Application Number: ADC/0038/08 **Recommendation – APPROVE (subject to no highway objection from WSCC and completion of section 106 Obligation)**

Site: **Strip of Land between Chartwell Road and Elm Grove Lancing**

Proposal: **5 No. light industrial buildings with 26 car parking spaces (accessed from Chartwell Road)**

The Application

The application is a revised submission of a scheme for 7 light industrial units approved in 2003 (L/15/03). The revised application has been submitted, in part, because it was identified during a Land Registry search that part of the proposed development was on the highway verge of Elm Grove (West Sussex County Council ownership). As a result, amendments were required to compensate for the reduction in site width. The site has already been fully excavated.

The revised scheme for which permission is now sought comprises 6 Class B1 light industrial units within 5 buildings. These would be served by 26 car parking spaces in four courtyard parking areas, all accessed from Chartwell Road. The proposed buildings vary in width and depth according to the shape of the plot. The total floorspace provided would be 1295sqm, split between 877sqm at ground floor level and 418 sqm as mezzanine space. The previous approval was for a total floorspace of 971sqm split between 652 sqm at ground floor level and 319 as mezzanine space. The proposal represents a net increase of 33% in floor area.

The site area is 0.22 hectares. It is 160m long (a 13m increase from the previous application) and its width narrows from 31m at the northern end to 9m at the southern end. The proposed buildings have either ridged or mono-pitched roofs sloping down from a maximum of 7.4m to 5.9m at eaves.

Originally, planning permission had been allowed on appeal in 1991, following a public inquiry, for the development of 3 Class B1 (Business) units comprising 1,200sqm gross floorspace on part of the site (L/176/89), including the continuation of this strip of land to the south, totalling 320m. Permission was subsequently renewed in 1996 but never implemented (L/122/95).

The whole strip of land (including the application site) is the subject of a Tree Preservation Order (ref: 162/2/89/L). However the previous approval allowed for the removal of all of the trees on the site apart from two located within the

central area between buildings 4 and 5. This area is proposed to be retained as a landscaped area and cycle store.

The application has been submitted with a Design and Access statement. A Stage 1 Safety Audit which relates to the earlier permission (L/15/03) has been submitted with a supplementary Audit for the amended scheme.

The applicants state that the implementation of the development will greatly improve an area which has been previously occupied by squatters and used for fly-tipping on a regular basis having a negative impact on the residential amenity. They feel that the implementation of the proposals would not only prevent this from happening but it would also bring in additional funds in the form of business rates which would be preferable to the land being left derelict.

Consultations and Representations

County Transport Planning Services: States that although planning permission exists for a similar development, there are a number of changes and given the size of the development and highway access and parking arrangements, a Stage 1 Road Safety Audit (RSA), Designer's Response (DR) and Travel Plan is required. Due to the lack of a RSA and DR the applicant has failed to demonstrate that highway issues have been addressed and is therefore contrary to West Sussex Structure Plan Policy DEV4. A TAD payment of £27,059 would be required towards sustainable transport in the area based on the proposed total floorspace and parking provision.

Director of Services: The Assistant Parks Manager feels that provided the excavation of the site is complete then no other trees are under threat, however slightly further to the south is one of the oldest trees in the row and this should be saved.

Lancing Parish Council: No objection.

Third Parties: No comments received.

Relevant Planning Policies and Guidance

West Sussex Structure Plan 2001-16 (WSCC 2005) (saved policies): LOC1, NE1, NE5-6, ERA1, ERA5, DEV1, DEV3-5
Adur District Local Plan 1993-2006 (ADC 1996) (saved policies): AG1, AE2, AE4
Revised West Sussex Parking Standards and Transport Contributions Methodology (WSCC 2003 and ADC 2004)
PPS1 'Delivering Sustainable Development' (ODPM 2005)
PPG4 'Industrial and Commercial Development and Small Firms' (DoE 1992)
PPG13 'Transport' (DTLR 2001)
PPS24 'Planning and Pollution Control' (ODPM 2005)

Planning Assessment

Policies

The application site lies within Lancing Business Park and is just within the area identified for business and industrial purposes in the Local Plan under policies AE2 and AE4. In particular policy AE2 states permission will be granted for business and industrial purposes falling within Classes B1 of the Town and Country Planning (Use Classes) Order 2005, when in close proximity to residential dwellings subject to access to the public highway and on-site parking arrangements being acceptable; design of the development being acceptable having regard to local environmental conditions and the submission and approval of a landscaping scheme.

