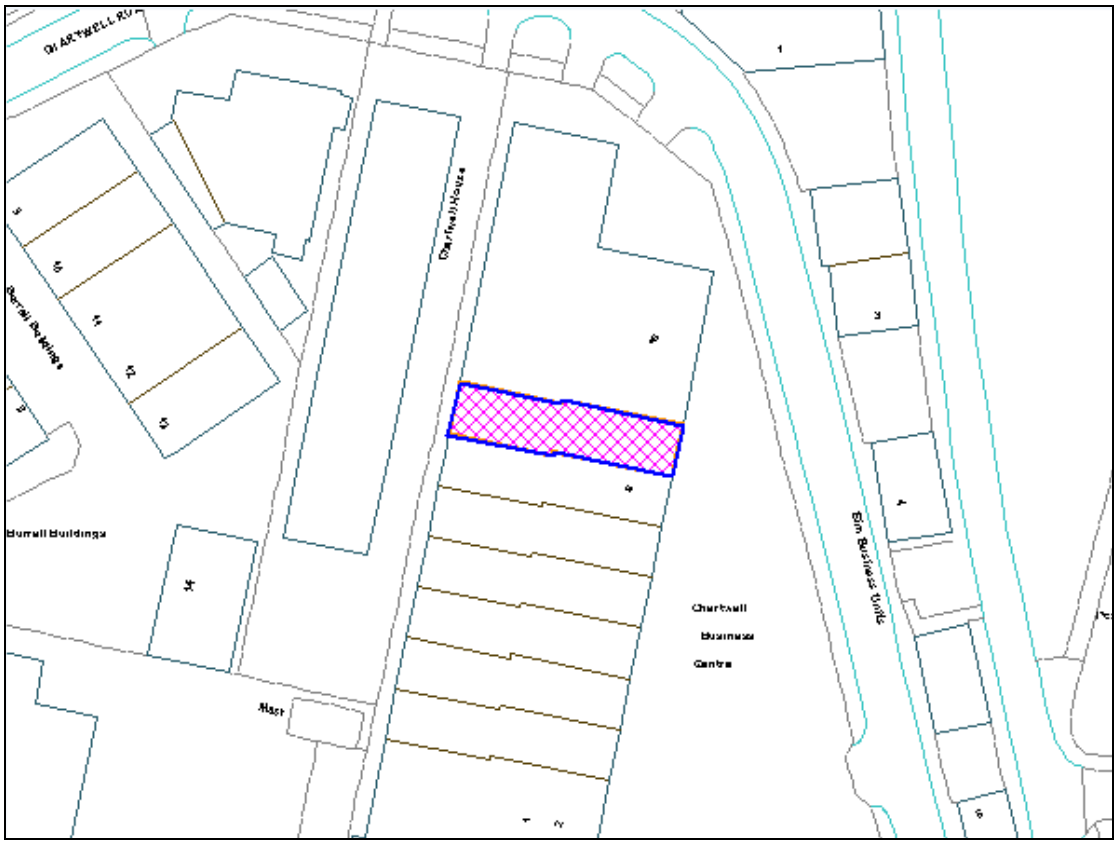
Application Number: AWDM/1644/14 **Recommendation – REFUSE**

Site: **Unit 9 Chartwell Business Centre 42 Chartwell Road Lancing Business Park**

Proposal: **Change of use from Class B2 Industrial to gymnastics facilities (D2)**

Applicant: Miss Katy Hodgson Ward: Churchill
Case Officer: Lawrence Simmons



Not to Scale

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Proposal, Site and Surroundings

The application relates to a light industrial unit within the Chartwell Business Centre on Lancing Business Park which is currently unoccupied. The applicants, Wickers Gym, currently occupy unit 10 following a successful change of use application in 2008 and wish to provide an enlarged gym. The proposal would result in a floor area of approximately 866 square metres increasing the space from 513 square metres by converting an additional 353 square metres. Opening hours are shown as 09.00 to 21.00 hrs Mondays to Fridays, 09.00 to 18.00 on Saturdays and Sundays. A marketing report has been supplied with the application setting out that there has been seven years of advertisement for letting space on the development.

Relevant site history

ADC/0255/06 - Sub-division of existing industrial building into 13 self-contained light industrial/warehouse units (Class B1/B8) with associated elevation alterations – Refused.

ADC/0480/06 - Alterations to convert factory into 11 units for Class B1/B8 (business/storage) purposes - Permitted.

Consultations

Adur and Worthing Councils:

The Planning Policy Manager comments:-

National Planning Policy Framework
The NPPF states that "where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits".

Adopted Adur Local Plan 1996
The site is located within Lancing Business Park which is subject to policies AE2 and AE4 of the Adur Local Plan which support B1and B2 uses (as well as B8 uses where a development is comprised of a mix of B class uses). The policy does not support any other uses at Lancing Business Park.

Proposed Submission Adur Local Plan 2014
Policy 26 of the Proposed Submission Adur Local Plan protects Lancing Business Park for B1, B2 and B8 uses and allows no flexibility for other uses. Please note that the Proposed Submission Adur Local Plan has now been published and should therefore be accorded some degree of weight in decisions on planning applications.

Adur Employment Land Review 2011
The Adur Employment Land Review 2014 specifically recommends that "planning policy should support continued employment use of the Lancing Business Park, and progressive development for B1, B2 and B8 use".

Although policies AE2 and AE4 of the adopted Adur Local Plan are relatively permissive policies, they have been used successfully since 1996 to restrict non-B class uses at the various business parks in the District. In addition, the emerging Local Plan also seeks to resist non-B class uses at Lancing Business Park.

