expiry 13.03.08

Development Control – Delegated Officer Report

Application Number: ADC/0029/08 Recommendation - Permit

Site: **Unit 4 Royal Buildings Marlborough Road Lancing West Sussex**

Proposal: **Use as a motorist centre for the sale and fitting of tyres, exhausts, brakes and other fastfit repairs, plus MOT testing**

The Application

The application relates to Unit 4 in the north-west of Royal Buildings, located on the south side of Marlborough Road as part of the Churchill Industrial Estate.

The unit is currently used for the sale and fitting of car tyres, exhausts, brakes and other fast fit motorist parts which is classed as B2 General Industrial in the Town & Country Planning (Use Classes) Order 2005. However the permitted use of the unit is B1 Light Industrial.

The applicant seeks to regularise the existing use for fast fit sales and repairs and add the MOT Testing as an additional service for their customers. MOT testing also falls within Use Class B2 of the UCO.

The application premises are located at the northern end of a block of four similar units (No's 4-7) with a block of two on the eastern side of a centralised vehicular access and parking area. To the south of the site are residential bungalows located in Western Close, screen by a row of large trees, some of which are subject to a Tree Preservation Order.

Unit 7 has had a temporary permission for continued use for vehicle servicing/repairs and MOT testing (Class B2) granted permission (ADC/362/06) until 2010. An application for the reduction of height of TPO trees, on the southern edge of the site has been granted permission recently (ADC723/07) as has the re-cladding of the entire 7 units, including the addition of one parking space (ADC/637/07).

Consultations and Representations

County Transport Planning Services: The Highways Officer states that parking is available to the front of the units as well as communal parking. No objection is given although it is recommended that a condition is placed on any approval securing a parking bay specifically for the MOT use. Furthermore in an endeavour to minimise traffic generation and car parking demand it is requested a further condition be attached to secure a Travel Plan prior to the MOT bay coming into use.

Lancing Parish Council: No comments received.

Third Parties: The occupier of Unit 7 (an existing MOT and repair centre) has stated that the car parking in the car park is already over-crowded as is the street parking outside. They specifically say that Chessington Tyres staff (the current occupier of the application site) cause restricted vision for vehicles entering and leaving the car park by parking cars on both corners of the entrance. They also state that another MOT station on the Business Park is not essential.

Relevant Planning Policies and Guidance

Adopted West Sussex Structure Plan 2001-16 (WSCC 2005): LOC1, DEV1, DEV2.
Adopted Adur District Local Plan 1993-2006 (ADC 1996): AG1, AE2, AE4, AP7.

Planning Assessment

Policies

Policy AE2 and AE4 of the Local Plan both encourage development of land (including changes of use of buildings) within areas defined for business and industrial purposes falling within B1 and B2 in the Use Classes Order, except where the proposed development is within close proximity to residential areas where a restriction on B1 Uses will be made. Permission will be granted subject to access and on-site parking arrangements being acceptable.

DEV2 states that mixed-use development should be permitted provided that it make the best use of land, promotes vitality and diversity, meets the needs of local people and helps to reduce the need to travel.

Residential amenity

The units themselves were originally granted permission as B1 use due to their proximity to residential properties in Western close. A line of trees which screen these properties was also planted and made subject to a Tree Preservation Order, in some part to retain residential amenity.

Approval was granted for the most southern of the units for the use as an MOT test centre in 2006 and not for any other use within class B2 of the UCO. It is in close proximity to the residential properties in Western Road and a temporary permission was granted to prevent loss of residential amenity in the case of a change of ownership, with the addition of restricted operating hours.

The properties in Western Close are located 55m from the entrance to Unit 4 (the application premises). To a certain extent the screen fence and line of

trees act as a buffer to the noise from the industrial estate, however permission to reduce the height of the trees has recently been granted (ADC/723/07), but it is felt that this is unlikely to have an effect on the amount of noise that breaks through to the bungalows to the south.

It is considered that the change of use to B2 and use as an MOT test centre would only be acceptable if similar conditions to those imposed at unit 7 (limiting the use to MOT's and fast fix repairs rather than panel beating and paint spraying), were placed on the permission due to the proximity of the residential properties. It appears that the unit has been in use as a repairs centre for a number of years, and the EHO officer has made no objection to the proposals or flagged up any historical complaints from the nearby bungalows. However as the application is to regularise the B2 use in addition to the use as an MOT testing centre it is considered that hours of operation should be restricted to the same as those at Unit 7. A similar condition was placed on the original planning permission (L/28/81/TP), to ensure the amenity of surrounding residential property.

It is felt that a condition restricting the use to 'fast-fix' repairs and MOT use only would prevent there being any loss of amenity to the bungalows in Western Close if management were to change hands, given the relative distance between the properties.

Access and parking

Three customer parking spaces are currently available at the front of the premises; however all three were in use at the time of the site visit with one car inside the workshop. The likelihood is that staff use these parking spaces. There is space for casual and visitor parking at the southern part of the site but this appeared to be in high demand at the time of the site visit with the corners and access to the site also heavily parked. The main Marlborough Road to the north of the industrial estate has no parking restrictions and as the traffic flow is one way, it does represent additional casual parking for site staff.

The agent has stated that the applicant has a policy of not permitting the employees to park on site, other than the centre manager, and where possible to use public transport. A statement from the applicant has not been received to confirm these points.

The MOT testing would be undertaken within a bay already used for fast-fix repairs within the unit, and it is considered that this would not represent an increase in use of the site. Customers using the site are no less likely to leave their cars for repairs as they would for MOT's, given the location of the premises, and therefore would not warrant an identified parking space solely for the MOT use.

It is noted that the planning permission to re-clad the front of the buildings (ADC/637/07) includes the provision for one extra on-site parking space which would help parking matters should the application be implemented.

The WSCC Highways officer requests a travel plan for the proposed use but as the application would not result in a net increase in staff it is felt this would be unwarranted.

Recommendation

APPROVE for reason that :-

2PPii

1. C1Ci.
2. C16Ai – amended.
   The premises shall be used only for the purposes of a motorist repair centre for the sale and fitting of tyres, exhausts, brakes and other fastfit repairs, plus MOT testing and for no other purpose within Class B2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that class in any Statutory Instrument revoking and re-enacting that Order with or without modification). There shall be no panel beating or paint spraying within the premises or its curtilage.
   Reason: *In the interests of residential amenity and to comply with policy AP& of the ADLP and DEV1 of the WSSP.*
3. C10B
4. C10Dii

PB 27/2/08

Case Officer:
Date: 25.2.08

Planning Services Manager:
Date:

Chairman of the Planning and Regulatory Committee:
Date: