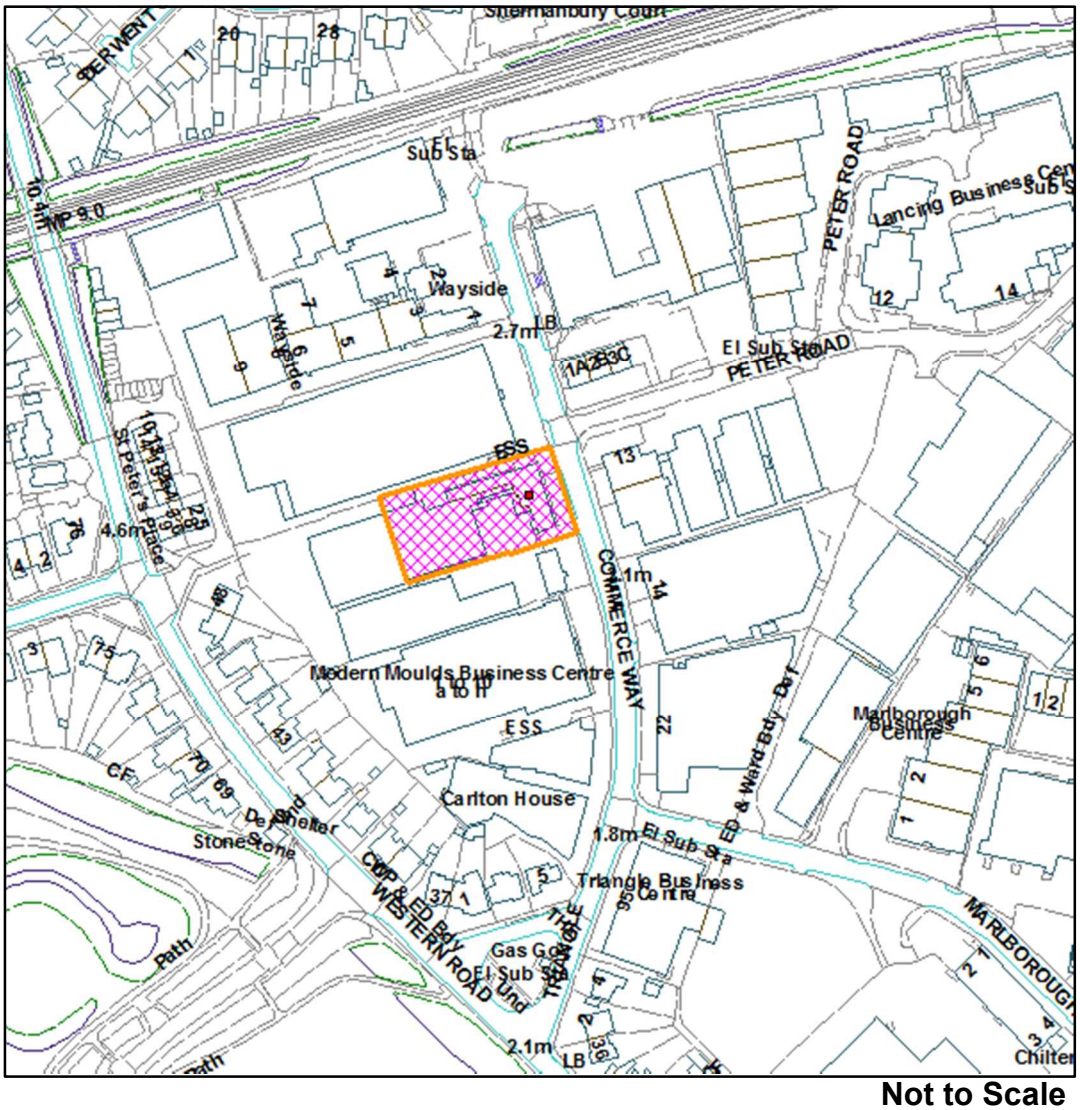
Application Number:	**AWDM/0343/22**	**Recommendation - Approve**
Site:	**5 Commerce Way, Lancing Business Park, Sompting**	
Proposal:	**Erection of a building for B8 storage and distribution use (with ancillary offices), car parking, service yard areas and associated works.**	
Applicant:	Trustees of the Strings & Things Limited Pension Scheme	Ward: Peverel
Agent:	Mr Jamie Loxley	
Case Officer:	Peter Barnett	



