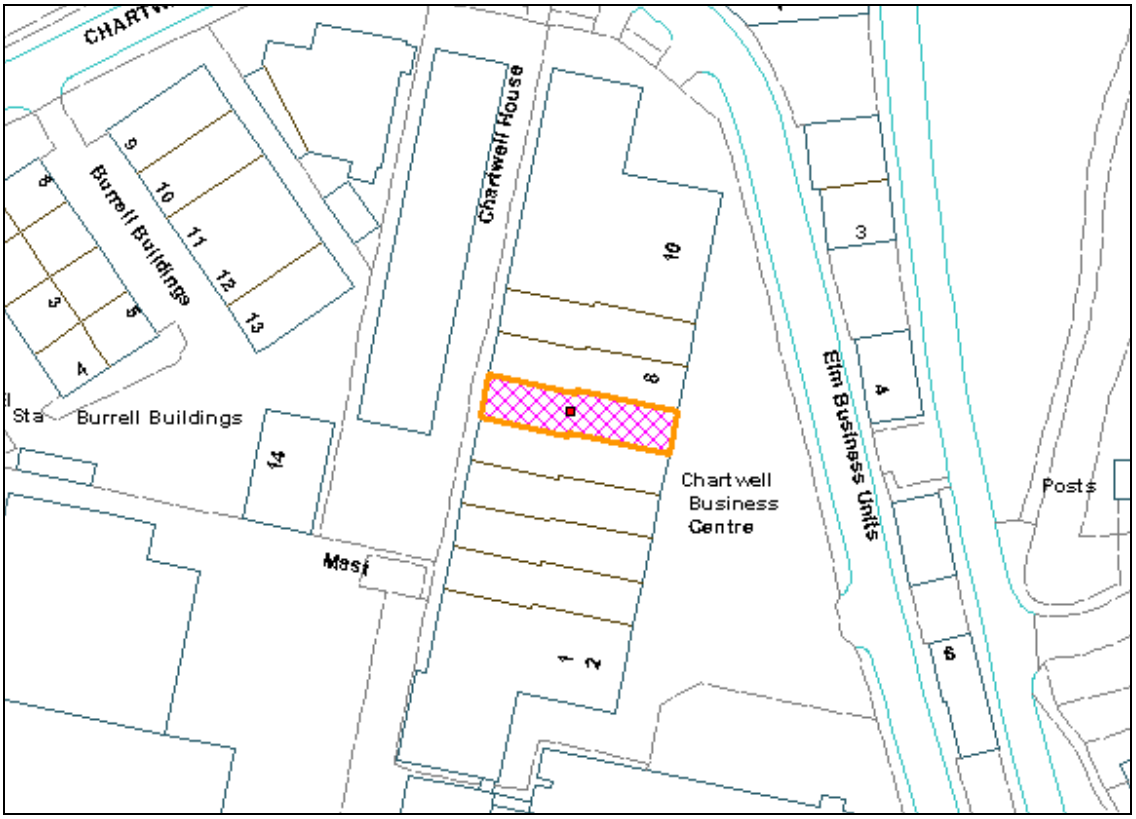
Application Number: AWDM/1028/14 **Recommendation – REFUSE**

Site: **Unit 7 Chartwell Business Centre, 42 Chartwell Road Lancing Business Park, Lancing, West Sussex, BN15 8FB**

Proposal: **Change of use from Use Class B1/B8 (Business/Storage or Distribution) to gym (Use Class D2 Assembly and Leisure).**

Applicant: Mr Neil Donohue Ward: Churchill
Case Officer: Peter Barnett



Not to Scale

Reproduced from OS Mapping with the permission of HMSO © Crown Copyright Licence number LA100024321

Proposal, Site and Surroundings

The application relates to a business/storage unit (Class B1/B8) within the Chartwell Business Centre on Lancing Business Park. It has a floor area of approximately 380sqm and it is proposed to convert it to a gym (Use Class D2). The unit has 5 designated parking spaces in front of the unit within a larger car park comprising 67 spaces which

are used by other units within the Business Centre (61 marked spaces and 6 additional spaces available at the end of the aisles).

The supporting information submitted with the application suggests that the gym would not be a mainstream gym but more of a weight training facility. Unit 10 within the Business Centre is occupied by Wickers Gym, which specialises in providing gymnastics sessions for children. The other units are in industrial use.

