Application No.: ADC/0689/07 **Recommendation – Permit Application**

Site: **1-4 The Chilterns, Marlborough Road, Lancing, West Sussex**

Proposal: **Change of Use from Class 'B1' Light Industrial to 'B2' General Industrial (Retrospective)**

The Application

The application site contains a relatively small industrial building siding onto Marlborough Road that is divided into four units each with an internal mezzanine floor and an associated car park and storage area located at either end. The southern car park / storage area has direct vehicular access onto Marlborough Road whilst the northern end shares vehicular access with the adjoining S.P.D. Building. The total site is identified in the Local Plan for business, industry and warehousing use as part of the Churchill Industrial Estate.

Council granted approval to erection of this industrial building in April 1983 (L/48/83/TP). Terms of that approval included restricted use for 'light industrial' purposes only, and that each of the units be operated independently so as to maintain an availability of small units as starter practices (in accordance with Structure Plan policies of the time).

It has recently come to Council's attention that the above conditions are not being met, in that one operation (AMC Sheet Metal) currently operates out of three of the four units, and the use itself in addition to the scrap metal dealer who occupies Unit 4 are considered to be 'B2' General Industrial uses rather than 'B1' Light Industrial. The current application is to resolve these anomalies, as well as gain retrospective approval to the outdoor storage of materials in certain locations.

Marlborough Road is the main artery of the Churchill Industrial Estate with the site being surrounded by a variety of light and general industrial activities. The closest residential properties to the site are residential dwellings fronting Western Road, located some 100m away to the southwest of the site on the opposite side of the S.P.D. Building, a large structure previously used for dairy processing.

Consultations and Representations

Director of Services: The Environmental Health Branch of Council advise that they have received no complaints regarding operation of the site and assuming the same hours of operations and operational processes continue unchanged, have no objection to the proposal.

Third Parties: One representation has been received from the owner of the scrap metal operation who advised of no objection to the proposal.

Relevant Planning Policies and Guidance

Adopted West Sussex Structure Plans 2001-2016 (WSCC 2005):

LOC1, NE5

Adopted Adur District Local Plan 1993-2006 (ADC 1996):

AE2, AE4

Planning Assessment

Policies

Structure Plan policies seek to accommodate opportunities for business, industry and warehousing, where they are best suited to the varied needs of local businesses and appropriate activities.

Policy AE2 of the Local Plan states that permission will be granted for the development of land (including changes of use of buildings) for 'B1' and 'B2' business and industrial purposes, except where development proposed is in close proximity to residential areas where the District Planning Authority will require any industrial development to be restricted to a 'B1' use class.

Approvals shall be subject to suitable access and parking arrangements being provided the design of the development being acceptable having regard to local environmental conditions and the submission and approval of a landscaping scheme.

Visual Amenity, Character & Appearance

The proposal involves no alteration to the appearance of the existing building and therefore has minimal impact on the character of the surrounding locality. Whilst the proposed outdoor storage of materials is normally not promoted, similar to the use it has been occurring on-site for a significant amount of time without complaint, hence its formalisation via approval to the current application is considered appropriate in this instance. Any subsequent expansion of these areas is unlikely to be accepted however, given both the visual impact and the difficulties it would cause with existing the on-site parking arrangements.

Residential Amenity

It appears that when determining the initial erection of these industrial units in 1983, that Council had concern regarding potential impact future land use may have on nearby residential development, which adjoined the southwest boundary of the then parent site (and originally included the S.P.D. Building and surrounding curtilage).

It is clear from the fact that Council has received no complaints during continuous 'B2' use of at least portion of the site for 23 years (and the majority entire site for at least the past 9 years), that such uses (or at least the current B2 uses that inhabit the building) are not causing an unreasonable nuisance to nearby residents.

On balance it is therefore considered that in this instance permission should be granted for the change of use permanently, however the use should be restricted to the current occupiers as a means of protecting the amenity of nearby residents in the event of a future change.

Other Matters

With respect to the limitation on use of the units by separate businesses, the former policy aimed at supporting starter businesses no longer exists, and in this instance, is considered less important than the retention of a long standing local employer.

Recommendation

APPROVE for reason that :- 2PPii

Subject to:-

1. C14Bi

   This permission shall inure for the benefit of AMC Sheet Metal Fabrications and the existing scrap metal operator in both its implementation and the use of the premises thereafter and shall not inure for the benefit of the land.

   (...AE2 of the ADLP and LOC1 of the WSSP)

2. C10Di (outside storage – amended below)

   No raw materials, finished or unfinished products or parts, crates, packing materials, nor any other items shall be stacked, stored or displayed on the site except within the buildings or within the storage areas identified on the approved plans.

3. C10Dii (no outside work)

Case Officer: ... D Reynolds ..... Date: ...18/12/07... MA