Not to Scale

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Proposal, Site and Surroundings

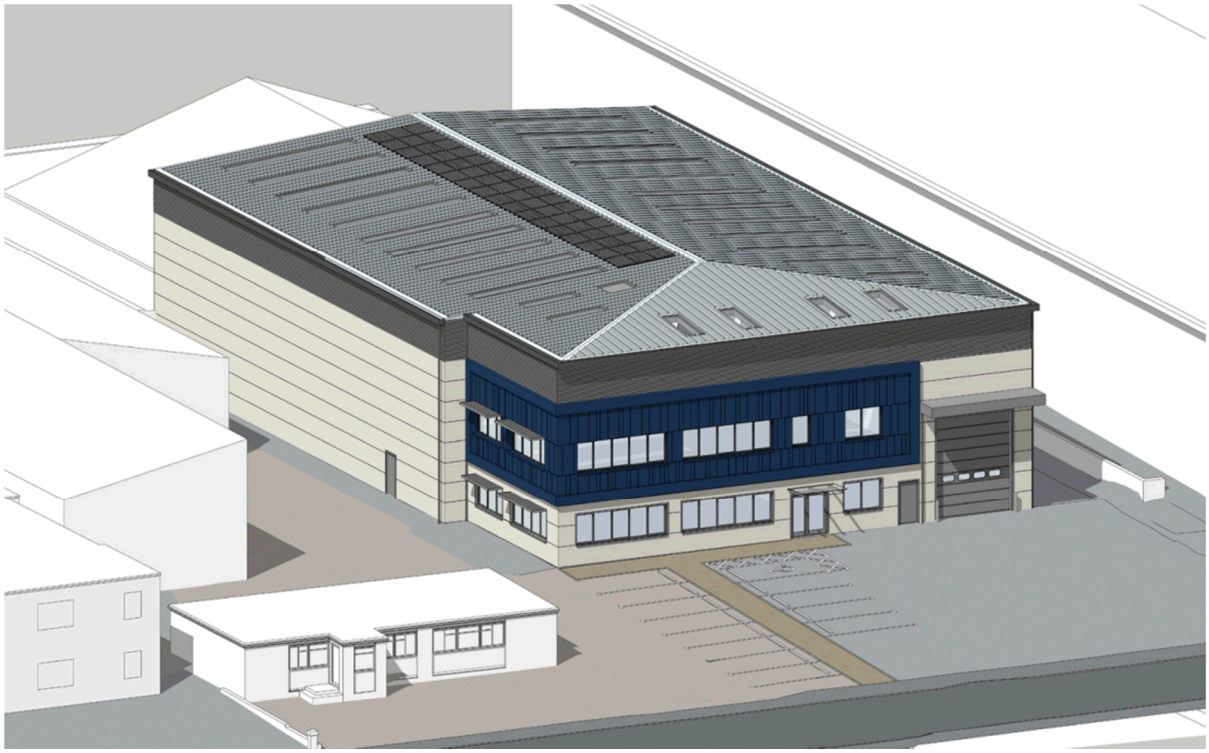
The application relates to the site of a flat-roofed two storey office building with warehousing at the rear, in Commerce Way within the Lancing Business Park. The existing buildings provide approximately 1,280 sq m of floorspace, with 760 sq m in the warehouse unit and the remaining 520 sq m provided in the office accommodation. The site has been vacant since June 2020 and is of little visual merit.

