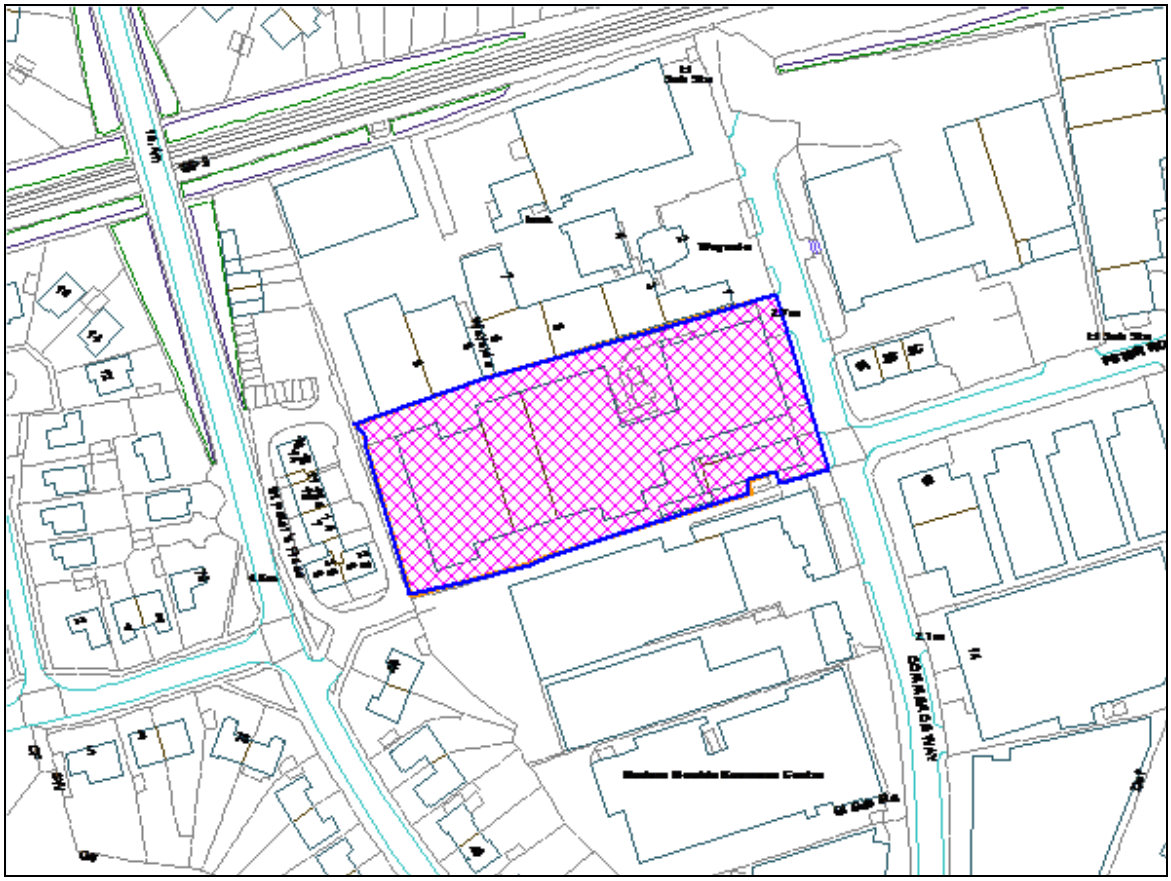
Application Number: AWDM/1469/15 **Recommendation – Delegate for APPROVAL subject to satisfactory resolution of outstanding comments**

Site: **6 Commerce Way, Lancing Business Park, Lancing**

Proposal: **Demolition of a part two storey distribution warehouse, offices and ancillary facilities. Construction of a new distribution warehouse and two storey offices and associated facilities, Use class B1, B2 and B8. Adaption of existing access road and services yards, on-site to suit new facilities.**

Applicant: Mr Lawrence Boon Ward: Peverel
Case Officer: Gary Peck



Not to Scale

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Proposal, Site and Surroundings

This planning application is being made by Pasante Healthcare Ltd who has occupied other premises at 21 Commerce Way since 2005. The company has grown during its time at Commerce Way and consequently outgrown their existing facilities and have been utilising other warehouse facilities for three years. The application site is stated to have been chosen due to its proximity to the existing facilities (it is about 60 metres from the existing site) and is also of sufficient size to accommodate the foreseeable future expansion of Pasante.

