

Anita Gardner,
First Floor,
Arun Civic Centre,
Maltravers Road,
Littlehampton,
BN17 5LF

08 January 2019
Ref: SS/Let/P1497i

Dear Anita,

Re: S73 application to vary Condition 10 of planning application reference CM/12/18/PL (The regularisation of operating hours to 24hrs a day commencing 6am Monday to 6pm Saturday with no Sunday operation at Units J1, J2 & Z; new extension covering the existing courtyard area & new acoustic metal cladding to southern facade of existing workshop at Unit J1 & J2; new demountable wall adjacent to existing fence surrounding the guillotine enclosure at Unit U1) at Unit J1, J2, U1 & Z, Rudford Industrial Estate, Ford Road, BN18 0BF.

This application has been submitted online via the Planning Portal under reference **PP-07534101** and includes the application form, the resubmitted noise report (Acoustic Associates Sussex Ltd 10/04/2018) and this covering letter.

This Section 73 application is for the variation of Condition 10 of planning permission CM/12/18/PL approved 18th July 2018. Planning Condition 10 states:

With regard to units J1, J2 and Z working hours for welding operations/process shall be 00:00 - 00:00 Monday - Friday and 00:00 - 18:00 Saturday with no welding operations/process on a Sunday or Bank Holiday.

With regard to units J1, J2 and Z working hours for all other operations shall be 08:00 - 21:00 Monday - Friday and 08:00 - 18:00 Saturday with nothing on a Sunday or Bank Holiday.

We are writing to you to request an amendment to the second part of this condition to allow the operation of units J1, J2 and Z for all other operations from **07:00 hours** in line with the operating hours of other units within the Industrial Estate.

Directors

Chris Barker MATP MRTPI Managing Director
Huw James MRTPI
Adam King RIBA

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As set out within the Acoustic Report (resubmitted with this application), short term measures were implemented ensure that there is an immediate reduction in noise prior to the longer-term cladding and enclosure works being implemented. Such measures were proposed to enable Austin Divall to continue operating as a successful business in the interim.

The Council's Environmental Health Officer's comments on the application and the measures proposed were summarised within the initial Committee Report dated 27 June 2018.

The Environmental Health Officer had no objection to the use of the site for a 24-hour operation since it was considered that the measures proposed as part of the application would *'bring the noise levels from activities at the application site in line with relevant guidelines.'*

The initial committee report for application CM/12/18/PL thereby included Condition 5 which accepted an earlier start time of 6am. Condition 5 stated:

*No operations shall be undertaken at the premises at Units J1, J2 & Z; except between the hours of **6am** Monday to 6pm Saturday with no Sunday or Bank Holiday operation*

The start time however was amended through an update report to the Committee which required a 08:00 start time (as per the now approved Condition 10 wording) following correspondence with the applicant's agent.

The amendment was required to allow more flexibility to allow for the 24-hour welding activity needed to enable the ongoing operation of the business. The previously worded Condition 5 did not allow for this.

However, the approved start time (08:00) for all other activities does not allow Austin Divall to operate efficiently. The production process is such that welded beams / structures produced during the night shift within the factory need to be moved into the yard prior to the 08:00 shift commencing. From the yard, the beams are loaded onto lorries. A start time of 07:00 would allow a limited number of employees to move the beams to clear the factory ahead of the working day at 08:00. Allowing a start time of 07:00 would also avoid the potential for queuing lorries within the Industrial Estate, some of which arrive prior to 08:00.

Importantly, the yard will be fully enclosed in due course in line with the requirement of the recent permission reference **CM/12/18/PL** significantly reducing noise associated with movement of beams and structures.

On the basis that the Council were previously accepting a start time of 6am and that many noise reduction measures have and will be implemented by the applicants, we consider it acceptable that a 7am start time would be reasonable and would allow for the continued operation of the units for steel manufacturing. This would also mean that Austin Divall would be operating on the same basis as other businesses within the Industrial Estate.

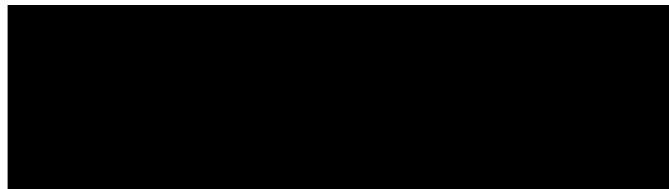
We request therefore that Condition 10 is varied to read:

With regard to units J1, J2 and Z working hours for welding operations/process shall be 00:00 - 00:00 Monday - Friday and 00:00 - 18:00 Saturday with no welding operations/process on a Sunday or Bank Holiday.

*With regard to units J1, J2 and Z working hours for all other operations shall be **07:00** - 21:00 Monday - Friday and **07:00** - 18:00 Saturday with nothing on a Sunday or Bank Holiday.*

If you have any further queries or require further information please contact
 We look forward to hearing from you soon.

Yours sincerely
ECE Planning



Sam Sykes MRTPI

Associate Planner