It is proposed to demolish the existing buildings and construct a single modern employment unit with approximately 1,160 sq m of new employment floorspace for B8 use (storage and distribution) with ancillary office space. It is intended that the building will be occupied by a local business, 'Strings & Things', that specialises in the distribution of musical instruments and accessories across the UK. The business will be relocating from its existing premises on Brighton Road, Shoreham.

The new building will be taller than existing to provide greater internal clear height. The building will sit further back from the road than existing, enabling the provision of a service yard and parking area at the front. The building will be the equivalent of 3 storeys high with a height of approximately 11.2m compared with around 7.5m existing. It will have a very shallow pitched roof with PV panels on its southern roofslope.

The Design and Access Statement advises that the building is to be finished with a

"*micro-rib profiled light grey cladding, with a darker grey profiled cladding under the eaves. To the east and part of the south elevation, the 1st floor will be clad in a dark blue cassette rainscreen cladding. This area of cladding will have a frame feature running around it, with the cassettes inside being a random pattern of vertical panels. The main entrance door will have a glazed canopy over, and there will be a solid canopy above the loading doors. All the windows to the east and south elevations will be aluminium casement, with the ground floor windows having light grey frames and the 1st floor having dark grey frames. Above the windows on the southern elevation will be brise soleil to limit solar gain*."



The site backs on to another warehouse building within St. Peter's Place to the west. Between the two buildings is a courtyard for parking and an extension between the two providing internal access from one to the other, including stairs for access to the mezzanine at the eastern end of the warehouse to the west. The proposed building will abut against the existing party wall to the warehouse in St Peters Place, which will be retained and supported.

To the north is a modern employment unit constructed in 2015/16. It will be slightly taller than this building. There are lower industrial buildings to the south. Other industrial and commercial uses are located across the road to the east. The application site is therefore surrounded by industrial uses.

Relevant Planning History

NOTICE/0012/21 - Application to determine if prior approval is required for the proposed demolition of 5 Commerce Way - Prior Approval not required

AWDM/1469/15 - Demolition of a part two storey distribution warehouse, offices and ancillary facilities. Construction of a new distribution warehouse and two storey offices and associated facilities, Use class B1, B2 and B8. Adaption of existing access road and services yards, on-site to suit new facilities (6 Commerce Way) - approved and built.

Consultations

West Sussex County Council: Highway Authority: WSCC raise no objection to this application subject to any conditions attached.

Access: Access to the site is from Commerce Way, a 30mph road, which forms part

of Lancing Business Park which serves many businesses. Footways are provided on either side of Commerce Way and connect the park to the residential areas of Lancing.

Proposal: The site will be re-developed to provide a B8 storage facility, and the overall footprint of the new building will reduce from 1280 sqm to 1160.5 sqm This is a net reduction of 119.5sqm.

Trips: As the site will see a net reduction in floorspace, the number of employees and trips associated with the site have been considered. TRICS database was used comparing the extant provision against the proposed use. The overall trip reduction will be greater than 50% when compared to the extant use. As such WSCC are satisfied there will be no material capacity impacts associated with this proposal.

Layout: Alterations will be made to the existing forecourt access and layout. A new dropped kerb will be created to provide an off-road car parking area for 12 cars, and a new delivery forecourt access for a 16.5m HGV.

S278/Minor Works: A S278 agreement will need to be progressed to make changes to the highway layout, to support the use of this dropped kerb by heavy loaded vehicles. Swept path diagrams submitted with the Transport Statement show how an 18t rigid vehicle, and 16.5 HGV can access the new site layout (21008 - TR001/TR002) without any difficulty.

Car Parking, Cycle Storage and EVC spaces: Whilst the new layout will displace approx. 3 on-street parking spaces, the provision of 12 car parking spaces will provide enough spaces for the proposed number of employees, alongside travel plan measures to encourage sustainable travel to and from the site. With a B8 use attracting 1 parking space per 100sqm the development should be providing 12 spaces, for 1160.5sqm of B8 use, which it does.

