PLANNING POLICY COMMENTS

Application Number	**AWDM/1754/17**
Location	**Unit 7 Chartwell Business Centre 42 Chartwell Road Lancing Business Park Lancing West Sussex BN15 8FB**
Proposal	**Continuation of change of use from Use Class B1/B8 (Business/Storage or Distribution) to gym Use Class D2 (Assembly and Leisure)**
DM Officer	**Peter Barnett**
Sent to Policy	**21 November 2017**
Policy Officer	**Jennifer Ryan**
Returned to DM	**14th December 2017**

Key Issues / Policies

Adur Local Plan 1996

The application site is located within Lancing Business Park which falls within the defined business, industry and warehousing area allocation. Part 10 of the Adur Local Plan sets out policies in relation to existing employment sites. Given the nature of the proposal, the application is subject to Policies AE2 and AE4. Both Policies support development proposals that comprise of B1, B2 uses (as well as B8 uses where a development is comprised of a mix of B class uses). Therefore there would be an objection to the principle of development as the proposed change of use from B1/B8 is contrary to Policies AE2 and AE4 as it does not allow for any non B uses on the site.

Planning History

It is understood that the application site has planning history with a three year temporary permission granted for a change of use from B1/B8. This is a material consideration, however, it must be noted that each planning application must be considered on its own merits and therefore this new application must be considered afresh. It is also acknowledged that since unit 7 received temporary permission, two units on Lancing Business Park have also received planning permission for a change of use from a B use to D2. Whilst this is a material consideration in favour of the application, this application must be considered on its own merits.

National Planning Policy Framework

Paragraph 14 of the NPPF is a material consideration.

Paragraph 22 of the NPPF states that ‘where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of

land or buildings should be treated on their merits.' This is a material consideration in favour of the application.

Adur Local Plan

The Council has received the Inspector's Report on the Examination of the Adur Local Plan, in which the Inspector sets out and justifies his recommendations.

The Inspector's Report concludes that the Adur Local Plan is 'sound' and that it provides an appropriate basis for the planning of that part of the district within the Local Plan area, provided that a number of main modifications are made.

The Inspector's Report and the Local Plan documents, incorporating the Inspector's Main Modifications, are to be considered by Adur Full Council on 14th December 2017. The modified Adur Local Plan will be recommended to the Council for adoption. Upon adoption it will form the Adur Local Plan and the development plan for development management purposes (under section 38(6) of the Planning and Compulsory Purchase Act as amended)

Given the stage reached with preparing the emerging Adur Local Plan, in accordance with paragraph 216 (bullet point 1) of the NPPF, significant weight can be applied to the Policies in Adur Local Plan.

Policy 25: Protecting and Enhancing Existing Employment Sites and Premises is applicable. The Policy seeks to safeguard B1, B2 and B8 uses on Lancing Business Park. The Policy states that proposed conversions to uses other than employment (B1, B2 and B8 of the Use Classes Order) in the following employment sites (as shown on the Policies Map) will be resisted. On this basis, there is an objection to the principle of change of use from B1/B8 to D2.

Supporting text (para 4.54) of the Adur Local Plan states that 'any loss of employment land to other uses such as residential is likely to have a detrimental impact on the economy in the longer term. Proposed conversions to other uses on key employment sites will be resisted.'

The Local Plan Inspector supports Policy 25 and raised no issue with the Council's approach to safeguarding Lancing Business Park for B Uses.

Adur Employment Land Review 2014

The Adur Employment Land Review (2014) found that existing employment areas in Adur were reasonably well occupied with generally low vacancy rates, and concluded that there was no quantitative case for the release of any employment land for other uses in Adur given the tight supply of land and premises for employment.

The Employment Land Review specifically recommends that 'planning policy should support continued employment use of the Lancing Business Park, and progressive development for B1, B2 and B8 use.'

The application is not supported by any evidence of a marketing exercise to demonstrate that there is no longer a demand for B uses at this site.

Planning Balance:

The proposal is contrary to Policies AE2 and AE4 of the Adur Local Plan 1996 and Policy 25 of the emerging Adur Local Plan. However, this needs to be balanced against other material considerations. It is understood from the supporting information that the gym is well established and employs 10 permanent staff and 6 – 8 sub contract trainers who use the gym as they cannot find facilities elsewhere. Therefore the gym provides an employment use and supports the local economy. It is also acknowledged that the gym provides apprenticeships and work experience opportunities for students at Northbrook College and other schools in the area offering vocational training. This is considered to be of a social benefit to the local community.

Lancing Business Park is experiencing a number of vacant units and therefore due regard must be had to paragraph 22 of the NPPF.

On this basis, whilst the proposal is contrary to the current and emerging Adur Local Plan, it is considered, that this objection is outweighed by the economic and social benefits associated with the gym and therefore this is a significant material consideration in favour of the proposal in accordance with paragraph 14 of the NPPF. Given that there are vacant units at Lancing Business Park; weight is afforded to paragraph 22 of the NPPF.