The company purchased the application site in November 2014 and are currently utilising some of the existing space available, but it is evident that the existing facilities are in poor repair and the building is unsuitable for the long term needs of the company. This proposal seeks full planning permission for the demolition of the existing building (4,925 square metres) and its replacement with a new Warehouse and Distribution Centre of 4,562 square metres.

The existing buildings on the site are of various heights at the site been developed in an ad hoc fashion over time. The proposed redevelopment of the site would form a single building of between 10.8 metres in height at the front of the site, dropping down to 7.6 metres at the western end of the building. This would represent an increase in height of between 2 metres and 5.6 metres (the latter increase being in the middle part of the site) but at the western end, the drop down in height equates to the height of the existing building.

The existing buildings on the site are of little visual merit. Some cladding to the one of the buildings to the front of the site has meant it is of similar appearance to some other buildings in the vicinity but in general, its appearance is of a site containing buildings needing replacement. It is understood that the building on the site were constructed in 3 separate phases.

The land falls slightly from Western Road to the west to Commerce Way. The southern boundary has a small retaining wall running its length. There are three points of vehicular/pedestrian access/egress to the site, a shared gated access spur from Western Road, a gated access to the southern boundary in Commerce Way and a shared access road forming the northern boundary of the site. There are three car parking areas, one of which is to the rear of the site.

To the north of the site, is a car park with a three storey office block beyond. To the south is a predominately two storey mid century brick office building along the entire length of the eastern boundary facing Commerce Way, with a vehicular undercroft access to the northern boundary.

Other industrial and commercial uses are located across the road to the east.

The application site is therefore surrounded by industrial uses on 3 sides but to the rear is a 3 storey residential block of flats (St Peter’s Place). At present there is a wire fence

which is partly screened toward the northern end of the site but is open to the south and hence the flats are clearly visible from the application site. The application site is currently used for car parking against the boundary at present although it is poorly surfaced. St Peter's Place has a projecting wing at its southern end and so at its closest point, the existing industrial building is approximately 16 metres distant. The northern part of the flats, which does not have a projecting wing, is about 23 metres away from the industrial building.

Relevant Planning History

None directly relevant: the last application was for cladding and window alterations granted permission in 2002.

Consultations

West Sussex County Council Highways:

Original comment:

WSCC have been consulted in the role as the Local Highway Authority (LHA) to provide comments on an application for the demolition of the existing building and construction of a new distribution warehouse, offices and associated facilities (use class B1, B2 and B8) at Lancing Business Park, Sompting.

No specific documents relating to highways have been provided, although appendix 6 of the Design and Access Statement refers to a Transport Statement (TS). This is not however available. This response focuses on the information outlined in the Design and Access Statement and drawing number nb01465:13. Comments will be made in respects of the transport statement once provided. The following comments may change as a result of reviewing the TS.

Site Background
The site is located within Lancing Business Park, Sompting and is accessed from Commerce Way. The existing building measures 4,925sqm in total, with a mix of offices (942sqm), warehousing (2,683sqm), and a mezzanine within the warehouse (1,300sqm). The proposal seeks to construct a building containing similar use classes but with a slightly smaller footprint (4,562sqm).

Access
Currently, three points of access are in place into the site. These are summarised as the following:

- *Western Road: shared gated access spur with Rochester Medical and St. Paul's Avenue*
- *Commerce Way: gated access to the southern boundary*
- *Commerce Way: shared access road (owned by Pasante) with gated access to the western boundary car park.*

The Design and Access Statement proposes that the main point of access will be from the existing access onto Commerce Way, which measures c.3.5m in width. This is acceptable given that the 'out' access is proposed to be separate (onto Western Road), however the access should be tracked to demonstrate its suitability (as detailed further later in this response).

Parking

There are currently three parking areas within the site. These are summarised as the following:

- *Western boundary – informal parking area*
- *Eastern boundary – 13 end-on parking bays to Commerce Way*
- *Northern boundary – 10 parking bays accessed from the shared access off Commerce Way*

To serve the proposed development drawing number nb01465:13 demonstrates that 14 spaces are proposed along the northern site boundary and 30 tandem spaces are proposed to the east of the site onto Commerce Way. However the Design and Access Statement describes 11 and 29 spaces in one paragraph and 15 and 30 in a second in these locations respectively. This should be clarified.