A Cycle parking shelter for 5 spaces will also be provided to the north of the site.

In line with WSCC EVC standards, the provision of at least 37% of all spaces should be connected. This equates to 4 or 5 spaces, and these are provided.

Travel Plan: Whilst a travel plan is not a necessary requirement for a B8 use of this size, the applicants have provided a commitment to sustainability and a travel plan has been created. The aims of the plan are to promote sustainable travel choices within its workforce and creating a role within the company for a travel plan co-ordinator who will be responsible for overseeing the actions in the travel plan.

Construction Management Plan: During demolition and construction phase there is likely to be a higher number of trips to the site and the applicant should provide the LPA with a construction management plan that includes details with the condition set out below.

The main aim is to ensure all construction traffic is confined to the development where possible, so it does not impact the rest of the business park.

Local Lead Flood Authority: Current surface water mapping shows that the proposed site is at low risk from surface water flooding. Higher risk exists on the

carriageway to the east of the site. The area of the proposed development is shown to be at low to high risk from groundwater flooding based on current mapping. This risk is based on modelled data only and should not be taken as meaning that the site will/will not suffer groundwater flooding.We do not have any records of historic surface water flooding within the confines of the proposed site. This should not be taken that the site itself has never suffered from flooding, only that it has never been reported to the LLFA.

The Surface Foul Water and Drainage Strategy for this application proposes that sustainable drainage techniques (permeable paving, below ground attenuation with a restricted discharge to the main sewer) would be used to control the surface water from this development. While we have no objection to the application on surface water flood risk grounds, as per the District Drainage Engineers comments, further information is required to ensure the site can be suitably drained post development.

Adur & Worthing Councils: Public Health (**Initial Comments)**: Intrusive investigations were undertaken at this site, one positive detection of asbestos was identified and one elevated level of Chromium VI were identified in soil samples. One marginally elevated level of selenium was found in a groundwater sample. However, no soft landscaping is proposed at the site so the risk posed by these exceedances is low.

With reference to the gas monitoring, Appendix F does not advise whether any rounds of gas sampling were undertaken during periods of falling atmospheric pressure. Please could this be confirmed?

The Air Quality assessment considers the existing baseline air quality, but does not appear to predict the future air quality with and without the development in place or consider cumulative impacts with committed developments. Please could the applicant provide an explanation? Please could the applicant provide a breakdown of costs for the emission mitigation calculation?

As there are residential dwellings in relatively close proximity to this site I would advise the following conditions: Hours of Construction Works to be limited to the following times. Monday - Friday 08:00 - 18:00 Hours Saturday 09:00 - 13:00 Hours Sundays and Bank Holidays no work permitted and a Demolition and Construction Management Plan

Subsequent comments following response from applicant: Contaminated Land Confirmation has been provided that two rounds of gas monitoring was undertaken during falling atmospheric conditions. This is acceptable. I would advise a condition to ensure that the development is carried out in full accordance with the recommendations provided in Section 11 of The Ground Investigation Interpretive Report.

Air Quality I will accept the consultant's response to my first query (Response: "*As detailed in section 1.2 of the AQ report, the development proposals would result in a reduction in trips associated with the Site due to the replacement of the existing site operations with the new commercial development. As a result the proposals would result in a positive impact on local air quality. The need for an assessment of operational impacts, and therefore predictions of future air quality have been scoped*

out of the assessment. It is noted that this approach was agreed with the Environmental Protection Team lead, Nadeem Shad via email correspondence dated 13/01/2022.")

With reference to my second query concerning the emission mitigation calculation, P15 of the Guidance states that an emissions mitigation statement with costs should be provided to demonstrate appropriate spending of the total emissions mitigation amount. If these details are not known at this stage then I would recommend a precommencement condition which should be agreed.