Policy NE1 of the Structure Plan requires sufficient provision to be made for new employment floor space in each District. NE5 states that development for business, industry or warehousing should be permitted provided the accommodation is suited to the needs of local businesses and those seeking to relocate from elsewhere and employment land should not be redeveloped for other purposes where it is important in maintaining the supply of premises and jobs in the area and minimising development of greenfield sites. NE6 encourages development that will assist in regeneration of the Sussex Coast.

Policy DEV4 states that development should not be permitted unless the travel needs it generates are met; where possible, it reduces the need to travel; it achieves safe and convenient access by a choice of means of travel; it encourages and enables an increase in walking, cycling and the use of passenger transport; and the number and impact of motorised journeys is minimised. It goes on to state that where necessary transport assessments should be undertaken, and that the preparation and implementation of travel plans is secured to encourage and enable an increase in walking, cycling and the use of passenger transport.

Principle of development

The principle of the development is established by the original appeal decision in 1991 and the subsequent permission for 7 light industrial units (with 28 parking spaces). There is no objection in principle to the proposed amendments and additional floorspace subject to continued limitation to Class B1 'business' use, restriction of hours of use, and prevention of vehicular access to Elm Grove, because of the residential area along Elm Grove.

Visual amenity

The most visual impact would be felt from the Elm Grove side of the site, where it is a predominantly residential area with a public open space. The only houses close by are No's 1 & 2 Laburnum Close which lie opposite where the most southerly parking area would be located.

Due to the necessary reduction in site width to accommodate the WSCC verge, the resultant buildings have been altered in width to compensate for the loss of floor area. Given the size of the site and the nature of the premises, the increase in widths of the proposed buildings are relatively minor in most cases (0.8m–2.2m), with building 3 increasing in size by the largest amount (4m). The separation between the individual buildings is reduced by 0.2m-2.2m, the minimum gap between buildings now being13.6m (between units 4 & 5 where the two ash trees are retained).

The alterations to the sizes of the buildings and reduction in the gaps between them does have the effect of increasing the visible mass of the development. However, given that the site has much larger buidings nearby within the Business Park, it is considered that the current proposals would not be so much worse than the original scheme as to warrant a refusal on visual amenity grounds.

Trees

The scheme proposes to retain the two largest ash trees in the middle of Units 4 and 5 in a courtyard area also to be used for bicycle storage. The excavation of the site has been completed to the size required for this application, ie. an additional 13m to the south. The result of this is the felling of a further three trees which are subject to the TPO. Whilst enforcement action would usually be warranted, it should be noted that under the 'live' permission for three B1 units (L/176/89) the parking area would have resulted in approximately half of the preserved trees being lost. Thus it is considered that the current increase in length of the development site would be no worse than the previously permitted scheme, and would still allow for the retention of the majority on the southern side of the strip of land.

Residential amenity

Unit 6 (the southernmost unit) would be opposite the entrance to the former St. Giles day centre. The proposed windows in the east side elevation of unit 6 would be located approximately 27m from the rear of No.1 Laburnum Close. This distance exceeds the usual minimum standard of 22m and the view towards the residential property is oblique and far enough away to prevent any loss of privacy. The addition of these windows in the east elevation would provide an element of natural surveillance along Elm Grove.

The proposed buildings would be a maximum of 7.4m in height at the ridge line of the roofs and given the distance from the residential properties and other commercial buildings they would not be overbearing or adversely affect outlook or daylighting.

Prior to the excavation of the site the Business Park was separated from Elm Grove by a 1.7m high brick wall. As proposed the buildings would be hard up to the east side of the site with a 2m high wall infilling the rest of the boundary to Elm Grove the same as on the previous approval. The 1m wide verge

which is proposed to be made into a footpath should help assist the buildings from appearing too cramped as viewed from Elm Grove.