It is recognised that, whilst not usually acceptable in this fashion, the use of tandem bays to the east of the site are the most appropriate method of parking in this instance, given the 'shift' pattern and the proposed management of these bays. The bays to the north, however, do cause some concern. The proximity of the building to the northern boundary means that the access road is relatively narrow, especially considering the movement of HGVs. The long row of uninterrupted bays mean that conflict may occur between cars and lorries, as these will be unable to pass each other freely. It is recommended that some bays are removed to allow for passing areas for cars.

Servicing

The proposals include the 'rationalisation' of lorry movements into and out of the site. At present, lorries reverse out of the site onto Commerce Way to the east or Western Road to the west. The proposals include provision for lorries to enter the site from the eastern access only, with lorries exiting the site in forward gear onto Western Road. This will greatly improve the safe operation of the LRN. Tracking for a lorry (the largest vehicle which may be expected to enter the site) should be undertaken to demonstrate that it can successfully enter from the eastern access and navigate the site without impacting on parking bays.

Summary

Comments have been made on the basis of the information available. These may be subject to change upon receipt of the Transport Statement. Once this is made available, further comments will be offered.

Following the receipt of the Transport Statement, the Highways Officer further commented:

It's agreed that the existing and proposed uses are near identical in terms of use classes and floor area. As such, the potential trip generation and overall highway capacity impact should remain unchanged. The same would apply to the potential parking demands, although it is noted that the TA reviews parking demands solely against a B8 use class.

Swept paths have been provided for an HGV entering the site via Commerce Way and exiting onto Western Road via St Peters Place. These swept paths indicate that the existing access onto Western Road will need to be widened to accommodate an HGV entering. On-street parking also takes place along Commerce Way. This may further restrict HGV access and it's unclear if this has been taken into account as part of the swept paths. For an exiting HGV, the swept path shows this over running the footway that runs alongside St Peters Place. This is potentially more a consequence of how the swept paths have been undertaken; in practice there may well be sufficient carriageway width to avoid this over-running. The swept path would in any case need to be re-run to confirm that it does work.

The on-site manoeuvring for an HGV in places is also very tight, although this is not necessarily an issue that will affect the operation of the public highway.

The only other matter is the use of the St Peters Place/Western Road junction by HGVs. Whilst the Local Highway Authority accept the general principle of this being used for exiting traffic, the kerb radii on the northern side of this is quite tight. Given that the A27 lies to the north, the expectation is that the majority of the HGVs will wish to travel northwards. Swept paths should therefore be provided of this to ensure that HGVs can manoeuvre around this without over-running the footway.

The general principle of the development is accepted. There are though matters relating to access that need to be revisited.

As the **Lead Local Flood Authority, West Sussex County Council** commented:

West Sussex County Council (WSCC), in its capacity as the Lead Local Flood Authority (LLFA), has been consulted on the above proposed development in respect of surface water drainage.

The following is the detailed comments of the LLFA relating to surface water drainage and flood risk for the proposed development and any associated observations, advice and conditions.

Current surface water flood risk based on uFMfSW for for 30year and 100year events:	Moderate risk**.**
Comments: Current uFMfSW mapping shows the proposed site to be at 'Moderate' risk from surface water flooding. It should be noted that the adjacent road and the area around 'Carlton House' are shown to be at 'High' risk of surface water flooding, based on the modelled data. We do have one report dating back to September 1985 of an adjacent unit suffering from surface water flooding. Any existing surface water flow paths across the site must be maintained. Reason: NPPF paragraph 103 states – 'When determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere.' Therefore, a wholesale site level rise via the spreading of excavated material should be avoided. Any excavated material kept on site should be located in areas designed and designated for that purpose.	

Current ground water flood risk based on ESI Ground Water mapping:	Negligible risk / Moderate susceptibility.
Comments: The area of the proposed development is shown to be at 'Negligible risk' from ground water flooding on the current ESI maps. Based on the same mapping the current geology is shown as 'Moderate susceptibility' to ground water flooding. This means the general geology in the area may be suitable for infiltration / soakaways. Where the intention is to dispose of surface water via infiltration / soakaway, these should be shown to work through an appropriate assessment carried out under BRE Digest 365. Ground water contamination and Source Protection Zones. The potential for ground water contamination within a source protection zone has not been considered by the LLFA. The LPA should consult with the EA if this is considered as risk.	

Is the proposed development is within or close to an existing Flood Zone, as defined by the National Planning Policy Framework (NPPF):	No.
Comments:	

Records of any ordinary watercourses or culverted watercourses within or in close vicinity to the site:	No.
Comments: Current Ordnance Survey mapping does not show an ordinary watercourse or culverted watercourses within or in close vicinity to the site. Local or field boundary ditches, not shown on Ordnance Survey mapping, may exists around and across the site. If present these should be maintained and highlighted on future development plans. No development should take place within 5m of any watercourse. Future maintenance and access of local field boundary ditches must be considered during the design and planning process.	