Technical Services:

Flood risk- The application is within flood zone 1, and is adjacent to areas at risk from surface water flooding.

Surface water drainage- the application includes a surface water drainage strategy. This strategy indicates groundwater was monitored to reach 1.25 m below ground level, and infiltration rates of 1.25-3.3x 10^-6m/s. These results do NOT preclude the use of infiltration. The surface water drainage strategy states that the infiltration rates indicate soakaways will not be viable, this is contrary to the CIRIA SuDS manual. We do not require 1 m freeboard between infiltrating structures and peak groundwater, but instead require adequate winter monitoring, and features to be located above peak seasonal level. The applicant is encouraged to consider blanket infiltration here, i.e. a large permeable sub-base or a shallow infiltration crate. Calculations should be supplied to evidence if infiltration is viable, these are required to evidence compliance with West Sussex County Council Policy for the management of surface water policy 1.

The surface water drainage strategy has used incorrect climate change allowances, and proposes a discharge far in excess of greenfield Qbar, at 5l/s to avoid blockage issues. Discharge rates of 2l/s or less are perfectly achievable now and should be provided if infiltration is adequately ruled out. We note evidence has been supplied of the existing sites connections to the private surface water sewer, we also note a significant number of defects with this sewer, discussions regarding necessary improvements during development will be required.

A climate change allowance of 40% should be applied to calculations, and not just used as a sensitivity analysis. This is as per gov.uk which states "For flood risk assessments and strategic flood risk assessments, assess both the central and upper end allowances. Design your drainage system to make sure there is no increase in the rate of runoff discharged from the site for the upper end allowance." It is noted that flooding is predicted for the 1 in 100 year plus 40% climate change event, with flooding occurring at the low point on the site, based upon proposed and existing levels it is evident this water would not be safely contained on site. Please supply a revised drainage strategy with discharge limited to 2l/s with no flooding on site for the 1 in 30 year plus 40% cc event, and no offsite flooding for the 1 in 100 year plus 40% cc event and any on site flooding safely contained. These are required to evidence compliance with West Sussex County Council Policy for the management of surface water policy 2 and 3. Impermeable areas modelled require evidence. The value of Cv used in calculations is not policy compliant, please either adjust to use FEH 2013 rainfall or a Cv of 1. These are required to evidence compliance with West Sussex County Council

Policy for the management of surface water policy 2 and 3.

Based upon the above concerns we wish to raise an OBJECTION AND REQUEST FURTHER INFORMATION is supplied prior to determination. Insufficient evidence has been submitted to demonstrate that a policy compliant design can be achieved. Further information is required prior to determination as it is not clear that drainage can be secured via conditions. In order to overcome our objection please can the applicant submit a revised surface water drainage strategy which addresses the following:

1. Provide calculations to evidence if infiltration is viable on site utilising a blanket infiltration solution.
2. Provide an impermeable areas plan, it appears that the entire site is proposed to be impermeable, so it is currently unclear where catchment area inputted to calculations has been obtained from.
3. Apply either FEH 2013 rainfall data to calculations or apply a Cv of 1.
4. Provide a revised attenuation design with discharge limited to 2l/s.
5. Evidence that all water will be contained safely on site for all events up to and including the 1 in 100 year plus 40% climate change event.
6. Evidence that no flooding will occur for the 1 in 30 year plus 40% rainfall event. Please re-consult Technical Services for further comments once further information has been supplied or should you decide to determine the application prior to the submission of further information.

Technical Services **subsequent comments**: The calculations and high level strategy drawing submitted evidence that there should be sufficient space within the proposed layout for surface water drainage. We therefore remove our objection subject to a condition being applied to secure the full details.

Southern Water: In order to protect water apparatus, Southern Water requests that if consent is granted a condition is attached to the planning permission to agree measures to be undertaken to protect/divert the public water supply main.

Our investigations indicate that Southern Water can facilitate surface water runoff disposal to service the proposed development. Southern Water requires a formal application for a connection to the public foul and surface water sewer to be made by the applicant or developer.

