Expiry 12/9/07

Development Control – Delegated Officer Report

Application Number: ADC/0439/07 **Recommendation - Permit**

Site: **Aspect House Spencer Road Lancing West Sussex**

Proposal: **Removal of condition 2 of L/99/94/TP (material change of use to partial light industrial, with no restriction on working hours) which links permission to Lloyds PLC and not for the benefit of the land**

The Application

The proposal is to remove condition 2 of L/99/94 which links the permission for material change of use to partial light industrial, with no restriction on working hours, to Lloyds PLC and not for the benefit of the land.

Consultations and Representations

Chief Environmental Health Officer – Agrees that the new permission should again be tied to the new lessee (Equinity Ltd.) preventing future problems and since the alternative would remove all strictures.

Third Parties - No third party objections.

Lancing Parish Council – No objections.

Relevant Planning Policies and Guidance

Adopted West Sussex Structure Plan 2001-16 (WSCC 2005): LOC1, NE5, DEV1, DEV4.
Adopted Adur District Local Plan 1993-2006 (ADC 1996): AE2, AP7, AT12
Adur Development Plan – Submission Core Strategy (ADC2007): E1

Planning Assessment

The previous application (L/99/94) was approved subject to conditions linking the approval to Lloyds PLC. This was done on the basis that the work to be undertaken at the premises would be archive storage, bulk envelope administration and printing only. This would require some weekend and some 24 hour shift work, but on the whole it was determined that the use would be sufficiently low key to prevent their being a nuisance to the nearby Council owned sheltered accommodation. Other attached conditions prevented the unloading and loading of vehicles of over 3 tonnes in weight between 11.00pm and 7.00am.

The current submission relates to the removal of the specific condition linking the use to Lloyds PLC. The company (Lloyds PLC) intend to carry on the same usage at the premises, however the lessee will be change to Equiniti Ltd. Who will operate the building on Lloyds' behalf. The only concern with the proposals is that by removing the condition linking the 24hr usage to the lessee, would mean Equiniti could vacate the premises and another company could use the building for a type of light industrial use over a 24hr period that may be more of a nuisance.

The applicant has confirmed that use of the building under Equiniti Ltd. would be unchanged from that of Lloyds PLC, and it is considered approving the application subject to a similar condition linking the 24hr light industrial usage to the new lessee Equiniti Ltd. would not have an adverse effect on the nearby residential properties.

Recommendation

APPROVE for reason that :- 2PPii

1. C1Ci
2. This permission shall inure for the benefit of Equiniti Ltd. only in both its implementation and the use of the premises thereafter and shall not inure for the benefit of the land.
   Reason: *Permission would not normally be granted for such development and is only permitted exceptionally and to comply with policyAE2 of the Adur District Local Plan and NE5 of the West Sussex Structure Plan.*
3. No loading / unloading or movement of vehicles greater than three tonnes in weight shall take place between the hours of 11.00pm and 7.00am, unless prior agreement has been obtained from the Local Planning Authority in writing.
   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. There shall be no storage on the site unless details have been submitted to and approved in writing by the Local Planning Authority. Such details shall include provision for parking on the site to the standards specified in the previous permission reference L/102/85/TP.
   Reason: *In the interests of highway safety and to comply with policy AT12 of the Adur District Local Plan and DEV4 of the West Sussex Structure Plan.*

Case Officer: [signature]
Date: 22/08/07

[signature] 22/7/07.