Records of any historic ordinary watercourses shown to have once crossed or been in close vicinity to the site:	Yes.
Comments: Historic ordnance survey mapping does show that historic ordinary watercourses once crossed the site, directly under the existing building.	

Records of any historic flooding within the confines of the proposed site:	None.
Comments: We do not have any records of historic flooding within the confines of the proposed site. This should not be taken that this site has never suffered from flooding, only that it has never been reported to the LLFA.	

Records of any historic flooding in close vicinity to the site and/or on the adjacent public highway:	Yes.
Comments: We do have one report dating back to September 1985 of an adjacent unit suffering from surface water flooding. This should not be taken as the only incident, but it has been the only one report to us as LLFA.	

Existing highway drainage in the vicinity to the site:	Yes.
Comments: The adjacent road, Commerce Way, has a positive highway drainage system.	

Future development - Sustainable Drainage Systems (SuDs)

SuDs seek to mimic natural drainage systems and retain water on or near to the site, when rain falls, in contrast to traditional drainage approaches, which tend to pipe water off site as quickly as possible.

SuDs offer significant advantages over conventional piped drainage systems in reducing flood risk by reducing the quantity of surface water run-off from a site and the speed at which it reaches water courses, promoting groundwater recharge, and improving water quality and amenity. The range of SuDs techniques available means that a SuDs approach in some form will be applicable to almost any development.

Government policy set out in paragraph 103 of the NPPF expects LPAs to give priority to the use of SuDs in determining planning applications. Further support for SuDs is set out in chapter 5 of the flood risk Practice Guide.

Approved Document Part H of the Building Regulations 2000 establishes a hierarchy for surface water disposal, which encourages a SuDs approach beginning with infiltration where possible e.g. soakaways or infiltration trenches.

Where SuDs are used, it must be established that these options are feasible, can be adopted and properly maintained and would not lead to any other environmental problems. For example, using soakaways or other infiltration methods on contaminated land carries groundwater pollution risks and may not work in areas with a high water table. Where the intention is to dispose to soakaway, these should be shown to work through an appropriate assessment carried out under BRE Digest 365.

Provision for long-term maintenance should be provided as part of any SuDs scheme submitted to the LPA.

Environmental Health requested full contamination condition and also commented:

I have no objections to the application in principle, however, it would be a good opportunity if we can ensure a streamlined flow of traffic through the site at the planning stage. Particularly as the new design will bring vehicles past residential property.

The example shown in the planning support statement suggests that vehicles may still need to be manoeuvred around the rear yard. Ideally, we want the lorries to be able to pull up, be loaded and then drive straight out of the gates. Thus eliminating the associated disturbance of reversing bleepers etc. from vehicles manoeuvring into position. This is particularly important should the occupiers of the building need to extend operating hours in the future.

Please can I ask that the applicant clarify this point, including how vehicles will be loaded. e.g. by fork lifts from the side or rear of the vehicle, by roll cages from an elevated loading bay etc.?

Following the receipt of further information, the Environmental Health Officer further commented:

Based on the hours of operation and the limited number of vehicle movements involved, particular the larger vehicles that will need to manoeuvre, I can confirm there are no environmental health objections to the application.

I do however note that the plan attached to the transport statement shows a compressor attached to the plant room approximately 18m from the residential property. I would ask that details of any external machinery be considered and agreed as part of this application to ensure noise from such equipment does not affect the neighbouring homes.

Information regarding the compressor has been requested from the applicant and is anticipated to be received prior to the meeting.

Sompting Parish Council: Supports the application

Representations

No comments received

Relevant Planning Policies and Guidance

Adopted Adur District Local Plan 1993-2006 (ADC 1996) (saved policies): AG1, AG3, AE2, AE4, AE5

Adur Local Plan 2014 (emerging): Policies 4, 15, 16, 17 & 26

National Planning Policy Framework (CLG 2012)

Planning Practice Guidance (CLG 2014)

Relevant Legislation

The Committee should consider the planning application in accordance with:
Section 70 of the Town and Country Planning Act 1990 (as amended) that provides the application may be granted either unconditionally or subject to relevant conditions, or refused. Regard shall be given to relevant development plan policies, any relevant local finance considerations, and other material considerations

Section 38(6) Planning and Compulsory Purchase Act 2004 that requires the decision to be made in accordance with the development plan unless material considerations indicate otherwise.