Relevant Planning History

ADC/0480/06 - Alterations to convert factory into 11 units for Class B1/B8 purposes – Approved June 2007

ADC/0383/08 - Change of use from Class B2 industrial to gymnastics facilities (D2) (Unit 4) Approved September 2008

ADC/0305/10 - Change of use from Class B2 industrial to gymnastics facilities (D2) (Unit 10) Approved November 2010 (subject to cessation of D2 use at Unit 4)

ADC/0306/10 - Change of use of Unit 4 from gymnastics facility (Class D2) to light industrial (Class B1) Approved September 2010

AWDM/0940/13 - Change of use of unit 7 to children's soft play centre. Withdrawn November 2013

Consultations

West Sussex County Council*:* No objection from a transport/highways aspect. Having assessed the applicant's parking review, which gives a better indication of potential vehicle movements to the site, it would appear that the peak demand for this proposed use is likely to be in the evening after 6.00 pm, which is unlikely to be in conflict with the other uses on the business park which would predominantly be during the day up until 5.30/6.00pm. Some on street parking could occur as a result. There are in any case comprehensive parking restrictions in place along Chartwell Road which should prevent parking in areas that may cause a highway safety issue.

Adur and Worthing Councils*:* The **Economic Development Officer** strongly objects. Lancing Business Park is the main employment location for Adur, with more than 200 companies based on the park. She has compared the updated Adur Commercial Property Register for Autumn 2014 data with that of Autumn 2011 and found that the total number of available industrial units has reduced by 62.5% down to 18 units compared with 48 in Autumn 2011.

The number of units between 3,501sq ft to 5,000 sq ft has reduced from 10 down to 5 units and the number of units between 10,001 sq ft to 20,000 sq ft has reduced from 9 down to zero units currently available within this size bracket in Adur. Economic

Development have now viewed Unit 7 and have identified the potential for this unit to be joined with the vacant Unit 8 and 9, to provide a 15,000 sq ft industrial unit, which would help to fill this current gap in Adur's industrial market.

It is important for the local economy that there is a range of available industrial units in Adur to enable indigenous industrial companies to expand and to encourage inward investment to support our local supply chain. Economic Development therefore objects to this application for change of use to D2 and is now working with the landlord to help identify an industrial occupier for one or more of these high quality industrial units.

The **Environmental Health Officer** has no objection.

Lancing Parish Council: Committee objected to this application as this was a reduction in the number of business units in an area intended for manufacturing type industry which should be resisted.

Representations

1 letter of objection received from the Lancing Business Park Co-ordinator on the grounds that the proposal is against what the Business Park represents. It would result in a loss of valuable employment space. We are actively seeking to retain units for industrial use due to severe lack of commercial units on the business park. Proposal will result in excess traffic entering and exiting the property into the one way system. There is a lack of parking facilities at the property. Vehicles will park on the highway and cause an obstruction.

1 letter received from the property managers for Chartwell Business Centre explaining that the landlord has spent a considerable sum of money refurbishing the property to a very high standard, completing an overhaul of the site in 2009. It now contains 11 units and is one of the most attractive buildings on the estate. Due to the recent recession, slow economic recovery and very high rates levied on the units, four of the units have proved impossible to let despite intensive marketing and the offer of very generous rent incentives. Units 5, 7, 8 and 9 have never been fully occupied, with only temporary tenants. Over past 18 months, they have been approached by 3 different parties keen to rent the units for non-business uses. Wickers Gym is a great success story, gaining recognition and funding from Sport England. They would like to rent the adjoining unit (Unit 9) in order to increase and diversify their gym equipment. However, both Wickers and the gym proposed for Unit 7 have come up against planning objections, relating to inadequate parking and increased traffic. These units have stood empty for so long despite marketing. They should be used to bring more life and employment to the area rather than standing empty and unused which does nothing to enhance the ambience of the business park.

Relevant Planning Policies and Guidance

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)
West Sussex Parking Standards and Transport Contributions Methodology (WSCC 2003)

Relevant Legislation

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 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 uses). The policy does not support any other uses and is inflexible in this regard. Policy 26 of the Proposed Submission Adur Local Plan also protects Lancing Business Park for B1, B2 and B8 uses with no flexibility for other uses. This policy will gain increasing weight in decision-making as it has recently been approved by the Council for submission to the Secretary of State for Communities and Local Government for examination in public.

