expires 10/08/09

Development Control – Delegated Officer Report

Application Number: ADC/0231/09 Recommendation - Permit

Site: **5 Cecil Pashley Way Lancing Shoreham-By-Sea West Sussex**

Proposal: **Variation of Condition 4 of L/139/99 to allow use of premises for fine limit sheet metal work, precision fabrication and welding with some vehicle work**

The Application

The application relates to an existing industrial building classified for Class B2 (General Industrial) Use. The unit is located in the far south-east corner of the airport within an area designated under development proposal DP.AE10.

The existing building was granted conditional permission under L/139/99/TP where condition 4 states: *The premises shall be used primarily for undertaking aviation-related fine limit and sheet metal work and precision fabrication and welding and for no other purpose within Class B2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any Statutory Instrument revoking and re-enacting that Order).*

Permission is sought to vary the existing condition to allow for some vehicle work in addition to the above aviation related work.

The applicant states that for the last 8 years Ricardo UK Ltd (also located within Shoreham Airport) have comprised of 80% of their business. The unique welding and fabrication work that the firm currently specialises in also applies to the military vehicle side of Ricardo's operation. They feel that this would be a great opportunity to grow their business and employment in the area.

Consultations and Representations

Adur District Council: The Environmental Health Officer has no objection to the proposal, subject to and existing restrictions on hours of operation etc.

Lancing Parish Council: No objections.

Third Parties: There have been no third party objections to the proposals.

Relevant Planning Policies and Guidance

The South East Plan RE1, RE3, T9, NRM4, SCT3.
Adopted Adur District Local Plan 1993-2006 (ADC 1996) (saved policies): AG1, AE11-12.
DP.AE10 Land at Shoreham Airport (1.05HA)
PPS 1 'Delivering Sustainable Development' (ODPM 2005)
PPG4 ' Industrial and Commercial Development and Small Firms' (DoE 1992)
PPS25 ' Planning and Flood Risk' (ODPM 2006) Circular 04/07

Planning Assessment

Policies
Shoreham Airport lies within the strategic gap of countryside separating Shoreham from Lancing where the objective is to prevent the coalescence of the built-up areas. However, the above policies make provision for development at the Airport to meet its needs and maintain its viability, in the interests of the regeneration of the local economy. A specific development area DP.AE10 is defined in the Local Plan, within which the application premises sit. It states that proposals for industrial, warehousing or similar purposes will be permitted subject to them complying with policies AE10 – AE14 where relevant.

AE12 states that notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 and General development Order 1988, the use of buildings or land under Policies AE10 and AE11 will be restricted by condition to the specific use to which the application relates.

AE10 requires development to be within the defined development area referred to above and states that "priority will be given to uses which require an airport location because of the nature of the individual business concerned" and subject to "local access and environmental considerations."

SCT1 of the South East Plan gives priority to pro-actively pursuing sustainable economic growth and regeneration of the Sussex Coast whilst also protecting and enhancing its high environmental quality. Policy SCT3 identifies Shoreham Airport as a strategic site with economic development potential subject to proposals complying with NRM4, NRM5 of the South East Plan and PPS25 where relevant. RE1 states that LDD's will need to be sufficiently flexible to respond positively to changes in the global economy and changing economic needs of the region, with there being regard given to strategic and local business needs (RE3). NRM4 states that inappropriate development should not be permitted in flood zones 2 and 3 or areas with a history of groundwater flooding.

Policy T9 entitled 'airports' identifies development proposals for only the large commercial airports within the South East region, however the explanatory text states that: 'Other smaller airports could play a valuable role in meeting local demand and contributing to regional economic development. Subject to

relevant environmental considerations, their development should be supported, and regional and local planning frame works should consider policies which facilitate growth' (Para 8.30)

Impact on the viability of the Airport

The proposed variation of condition would result in the continued occupation of the premises by the current owner, who states that over the previous 8 years, since their occupation began, the majority of their work has been with Ricardo UK Ltd. Ricardo UK Ltd does have a presence at Shoreham Airport with their Vehicle Division having a site 65m to the west of the application site, within the main airport area. Ricardo's is considered to be a significant employer within the District with their main site being located just to the north of the airport between the A27 and the River Adur.

The existing building would not undergo exterior alterations or extensions, and the fabrication and welding equipment would essentially remain the same as under the currently operation. Indeed the actual number of staff (4) and work continued on site would remain effectively the same, the only alteration would be that the work could be used for non-aviation related vehicles.

The restrictive condition of L/139/99 (No.4) complies with policy AE10 of the Local Plan, and is there to protect the commercial viability of the airport. However the policy states that: 'Priority will be given to those uses which require an airport location because of the individual business concerned'.

The applicant has stated that previously there was work performed for the Aviation industry (Jade Air and Hunting Aviation) however both companies have relocated away from Shoreham Airport and the contracts have since ceased. Continued aviation related work has proven difficult to find in recent years and to continue being commercial other contracts have been obtained, contrary to the original planning condition. Currently no aviation related work goes on within the premises and the applicant has stated that an aviation related contract has not been one since 2002, and that adhering to the condition would result in the failure of the company.

The proposed variation would not result in the loss of either a hanger or building with direct runway access. If permission were to be granted it would ensure the retention of an established business with an established work force, which has been commercially active within the airport for a number of years, and it could be argued, requires an airport location. Granting the variation to the condition would not preclude the use of the site for continued aviation related work should it become more commercially available some time in the future.

Bearing in mind the main contract for the applicant (Ricardo UK Ltd) is located within the airport themselves, and that the there has been no aviation related work at the premises since 2002, it is considered that, on balance, the use of the application site for vehicle related fine limit sheet metalwork, precision

fabrication and welding would not result in there being a detrimental effect on the commercial viability of the airport.

Flood risk
The proposed change to the restrictive planning condition does not enable a general change of use that would alter the expected vulnerability of the site, consequently there is not likely to be any such flood risk associated with the proposals.

Recommendation

APPROVE for reason that :-

The proposed development is located within the airport development area and would assist economic regeneration without detracting from the existing local environment. It would consequently not conflict with the relevant policies of the Adur District Local Plan (AG1, AE10, AE12, AT9) and the South East Plan (SCT1-4, NRM4).

1. C1Ci
2. The premises shall be used primarily for the undertaking of fine limit and sheet metal work and precision fabrication and welding and for no other purpose within Class B2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that class in any Statutory Instrument revoking or re-enacting that Order with or without modification).
   Reason: *In the interests of amenity and to comply with policy AE12 of the Adur District Local Plan.*
3. Noise from the building, as determined under BS4142, shall not exceed 3dB(A) above background noise level as measured on the nearest part of the embankment on the eastern side of the River Adur.
   Reason: *In the interests of amenity and to comply with policy AE10 of the Adur District Local Plan.*

Case Officer: [redacted] PB 22/7/09
Date: 21/7/09