DELEGATED APPLICATIONS

ASSESSMENT SHEET

APPLICATION NO/ADDRESS: 11/0167 – Unit R Dominion Way

DATE OF SITE VISIT: 6/5/11

NEIGHBOURS CHECKED: Y

ADDITIONAL NEIGHBOUR NOTIFICATIONS (LIST ADDRESSES): None.

SITE AND SURROUNDINGS:

This application relates to the rear half of a large two storey industrial building on the east side of Dominion Way, within the Northbrook Trading Estate. It has a floor area of 740 sq.ft. The rear part of the site has its own gated rear yard area and parking area which is accessed from an estate spur road on the south side of the building. Access to the building is from the rear. Inside the application unit is largely made up of open and racked storage. There is a smaller and enclosed Trade retail area and counter, with office accommodation/toilets over.

Originally built under a 1982 permission for Light Industrial or General Industrial purposes the applicant's agent advises that for approximately five years up until 2009 the entire building was occupied by a pharmaceutical company as one of their regional distribution bases and Head Office. No industrial processes took place. The site employed 20 office staff, 30 warehouse staff, 20 drivers and 6 Managers. The use prior to Europharm's occupation is unclear. Their 5 year occupation appears to have been a mixed B1/B8 use. The lawful use appears to remain B1c/B2.

Until the applicant's purchase of the site late in 2010 the site had been vacant since Europharm's departure in 2009.

PROPOSAL

Permission is sought for continued use of the rear half of this building as a roofing merchant supplier with trade counter and external storage and parking. The main use of the site involves delivery of pre-ordered roofing materials from the site to builders by lorry or van. Some smaller builders visit the site, as do members of the public, and buy supplies speculatively. On this basis the existing use is considered to be B8 with ancillary retail, another mixed use.

RELEVANT PLANNING HISTORY:

AWDM/0743/11 - Change of use of building from warehouse to a community centre and place of worship, together with external alterations to the buildings and revision to car parking layout. Pending

85/502 – Erection of extension to house compressor on north elevation. Granted 15.7.85

82/534 – Erection of industrial building for use within Classes III and IV with ancillary offices and vehicle park. Granted 10.8.82

RELEVANT PLANNING POLICIES:

RES7, TR9 and H18 of the saved Local Plan.
Core Strategy Policies 3, 4 and 16.
SP3, BE1, CC1, CC6, RE3, RES6, T4, SCT3 of the South East Plan
PPS1 Delivering Sustainable Development
PPS4 Planning for Sustainable Economic Growth
PPG13 Transport
Draft National Planning Policy Framework

REPRESENTATIONS AND RELEVANT CONSULTATION RESPONSES:

No letters from neighbours received.

Health: No objection.

Highways: '*The existing use of the site could have generated "drop in" customers. From the supporting information and from evidence available on OS it appears that trade and servicing has existed previously at the site for a number of years to the rear of the site. Whilst both the existing and former use may have resulted in some short term parking on Dominion Way, the site does appear to benefit from on-parking facilities. Therefore the proposed change of use is unlikely to materially alter the traffic patterns to and from the site*'

Economic Development: *Economic Development is aware that the builder's yard in Dominion Road is no longer available, as it has now been acquired by a local business for commercial use.*

The Winter 2011 Worthing Commercial Property Register shows two B1 units are currently available on the estate, within the 5,000 to 10,000 sq ft range

Economic Development is currently assisting another B8 business to locate suitable premises in Worthing and is aware of the difficulty that this type of business faces when looking for new premises.

Economic Development appreciates that B8 is an employment use and acts as an important link in the local supply chain.

Economic Development is unaware of any complaints regarding the applicant's B8 use of Unit R since they took occupation.

With consideration to the information above, Economic Development now withdraws their objection to this application.

HUMAN RIGHTS:

First Protocol (Protection of Property) of the Human Rights Act 1998 is relevant to this application. It is accepted that the proposal, if approved, would have some impact on the neighbouring properties. However, it is considered that the level of development proposed would not cause undue harm in terms of additional noise, disturbance and loss of privacy and that, on balance, existing residential quality of life would not be adversely affected as a result of the proposal. Accordingly it is considered that it is acceptable with regard to Article 8 and Article 1.

PLANNING ASSESSMENT:

The lawful use of this entire site is B1/B2. Prior to the current use it was occupied by Europharm on a mixed B8/B1 basis as a distribution centre and head office. Europharm's use did not have the benefit of planning permission.

KC roofing has been occupying the rear half of this unit for the best part of a year now and stores and supplies roofing materials from the site. Occasional on site retailing of smaller roofing related materials occurs to members of the public or to trade. The current use is a B8 use with an ancillary trade counter, another mixed use.

Policy 4 of the Core Strategy seeks to safeguard employment uses within key employment areas of the borough, Northbrook Business Park being one of them.

For some time there was concern that the subdivision of this unit into two smaller units would remove a larger B1/B2 (or potential B8) site from the estate and thus reduce the Borough's offer in terms of larger units. This was at a time when there were known available alternative sites that could meet KC Roofing's needs. However, the revised Winter 2011 Worthing Commercial Property Register confirms that the most suitable alternative site for KC Roofing has now been let to another commercial occupier and also shows that there are now two other B1 units with floor areas between 5000 sq.ft and 10,000 sq.ft available on the same estate. The objection to this unit's sub division has therefore been removed.

The B8 use occurring is within the spirit of Policy 4. The use has been occurring for nearly 12 months without any objections or complaints. The principle of the B8 use is therefore acceptable.

The ancillary retail trade area is clearly delineated within the floorplan and on site is partitioned off from the general racked storage area. It makes up roughly 10% of the floorspace accounting for 78 sqm in total. Subject to this area remaining in ancillary use only it is not considered that it will be damaging to the general emphasis of sustaining employment uses in the 'B' use class category on this estate. A suitable condition is recommended.

The unit has its own rear yard with adequate scope for servicing and customer/staff parking. In addition to those spaces shown within the yard

there are 4 spaces immediately outside the gates, but within the site, also available to the unit.

On this basis it is considered that the continued use of this site as a B8 supplier and distribution centre for Roofing Materials, with ancillary trade counter, is acceptable.

RECOMMENDATION

Grant subject to conditions.

1. Approved Plans
2. Restricted to B8 use
3. Retail trade counter restricted to area shown and ancillary to main B8 use only (Roof products). No other products shall be sold.
4. Parking areas retained
5. Hrs of use

REASONS FOR RECOMMENDATION:

This B8 use with ancillary retail area is within a designated employment area and is helping to meet the need for additional employment provision and economic and environmental regeneration without detracting from the local environment. It is taking place without resulting in unacceptable detriment to the amenities of neighbouring properties and without detraction from highway safety. Its continued use will not consequently conflict with the relevant 'saved' policies of the Worthing Local Plan (RES7, H18, TR9), the South East Plan (SP3, CC1, CC6, RE3, RE6, T4, SCT3) and Core Strategy (3, 4 and 16).

IS RECOMMENDATION CONTRARY TO LETTER (S) OF REPRESENTATION? No.

DELEGATED

Case Officer sign..... Date 20/12/11

Authorising Officer sign..... Date 21.12.11