Planning Assessment

The application proposes the redevelopment of an existing industrial site which appears to be clearly in need of modernisation or replacement (and is understood to have been vacant for some time), to enable the relocation of a business already located in the vicinity. Supporting information submitted with the application indicates that the existing premises occupied by the applicants are now inadequate and, in order for the company to expand, new premises are required. National and local policy supports the replacement of such facilities in principle and given that the application site is so close to the previous location of the country, the proposal would appear to have clear benefits for both the company itself as well as the Council in retaining a local employer. It is understood that the applicants employ over 50 people and would have the ability to take on another 5-10 employees once the building was constructed with the potential then for a further increase in the workforce.

The application site sits within the north western part of the Chartwell Business Park and both the site itself and its immediate environs are rather ad hoc with no discernible style. The consolidation of the site to accommodate a single more modern building would have the ability to improve the visual appearance of the area and given the mix of surrounding buildings, there would be little material impact upon adjoining businesses.

The main issue, therefore, is the impact upon the residential properties to the rear of the site as since the application site is located to the edge of the Business Park, it is bordered on its western side by St Peter's Place, a residential block of flats.

It is noted that at the expiry of the consultation period, there had not been any representations from occupiers of St Peter's Place and in simple terms, the proposal does represent a potential improvement in the visual aspect of the site when viewed from the eastern side of the flats since at present, the rear part of the site appears relatively uncared for. The screening to the boundary is intermittent, the surfacing to the rear of the unit of poor quality and the rear area seemingly having little functional use except for car parking. Given the age of the building, there is no planning control at present over matters such as boundary landscaping, whereas if permission were granted for the replacement facilities, a condition could be imposed to improve the boundary treatment. Since the site is also partly visible from Western Road, there would also be the opportunity to improve the appearance of the site from the most public viewpoint.

The footprint of the main part of the building will be moved further away from the boundary with St Peter's Place by 2 metres from the end wing and 1 metre from the main central block. As described earlier, the main part of the proposed building will increase significantly in height from the existing in the central part of the site, which is to be expected given that the existing is relatively low, but your officers, in pre application discussions with the applicant, sought to ensure that the increase in height did not have an unacceptable impact upon the residential properties. This appears to have been achieved by lowering the western end of the building so that, added to the slight set

back from the boundary, the effective angle of the building when viewed from St Peter's Place would be equivalent to the existing situation. With the additional ability to achieve improved landscaping on the western boundary, it is considered the supporting information submitted by the applicant satisfactorily demonstrates that by moving the main part building back from the boundary, it has sufficiently offset the increase in its height.

The remaining issue relates to highways and traffic. The site, like others nearby, has an access onto Western Road although at present it appears to be little used, at least in connection with the current application site, and as such there will be the potential for the nearby residents to be aware of a greater increase in the use of the access given that will be used by HGV's for example. There are no planning restrictions at present on the use of the access by any type of vehicle albeit that the layout of the site at present probably mitigates any such use. It is important to note, though, that the site will effectively be used on a way basis with vehicles entering the site via the Business Park and then leaving at via Western Road as there is more than one access to the site. This means that HGV's and the like would not be manoeuvring forward and back past residential properties but would just be exiting the site.

As stated by the Highways Officer, this will improve the rationalisation of the site and in terms of supporting a business should therefore be supported, especially as this would be preferable to both the business and the nearby residents than the potential situation of an HGV trying to reverse out of the site onto Western Road. As is common with a proposal such as this, a swept path analysis is required by the Highways Authority and further detail has been requested which is anticipated to be received prior to the meeting. Members will also note that the Environmental Health Officer has requested details of a compressor located close to the plant room and again details are awaited. It is noted that neither consultee has an objection in principle to the scheme.

Subject to the satisfactory resolution of these remaining details, therefore, this is a scheme that has the potential to being welcome benefits in terms of the continuation of an important existing local business and accordingly is considered acceptable.

Recommendation

To GRANT permission

Subject to Conditions:-

1. Full Permission

2. Approved plans

3. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer

has submitted a remediation strategy to the Local Planning Authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason: To ensure that any contamination identified during the construction works is fully characterised and assessed.

4. Use Class restriction…B1, B2 and B8

5. Hours of use – 0800 hours to 1800 hours

6. Approval of Materials

7. Landscaping

together with any additional conditions suggested by consultees

23rd November 2015