the day.

Summary

- This application seeks a reduction on working hours restrictions for the new industrial building approved under A/154/17/PL
- The relaxation will directly help meet the needs of companies looking for a wider window in the working day. This will help the wider economy
- There are anomalies in the current working hours restrictions across the site.
- The proposed changes are considered unlikely to significantly affect the amenity of neighbours.

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Yours sincerely,

Paul Airey
Director