Access and parking

The main concern with the application is that the increase in proposed floor area and the reduction of the parking area could result in an increase in on-street parking and a harmful effect on highway safety and amenity.

County Transport Planning Services have objected to the proposals on the grounds that a Stage One Safety Audit with designer's response and a travel plan have not been submitted. A supplementary Safety Audit which addresses the amendments to the scheme has, however, now been submitted and further comments are awaited from WSCC. It is felt reasonable to allow time for the applicant to address any concerns that a review of the Safety Audit may raise.

Comments are also awaited from WSCC on the level of on-site parking proposed. A comprehensive Travel Plan to encourage an increase in walking, cycling and the use of passenger transport to the site and justify the reduced parking provision could be conditional on any approval. The applicants have stated that, if there is objection on grounds of lack of adequate parking, they would be willing to reduce the amount of mezzanine floorspace (currently 418sqm) to a level that would make the development appropriate for the number of parking spaces provided.

With regard to WSCC stating that a TAD payment of £27,059 is required towards sustainable transport improvements in the area, the applicants state that this would render the development financially unfeasible. They have submitted a letter questioning the validity of such a large contribution on the basis that the previously permitted development was not subject to any contribution. The amount calculated by WSCC makes no allowance for offsetting the amount of floorspace previously approved against the floorspace currently proposed. It is provisionally calculated that difference in TAD contribution between the previous scheme and the latest proposal based on the variation in floorspace and parking provision is in the order of £5,600.

Recommendation

A. Subject to no objection being received from County Transport Planning Services on the proposed level of on-site parking provision and the effect on highway safety plus the completion of a satisfactory section 106 Obligation by 21 April 2008 undertaking to pay an amount to be agreed with the District Council towards sustainable transport improvements in the area, APPROVE for the reason that:-

The proposed development is within the Lancing Business Park and would help meet the need for additional employment provision and economic and environmental regeneration without detracting from the local environment.

It can take place without resulting in unacceptable detriment to the amenities of neighbouring properties and without detraction from highway safety. It would consequently not conflict with the relevant policies of the Adur District Local Plan (AG1, AE2, AE4) and the West Sussex Structure Plan 2001-16 (LOC1, NE1, NE5-6, ERA1, ERA5, DEV1, DEV3-5)

Subject to:-

1. C1Ci (Standard time limit)
2. C7Cii (Details of wall/fences related to buildings to be approved and implemented)
3. C8Bii (Parking spaces and access facilities related to buildings to be constructed and retained)
4. C9G (Visibility splays for individual access to be provided and retained)
5. C9N (Temporary provision for contractors' vehicles, materials, etc. on the site)
6. C9S (Temporary wheel cleaning facility during construction work)
7. The buildings hereby permitted shall not be occupied until the footways along the Chartwell Road and Elm Grove frontages have been surfaced in accordance with plans and details to be submitted to and approved by the LPA)
8. C10B (Restriction of working hours to 8am-6pm Mondays to Fridays and 8am-1pm Saturdays)
9. C10Di (No outside storage or display on the site)
10. C10Dii (No external working on the site)
11. C11A3 (Hard and soft landscaping scheme)
12. C12Aii (External materials for walls and roofs of buildings to be approved)
13. C14Gi (No external lighting or floodlighting without approval)
14. C16Ai (Use limited to Class B1 Business only)
15. C17A (Noise insulation scheme to be approved for east side of buildings)
16. C17B (Details of extraction/externally-sited plant to be approved and no extraction/externally-sited plant on east side of buildings) (amended)
17. C18N (Details of drainage to be approved and implemented)
18. C18O (Impervious bunding for any oil, fuel or chemical storage)

B. In the event that a satisfactory section 106 Obligation is not completed by 21 April 2008 (the date the statutory period for determining the application expires), or County Transport Planning Services object on grounds that the proposals would have a detrimental effect on highway safety by reason of inadequate access to the highway or inadequate on-site parking, that the application be refused on grounds that it does not comply with Structure Plan policies DEV3-5 and the revised West Sussex Parking Standards and Transport Contributions Methodology requiring improvements to sustainable transport in the area and/or that it would be detrimental to highway safety.

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