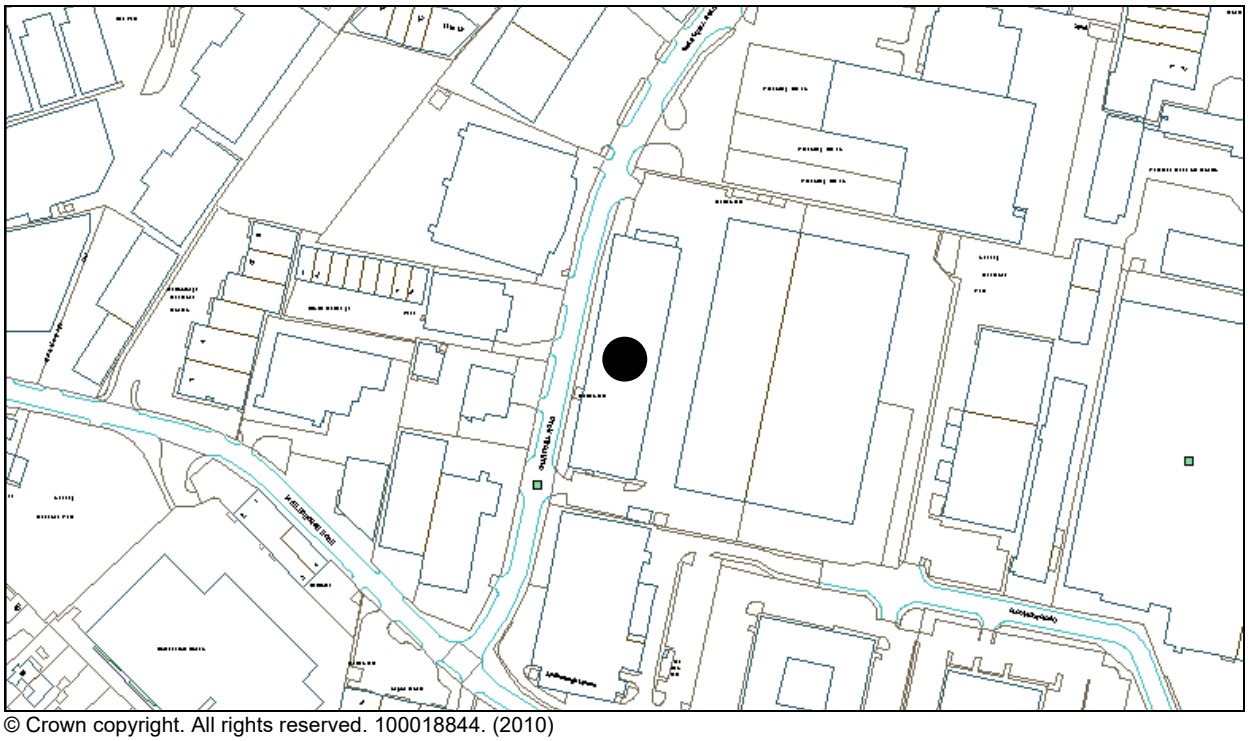
Consultation Number: ADC/0009/11 (Application no. WSCC/002/11/L) **Recommendation – NO OBJECTION**

Site: **Unit 1 (former Pound Magic), Chartwell Road Lancing BN15 8TY**

Proposal: **Consultation by WSCC on 'County Matter' application for change of use from Class B2 general industrial to a waste metal recycling facility use (WSCC/002/11/L)**



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The Application

The application, submitted by Bryant Recycling Ltd on land owned by Transline Properties Ltd, constitutes a 'County Matter' and therefore the decision is to be made by WSCC and not the District Council.

The building is a stand alone unit on the road frontage with a floor area of 4,610 sqm. It is located in front (west) of Unit 2 which was granted permission at the last Planning Committee meeting for change of use from a warehouse to a Go-Kart manufacture and racing centre (ADC/0369/10).

The applicants were established in 2008 as a cable recycling business operating in a unit on the Northbrook trading estate in Worthing. The business then diversified into recycling of non-ferrous and ferrous metals and the collecting of lead acid batteries. They moved to larger premises in Marlborough Road in December 2009 and now require another larger facility, hence this application.

The proposal will involve bulking, sorting, grading and separating metals and storing lead acid batteries. The process is manual rather than mechanical, including shearing metals by hand and stripping cable by hand. However, the applicants have

stated that they plan to introduce a cable shredder and granulator. The site is expected to receive up to 50,000 tonnes of recyclable material per year. The material is to be unloaded by hand or fork-lift truck and stored inside but low, unspecified volumes of storage and waste will occur outside. The proposal is not for a large metal yard with large machinery and piles of metal stored outside.
The applicants are seeking to operate for 24 hours, 7 days a week. They do not expect to operate any plant at night time but would like the ability to hand unload material at night. The 24 hour operation is important to meet the demands of the customer base, particularly those in London where traffic movements are restricted to night hours. Once the material has been sorted it is loaded onto articulated or tipper vehicles for onward transportation to a number of re-processors in the UK.