Sompting Parish Council: The Council has no objection in principle, as long as environmental health recommendations are followed carefully and that the emissions mitigation statement is submitted prior to commencement.

Representations

Lancing Business Park BID: Support the application. It will provide a modern B8 and ancillary office site on the business park, in keeping with 6 Commerce Way. It will help resolve the current HGV access issues on this site. It will enhance the appearance of Commerce Way and encourage further employment space redevelopment on the business park and will help provide expansion space for an existing Adur business

Relevant Planning Policies and Guidance
Adur Local Plan 2017 Policies 1, 2, 4, 9, 15, 18, 19, 25, 28, 34, 35, 36
Sustainable Energy SPD (August 2019)
Adur Planning and Climate Change Checklist (June 2021)
WSCC Guidance on Parking at New Developments (Sept 2020).
National Planning Policy Framework (July 2021)

Relevant Legislation

The Committee should consider the planning application in accordance with:

Section 70 of the Town and Country Planning Act 1990 (as amended) provides that 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 lies within the Lancing Business Park which is protected for business use. Policy 25 of the ALP states that the upgrading of existing employment sites and buildings will be supported.

The application proposes the redevelopment of an existing industrial site which appears to be clearly in need of modernisation or replacement (and is understood to have been vacant for some time), to enable the relocation of a business already located in the District. The proposal would appear to have clear benefits for both the business itself as well as the Council in retaining a local employer. It is understood that the applicants have 32 full time equivalent employees.

There is no objection in principle to the redevelopment of this site for employment purposes therefore, subject to the usual planning considerations which are set out below.

Visual amenity

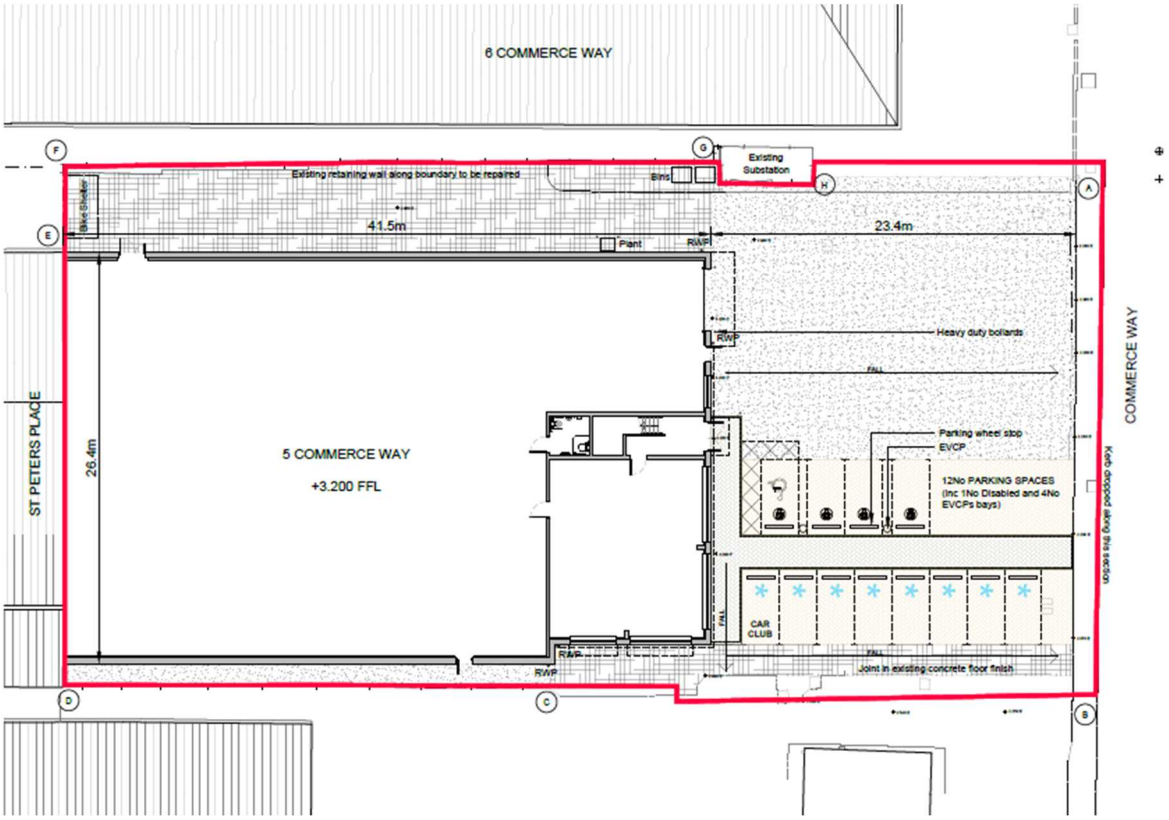
The application site sits within the north western part of the Business Park and both the site itself and its immediate environs are rather ad hoc with no discernible style. The redevelopment of the site to accommodate a single, modern building would have the ability to improve the visual appearance of the area and given the mix of surrounding buildings, there would be little material impact upon adjoining businesses.

