Expires
07-04-09

Development Control – Delegated Officer Report

Application Number: ADC/0058/09 Recommendation - Permit

Site: **Unit A Peter Road Lancing West Sussex**

Proposal: **Change of use from Class B8 (storage) to B2 (general industrial) with 3 new access doors, new hardstanding and addition of small open-sided canopy**

The Application

The application relates to a large industrial unit located on the south side of Peter Road within the Lancing Business Park. The existing premises are 1890sqm in total and the site is currently vacant. The last use of the building was B8 storage and distribution (of books), and prior to that storage and distribution of tyres.

Permission is sought to change the use to B2 (general industrial) for use by a company that manufacturers timber roof trusses, beams and similar wooden components used in the construction industry. The proposals include the hard surfacing of the north of the building; addition of a covered canopy to be used for wood treatment and preservation, addition of gates and fence, and gates to the NE and SW of the building respectively; plus the introduction of two new roller shutter doors in the east elevation and one in the north elevation.

The applicant has submitted a design and access statement, in which they state that the processing and manufacture of timber components is not, by industrial standards a noisy activity. Notwithstanding this, there are no nearby residential properties. The existing space is comprised of 1646sqm of commercial space with 183sqm of ground floor office and ancillary space, and 61sqm of first floor offices. The location of the new hard standing and timber treatment plant are located to the east of the building to minimise impact on the surrounding area. Access routes to the site are not proposed to be altered, and the appearance of the new doors, hard standing area, canopy have been designed to blend in with the existing features of the building.

A Flood Risk Assessment has also been submitted with the application, which covers the mitigation of flood risk to the development; storm water management; residual flood risk; flood warning; and dry access / egress.

Site History: L/156/81/TP – Change of use from tyre warehouse to general industrial use (class iv) permitted 13.10.81.

Consultations and Representations

West Sussex County Council: The Highways Officer states that Peter Road is a private road. The 20 full time employees would mostly get to work by car and could put pressure onto the existing access, however it is unlikely that there would be a significant highway safety issue arising from this proposal. Provision of parking within the site is within WSCC maximum standards, and should be sufficient to handle the extra employees at the site.

A request for a TAD contribution towards sustainable transport for £4,347 has been dropped from WSCC Highways, because the applicant has shown that there would be no significant increase in vehicle movement from the previous uses of storage and distribution.

Adur District Council: The Environmental Health Officer raised concerns regarding the applicants request to have 24hr working hours for the site, and that there had been no contaminated land study provided as per the requirements of PPS23.

The applicant has now submitted further information in the form of a contaminated land survey, which was originally prepared by the adjacent site, prior to planning permission being granted for a Energy Recovery Facility for electricity generation (L/16/06/TP). The EHO is now happy to agree to a conditional permission, which would cover exposure of contamination during construction to be dealt with, restriction on vehicles going to and leaving the building during out of normal hours, and doors to be closed during out of normal working hours operation.

The Environment Agency: Have made no objection to the proposals.

Third Parties: There has been one letter of objection to the proposals from the occupier of the business directly opposite the site (Pro-point, Unit K). They feel that the existing access to the site should be repaired prior to consent being given. ***[NB: A request to speak at the Committee meeting was rejected on the basis that the repair of the road would be a private matter to be agreed by the relevant land owners]***

Relevant Planning Policies and Guidance

Adopted West Sussex Structure Plan 2001-2016 (WSCC 2005) (saved policies): LOC1, NE5, DEV1, DEV4-5.
Adopted Adur District Local Plan 1993-2006 (ADC 1996) (saved policies): AG1, AE2, AE4.
PPS 1 'Delivering Sustainable Development' (ODPM 2005)
PPG4 'Industrial and Commercial Development and Small Firms' (DoE1992)
PPG13 'Transport' (DTLR 2001)
PPS23 'Planning and Pollution Control' (ODPM 2004)
Circular 11/95 'The Use of Conditions in Planning Permissions' (DoE 1995)

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.

Residential amenity

The EHO has raised concerns that unrestricted operating hours could lead to a loss of residential amenity to the properties which are located near to the two entrances off Western Road, both of which serve as the only accesses to the Business Park. However the Unit itself is located within the main central area of the Business park which is noted for the more industrial uses and processes which occupy many of the surrounding sites.

The existing premises have been used in the past for storage and distribution of books and prior to that tyres (1981), without control over the operational hours. The nature of the previous B8 operation is such that lorries and other heavy vehicles could have entered the business park at any hour of the day or night.

The applicant has been made aware of the Officers concerns and has stated that working beyond normal hours would usually be an exception, nevertheless they have agreed to a planning condition which would restrict HGV's and deliveries to and from the site to normal working hours, and if any working is conducted beyond these hours it is to be done behind closed doors.

The proposed extraction plant would be located on the south side of the exterior of the building, serving the internalised saw room. The premises directly to the south (Unit J) would be located adjacent to where the proposed new plant would be, but has no windows or doors which open out onto this side. The most northern room of Unit J is not served by offices and it is therefore considered that the proposed plant will not have an adverse effect on how the adjacent site would operate.

Visual amenity

The three new roller shutter doors would be located on the east (2) and north (1) elevations of building. They would relate well to the form, of the existing premises, and would be sympathetic to the industrial appearance. The proposed canopy would be located at the rear of the present building and would not have an effect on the appearance of the surrounding area. Likewise the appearance of the associated plant (subject to a condition) on the south of the building would not have an effect on the surrounding appearance.

The proposed 2.4m high palisade fencing to the NE of the building would match the existing east side boundary.

Recommendation

APPROVE for reason that :-

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1. C1Ci

2. 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, and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with.
   Reason: *To safeguard against pollution of controlled waters and risk to public health and safety in compliance with PPS23*

3. C17B

4. No transportation of goods finished or unfinished, nor any deliveries to or from the premises shall be undertaken during the hours of 7pm and 7am Mondays to Saturdays nor at any time on Sundays or Public Holidays.
   Reason: *In the interests of amenity and to comply with policy AE2 of the ADLP and DEV1 of the WSSP*

5. Any working or activity being conducted within the premises outside of the hours of 7am to 7pm Mondays to Saturdays, or at any time on Sundays or Bank Holidays, shall be done so with all of the external roller shutter doors closed.
   Reason: *In the interests of amenity and to comply with policy AE2 of the ADLP and DEV1 of the WSSP*

6. The external roller shutter doors and lean-to canopy hereby approved, shall be constructed in accordance with the approved plan 1013.14B and shall be finished in HPS200 Colour Goosewing Grey, unless otherwise approved in writing by the LPA.

Reason: *In the interests of amenity and to comply with policy AE2 of the ADLP and DEV1 of the WSSP.*

Case Officer: [redacted] PB 6/4/09

Date: 6/4/09