HGV movements (in and out) are anticipated to be less than 32 in any 24 hour period; van movements (in and out) less than 80 in 24 hours and car movements (in and out) less than 30 in 24 hours.

Consultations and Representations

Under the relevant Regulations, all consultations and publicity are carried out by WSCC.

The ***Environmental Health Officer*** has no objections. He has discussed the proposal with the Environment Agency who will regulate the site and he has visited the current nearby Bryant recycling site. Based on his discussion with the EA and his subjective assessment of the typical processing noise, he does not raise any concerns relating to the change of use.

Relevant Planning Policies and Guidance

The South East Plan (GOSE 2009): SCT1-3, CC1, RE3, RE6, T4, NRM10, W1, W6, W17
Adur District Local Plan 1993-2006 (1996) (saved policies): AG1, AE2, AE4
Revised West Sussex Parking Standards & Transport Contributions Methodology (WSCC 2003 & ADC 2004)
PPS1 ‘Delivering Sustainable Development’ (ODPM 2005)
PPS4 ‘Planning for Sustainable Economic Growth’
PPG13 ‘Transport’ (DTLR 2001)
PPS23 ‘Planning and Pollution Control’ (ODPM 2004)
PPG24 ‘Planning and Noise’ (DoE 1994)

Planning Assessment

Policies

The site, which consists of a vacant industrial unit, lies within the 'built-up' area defined in the Local Plan and is identified for business, industry and warehousing in the Local Plan. Policy AE2 states that permission will be granted for development (including changes of use of buildings) within this area for business and industrial purposes falling within Use Classes B1 and B2. AE4 supports the development or redevelopment of the area for mixed development within Use Classes B1, B2 and B8.

The South East Plan was revoked in July 2010 by the Secretary of State for Communities and Local Government but this revocation was subject to a High Court challenge, the outcome of which was to quash the revocation decision. The

Secretary of State then issued a letter stating it remained his intention to abolish the Plan and this is a material planning consideration. However, this is the subject of a further legal challenge on which a decision is awaited.

The SE Plan for the time being continues to form part of the Development Plan. It sets out the long term spatial planning framework for the region with the aim of achieving more sustainable development, protecting the environment and combating climate change. It states that development should be focused in urban areas, should be well designed and consistent with the principles of urban renaissance and sustainable development. Policy SCT1 gives priority to pro-actively pursuing sustainable economic growth and regeneration of the Sussex Coast whilst also protecting and enhancing its high environmental quality, its cultural and historic assets and promoting excellence in design of new developments in recognition of their importance to economic success and quality of life.

Relevant Government policy and advice on economic uses is now contained in PPS4 'Planning for Sustainable Economic Growth', published in December 2009. It replaced both PPG4 and PPS6. It states that LPAs should adopt a positive and constructive approach to applications for economic development which accord with development plan policies. Policy EC2 of PPS4 encourages, at the local level, new uses for vacant or derelict buildings and seeks to make the most efficient and effective use of land, prioritising previously developed land which is suitable for re-use.

Noise and impact on amenity

The existing building has a lawful B2 use which allows for general industrial processes to be carried out which can generate noise and smells. The proposal involves waste recycling and is a 'sui generis' use but, from the description of the development supplied by the applicants, it would appear that the use has the potential to be quieter than many B2 uses. Activity will be predominantly carried out by hand with any machinery operated inside the building. There is a slight concern over the applicants' desire to operate a 24 hour business and appropriate conditions may be needed to control activities outside normal working hours to prevent the operation of machinery or excessive traffic movements. However, it should be noted that the Council's Environmental Health Officer has no objections.

There is greater concern over proposals to have some external storage of waste and skips. There is limited space around the building and control over the extent of any storage should be imposed in the interests of visual amenity.

Access and Traffic Generation

The level of traffic movements is not considered to be excessive although West Sussex County Council, as the local highway authority, will reach their own view on this when they decide the application. The business has operated elsewhere on the Lancing Business Park without any known problems having arisen.

The relationship with the proposed use of the adjacent unit for Go-Kart racing (ADC/0369/10) may be of some concern, especially as access to that unit runs directly alongside the present application site. However, there is nothing in the application to give rise to any serious concerns about the safety of users of the proposed Go-Kart facility which, in any event, may not be implemented.

Recommendation

That West Sussex County Council is advised that the District Council has no objections to the application subject to adequate control over the operation of machinery during night time hours and over external storage.

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