It will be a tall building, and will be noticeably taller than the buildings to the south, but modern warehouse units require flexibility in space and greater volume than currently exists and it will not appear significantly taller than the new building at 6 Commerce Way to the north. Overall it is considered to be of an appropriate scale in its context.

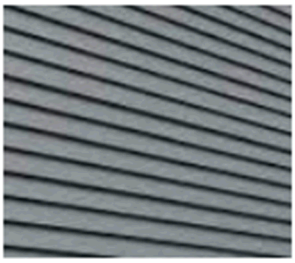


EAST CONTEXT ELEVATION

It will be set back behind the front elevation of 6 Commerce Way and further back than the current building to improve accessibility, parking and servicing at the site. There is no clear building line in the street and the set back is not considered to result in visual harm.



The palette of materials is considered to be wholly appropriate for a modern industrial warehouse such as this and the overall design will enhance the site to the benefit of the Business Park.



1 - Profiled cladding panels
(RAL 9006)



2 - Micro-rib cladding panels
(RAL 9002 Hamlet)



3 - Aluminium cassette panels
(RAL 5003 Sapphire blue



4 - PPC Aluminium Casement windows
(RAL 000 55 00 & 7016)



5 - Glazed entrance door
(RAL 000 55 00)



7 - Sectional overhead loading doors
(RAL 000 55 00)



8 & 13 - Trapezoidal roof cladding with polycarbonate roof lights



9 - Glazed entrance canopy



10 - PPC Aluminium canopy (RAL 7016)

Accessibility and parking

Twelve car parking spaces are to be provided which will be sufficient for the proposed number of employees, alongside travel plan measures to encourage sustainable travel to and from the site. A cycle parking shelter for five spaces will also be provided to the north of the site. Four electric vehicle charging spaces are also provided as well as a number of car club spaces.

There are no highway concerns with the proposal.

Flood risk and drainage

The surface water strategy is to drain the site into a below ground attenuation tank located underneath the car parking area with the final outfall to discharge into an existing on site private surface water manhole. This further discharges into a private

surface water network off site. Following initial comments from the Council's Engineer, the drainage layout has been updated to include an enlarged attenuation tank.

The enlarged portion of the tank has been located below the service yard and to maintain a suitable cover, this portion of the tank will be 400mm deep and connected at the invert level of the original tank.

With these amendments the Engineer is satisfied that there should be sufficient space within the proposed layout for surface water drainage and has no objection subject to final details being reserved by condition.

Sustainability

Policy 18 of the Local Plan requires all new commercial development to achieve a minimum standard of BREEAM 'Very Good' with a specific focus on water efficiency.

