Development Control – Delegated Officer Report

Application expiry: 21.05.07

Application Number: ADC/0174/07 Recommendation - Permit

Site: 41 Spencer Road Lancing West Sussex BN15 8UA

Proposal: Change of use from car breaking to skip storage only

The Application

The application relates to a portion of land on the far west of No.41 and is sited so that it is to the north of Unit G Peter Road and to the south of the railway. The land is 30m wide narrowing to 13m and it is 20m deep.

The proposal is for a change of use from car breaking to skip storage.

A portion of the site has previously been given a temporary planning permission (L/8/99 until 31.05.03) for skip storage adjacent to the railway to the NE of where the current application is submitted.

Consultations and Representations

Consultations/Comments

Chief Environmental Health Officer - No objection, assuming that hours of operation are already limited to 0700-1900 Mon-Fri, 0800-1300 SAt and no working on Sun or Bank Holidays.

Environment Agency - No objections provided planning conditions are imposed on any planning application which will cover:1) the identification of potential on site contaminants through a desk top study.2)further investigation if during the development any visibly contaminated or odorous material is found to be present.3) a scheme for surface water drainage shall be approved prior to the commencement of any development.

WSCC- Highways & Transport - No highway objection.

Third Parties

A resident who lives in Tower Road, on the other side of the railway embankment, raises concerns that the proposal will be unhygienic causing smells and attracting vermin. The noise will add to the degeneration of the area.

The managing director of the adjacent commercial premises (Unit G Peter Road) has concerns about the height to which the skips may be stored, the potential for the skips or containers to slip down the bank and injure employees who use the walkway by the boundary fence and the potential for the skips to damage their property.

Relevant Planning Policies and Guidance

Adopted West Sussex Structure Plan 2001-16 (WSCC 2005): LOC1, DEV1, DEV4-5.
Adopted Adur District Local Plan 1993-2006 (ADC 1996): AG1, AP7, AE2, AE4, AT12.
Adur Development Plan, Submission Core Strategy 2006-2026 (ADC 2007): R1, E1

Planning Assessment

The main concerns of the proposal are the effect the change of use would have on the residential amenity of the properties to the north in Tower Road.

The site lies within Lancing Business Park where under policies AE2 and AE4 business and warehousing are acceptable. The storage of skips is considered to be acceptable in the context of the surrounding industrial uses.

The noise which is associated with the moving of skips can cause disturbance but it is likely to be intermittent throughout the day rather than a constant nuisance. The Environmental Health Officer suggests a standard hours of operation condition which has been mentioned to the applicant and they have no objection to this.

The site itself is relatively small in size and would, provided sufficient screening is provided not have an adverse effect on the residential amenity or outlook of the residential properties in Tower Road to the north.

The site is located at the top of a steep bank on higher natural ground level than the industrial buildings to the south in Peter Road. The boundary fence is constructed of chain link and concrete post but is at the bottom of the slope adjacent to the neighbouring premises. The applicant wishes to install a new fence to secure the open northern boundary of the site and is amenable to do the same to the southern side to prevent the encroachment of any skips or containers down the steep bank.

Recommendation

APPROVE for reason that :-

The proposed change of use would not detract from the local environment and can take place without resulting in unacceptable detriment to the amenities of neighbouring properties. It would consequently not conflict with the policies of the Adur District Local Plan (AG1, AP7, AE2, AE4, AT12) and the West Sussex Structure Plan (LOC1, DEV1, DEV4-5)

1. C1Ci.
2. C10B – amended.

No working whatsoever (including loading/unloading of vehicles) shall take place on the premises except between the hours of:-

7.00am and 7.00pm on Mondays to Fridays inclusive
8.00am and 1.00pm on Saturdays

Nor at any time on Sundays or Public Holidays.

Reason: *In the interests of amenity and to comply with policy AP7 of the Adur District Local Plan and DEV1 of the West Sussex Structure Plan.*

3. No stacking of skips to an overall height exceeding 5 metres above the ground on which they stand at any time shall take place.
Reason: *In the interests of amenity and to comply with policy AP7 of the Adur District Local Plan and DEV1 of the West Sussex Structure Plan.*

4. C16Aii – amended.
The site shall be used only for the storage of empty skips and for no other purpose whatsoever.
Reason: *In the interests of amenity and to comply with policy AP7 of the Adur District Local Plan and DEV1 of the West Sussex Structure Plan.*

5. C7Cii – amended.
The storage of skips hereby permitted shall not be commenced until details of walls and/or fences to be installed along the southernmost side of the skip storage area have been submitted to and approved in writing by the Local Planning Authority and the storage of skips shall not be commenced until such walls and/or fences have been erected.
Reason: *In the interests of amenity and to comply with policy AP7 of the Adur District Local Plan and DEV1 of the West Sussex Structure Plan.*

6. Within 3 months of the date of this permission, a scheme of landscaping to include screen planting alongside the northern boundary of the site, shall be submitted to and approved in writing by the Local Planning Authority. All planting, seeding or turfing comprising in the approved details of landscaping shall be carried out in the first planting season following the commencement of use of the site, and any trees or plants which within a period of 5 years from being planted die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.
Reason: *In the interests of visual amenity and the environment and to comply with policy AE2 of the Adur District Local Plan and DEV1 of the West Sussex Structure Plan.*

7. If during development, any visibly contaminated or odorous material not previously identified is found to be present at this site, must be investigated. The Planning Authority must be informed immediately of the nature and degree of contamination present. The developer shall submit a Method Statement which must detail how this unsuspected contamination shall be dealt with.
Reason: *To safeguard against pollution and to comply with policy AP2 of the Adur District Local Plan and ERA5 of the West Sussex Structure Plan.*

8. No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage works has been submitted to and approved in writing by the Local Planning Authority. The drainage works shall be completed in accordance with the details and timetable agreed.
Reason: *To safeguard against pollution of controlled waters and to comply with policy AP2 of the Adur District Local Plan and ERA5 of the West Sussex Structure Plan.*

Case Officer:
Date: 16.05.07

18/5.

Head of Planning and Community:
Date: 21 05 07

Chair of the Planning and Regulatory Committee:
Date: A.J Mills 21/05/07