One of the key objectives of the NPPF is to secure and support economic growth. It 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 and land allocations should be regularly reviewed. The Adur Employment Land Review (2014) found that existing employment areas in Adur are reasonably well occupied and any loss of employment land to other uses is likely to have a detrimental impact on the economy in the longer term. There is a limited amount of employment floorspace in Adur and the retention of existing business units for B1, B2 and B8 purposes is considered to be essential to sustaining economic growth.

The application is not accompanied by any marketing report, although the letter from the property manager did include a letter from Michael Jones Commercial. That letter confirms that they are one of eight commercial estate agents appointed in 2007 to

market the units by use of a marketing board on the unit and at the entrance to Chartwell Business Centre, a colour brochure was produced and they appeared on the Michael Jones website, plus 200 contacts on their database were sent details of the property. Rents were reduced from £8 per sq ft to £6 per sq ft but despite this marketing there has been very little interest shown from industrial users. Various gym operators did express interest though.

However, the Council's Economic Development 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. The previous permissions 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 that the current permission for Wickers Gym was for the relocation of the existing successful gym from another unit on the estate with the vacated unit reverting to business use (ADC/0305/10). The gym was originally allowed as an exception only because it was seen as providing a valuable community facility for those children wishing to train competitively as gymnasts, and was supported by the Council's Wellbeing team and British Gymnastics.

The current proposal, by contrast, is for a weight-lifting gym with limited community benefit. It is not considered that there are compelling circumstances to allow an exception to planning policy in this case. The retention of the business accommodation for business purposes is more important for the economic growth of Adur and Worthing.

Economic Development have viewed Unit 7 and have identified the potential for this unit to be joined with the vacant Units 8 and 9, to provide a 15,000 sq ft industrial unit, which would help to fill a current gap in Adur's industrial market. Furthermore, they are now working with the landlord to help identify an industrial occupier for one or more of these high quality industrial units. On this basis, the current application for a change of use to a gym cannot be supported in principle as there would appear to be a reasonable prospect of the site being used for industrial purposes in the future.

The applicants have referred to 4 full time staff and 2 part-time staff proposed to be employed in the gym. While this is commendable, the principle of allowing non industrial (B1, B2, B8) uses on the estate should be resisted for the reasons outlined above. To allow this current application would make it very difficult to resist the loss of other units to non-business uses in the future.

Accessibility and parking

The applicants have also had a Car Parking Demand Study prepared by transport consultants. Using TRICS data it is estimated that a typical gym would generate a maximum parking demand of 13, which would occur during the early evening, with an average demand of between 4 and 6 during the day. The applicants would like the proposed gym to be open between 6am and 11.30pm every day. It would have a

membership of approximately 100 who would attend on average 3 days a week, staying for an hour each time.

Only 5 parking spaces can be provided on the site during normal daytime working hours. The applicants have stated that they will target people who work on the business park who would be able to walk to the gym and will not therefore generate additional traffic or parking demand during the day. During the evening, the car park is likely to be less full and gym members would be likely to be able to park safely without adding to congestion in the Business Park. Furthermore, the site is in a relatively sustainable location and non-car modes of transport are available.

A survey of the existing car park use has been carried out by the consultants which found that there was a maximum total parking demand of 55 (leaving 12 spaces available) at 10.30am. At other times the parking demand was between 40 and 50, reducing to between 25 to 40 in the late afternoon. With the proposed use in operation, it is anticipated that the maximum total demand within the Chartwell Business Centre car park would occur between 4pm and 5pm with 62 vehicles parked. This would leave 5 spaces available which is expected to be sufficient to accommodate gym members.

The consultants' report also refers to Wickers Gym which has a similar operating profile to that proposed by the applicants, with peak demands at the start and end of the day, which is complementary to those of the existing units on the site. The operators of Wickers Gym have written a letter confirming that there have not been any parking problems, with members parking in the public car park opposite Manhattan Furniture if all spaces are occupied. However, at weekends and evenings, when most of the gym's activities take place, there are no parking problems.

Based on the findings of the parking demand study, West Sussex Highways have not raised an objection to the proposal.

Recommendation

REFUSE for the reason:-

1. 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 Proposed Submission Adur Local Plan 2014 and the relevant paragraphs of the National Planning Policy Framework which seek to support sustainable economic growth.