An Energy Statement has been submitted with the application which states that the proposal will be designed and constructed to be consistent with achieving BREEAM 'Very Good'. A BREEAM pre-assessment has also been submitted. External shading is to be provided for south facing windows in the office space to reduce solar gains in summer. Low flow rate taps and other water saving controls will also be included.

Heating and cooling for the office spaces will be by air source heat pumps and an array of solar photovoltaic (PV) panels is proposed on the south facing pitch of the roof.

An old, inefficient building will be replaced with an efficient, new building and it is considered that it will be sufficiently sustainable and will comply with the requirements of Policy 18.

Contaminated land

A contaminated land report submitted with the application advises that two rounds of gas monitoring was undertaken and that remediation measures will not be necessary during the construction phase. The Environmental Health Officer has recommended a precautionary condition.

Air Quality

An Air Quality Assessment has been undertaken and it identifies that the proposal will have a neutral impact upon Air Quality. Emissions mitigation measures can be secured by condition.

Noise

The current use of the site is not constrained by any restriction on operating hours. The applicants envisage that Strings & Things will operate within normal working hours, but they will need flexibility for working outside of these hours from time to time. The application is therefore seeking unrestricted working hours, including at weekends, which might be needed for stocktaking or goods transfer/receipt, for

example.

The service yard and goods doors will be at the front of the site facing Commerce Way, with the unit itself providing an acoustic buffer to minimise any breakout of noise to the residential flats to the west. There are also other warehouse and industrial units between the site and the flats in St Peter's Place and it is not considered that unrestricted hours will result in noise concerns.

Recommendation

Approve

Subject to conditions:-

1. Approved plans
2. Time limit
3. Use Class restriction B8
4. Approval of Materials
5. The use hereby permitted shall not be carried on unless and until details of all operational phase air quality mitigation measures have been submitted to and approved in writing by the Local Planning Authority. The mitigation shall be equal to a value of ££6,541, as identified in the emissions mitigation assessment contained within the Air Quality Assessment (ref. AQ051929 dated 02/02/2022) and provided as part of the application.
6. The development hereby permitted shall be carried out in full accordance with the recommendations provided in Section 11 of The Ground Investigation Interpretive Report (Date: 22nd February 2022 Issue: V3 Reference: 21-008). If during development, any visible contaminated or odorous material, (for example, asbestos containing material, stained soil, petrol/diesel/solvent odour, underground tanks or associated pipework) not previously identified, is found to be present at the site, no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until it has been investigated by the developer. The Local Planning Authority must be informed immediately of the nature and degree of the contamination present and a method statement detailing how the unsuspected contamination shall be dealt with must be prepared and submitted to the Local Planning Authority for approval in writing before being implemented. If no such contaminated material is identified during the development, a statement to this effect must be submitted in writing to the Local Planning Authority.
7. Works of construction or demolition, including the use of plant and machinery, necessary for implementation of this consent shall be limited to the following times.
   Monday - Friday 08:00 - 18:00 Hours
   Saturday 09:00 - 13:00 Hours
   Sundays and Bank Holidays no work permitted
   Any temporary exception to these working hours shall be agreed in writing by the Local Planning Authority at least five days in advance of works commencing. The contractor shall notify the local residents in writing at least three days before any such works.
8. Construction Management Plan

9. No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details to be submitted to and approved by the Local Planning Authority
10. Car parking and EV spaces to be provided
11. Energy efficiency and sustainability measures as set out in the approved Energy Statement and BREAAM pre-assessment report to be fully implemented prior to occupation
12. No development shall commence until the measures to be undertaken to protect/divert the public water supply main have been submitted to and agreed in writing by Southern Water.
13. Development shall not commence, other than works of site survey and investigation, until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The design should follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations, and the recommendations of the SuDS Manual produced by CIRIA. Winter groundwater monitoring to establish highest annual ground water levels will be required to support the design. No building / No part of the extended building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order in perpetuity