The NPPF states that "where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits". Lancing Business Park is a successful business area with a low-level of vacancies so it is highly unlikely that there is no reasonable prospect of using the site for B2 uses.

Unit 7 has recently gained planning permission for a D2 use and should permission be granted for this proposal, Unit 8 is unlikely to be very attractive to any potential B class use occupiers given that there would be gymnasiums on either side of the unit. The cumulative impact would be that a number of high quality business units on one of the district's most important business parks would be used for non B class uses and would also be likely to provide significantly less jobs than B2 uses. Additionally, such permissions set an undesirable precedent that will make it more difficult to resist other non B class uses at Lancing Business Park in the future.

As a result of the above, planning policy would not support this planning application.

The Senior Environmental Health Officer has no objection.

West Sussex County Council: The Highway Authority raises no objection commenting:-

"The proposal to change the use of the existing B2 industrial unit to D2 use as part of a planned increase to the adjacent Gymnastic club at Chartwell Road has been considered by WSCC as the Local Highway Authority. WSCC raise no objection subject to any conditions attached.

The club currently employs 14 coaches and operates on a daily basis, including weekends, offering gymnastics sessions to adults and children within the area. The expansion of the club will require 4 additional coaching staff, to allow the club to expand into unit 10. The additional 353sqm will create enough space for the club to buy in specialist gymnastic equipment to help its members develop their skills.

The application states there are 75 existing parking spaces. WSCC maximum car parking standards for D2 use is 1 space for every 22sqm which equates to 40 spaces, which the existing provision exceeds. The club currently has 900 members. It is unclear from the application if new memberships will be created as a result of the expansion, but it is not considered this would create a material impact on the highway network.

Cycle parking has not been included in the application and should be provided, in a safe and secure area to encourage sustainable travel to/from the site."

Conditions are recommended to secure car and cycle parking to serve the development, and a Construction Management Plan or Statement.

Lancing Parish Council: No objection

Representations

Letters of support received from:

- the local Member of Parliament
- The British Gymnastics Regional Development Officer

- the Landlord of the Chartwell Business Centre
- the club gymnast
- four former users of the facility

Relevant Planning Policies

Adopted Adur District Local Plan 1993-2006 (ADC 1996) (saved policies): AG1, AE2, AE4
Proposed Submission Adur Local Plan (2014) Policy 26
National Planning Policy Framework (CLG 2012)

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; and

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

Principle

The site is located within Chartwell Business Centre, Lancing which is subject to policies AE2 and AE4 of the Adur Local Plan which support B1and B2 uses (as well as B8 uses where a development is comprised of a mix of uses). The policy does not support any other uses. Policy 26 of the Proposed Submission Adur Local Plan also protects Lancing Business Park for B1, B2 and B8 uses with no positive policy provision for other uses. This policy now has material weight in decision-making as it has recently been approved by the Council for submission to the Planning Inspectorate.

The NPPF states that planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose.

The application is accompanied by a marketing report from commercial agents. This does not relate specifically to the unit subject to this application but rather covers the wider development's marketing history over the past 7 years. The letter does refer to interest expressed by another gym operator. The estate contains Wickers Gym (at Unit 10) and a go-karting facility elsewhere which the marketing report argues has set a precedent for non-industrial uses.

However, the Council's Planning Policy Officer strongly objects to the proposal and considers that the unit should be retained for industrial purposes, in accordance with the saved policies of the Local Plan and in

compliance with the emerging Plan. The previous permissions for non-industrial uses should be seen as exceptions and do not set a precedent, particularly in view of the strong policy support for retaining industrial uses on this estate. It should be noted especially that the previous permission for the Wickers Gym on the same was a relocation of an existing successful gym from another unit on the estate – the vacated unit reverted to business use (ADC/0305/10).

As such, therefore, the proposal is for an additional non-industrial use and quite clearly conflicts with existing and emerging Local Plan policy. Members may wish to take into account that the proposed user already occupies the neighbouring unit and is a successful facility and that an exception to policy could be made on that basis, possibly by restricting the use of the unit for occupation by the current applicants. However, the recent permission for a gym, which has no current presence on the estate, at unit 7 would mean any restrictive condition is hard to justify. This recent permission, along with the use proposed under this application, is likely, in turn, to make unit 8, which would be in between the D2 uses, harder let to let for industrial use.

Regard has been had to the representations in support of the proposal but while the principle the provision of further sporting and recreational facilities in the District is accepted, Local Plan policies require this to be in appropriate locations. There is an acknowledged lack of business floorspace in the District and overall, on balance, the loss of business space is considered to outweigh the need for the expansion of the gym in this instance.

Accessibility and parking

The parking provision is shown to be unchanged on the application form from the existing (albeit this appears to rely on spaces not specifically allocated to the subject unit) although it seems likely that the extended floorspace would result in a greater number of movements to and from the site. With regard to highways and parking considerations however, the response from the County Council Highways officer must be afforded due weight and therefore there can be no justification for sustaining an objection on these grounds.

Recommendation

REFUSE for the reason:-

The local planning authority is not satisfied that no effective demand exists or is likely to exist in the future to use the building for employment generating activities. Consequently, the proposed change of use of the unit to a non-business (Use Class B1, B2, B8) use would reduce the number of available business units and is likely to have a detrimental impact on the local economy in the longer term, contrary to saved policies AE2 and AE4 of the Adur District Local Plan, Policy 26 of the Submission Adur Local Plan 2014 and the relevant paragraphs of the National Planning Policy Framework which seek to support sustainable economic growth.