

A/128/05

PLANNING APPLICATION REPORT

DESCRIPTION/ ADDRESS	- Change of use from Transport Warehouse (B8) to sale of Camper Vans (Sui Generis). The Works, Formerly ETS Transport, Lower Trees Nursery, Angmering.
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THE SITE AND ITS SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
SITE AREA	Entire site: 0.06 hectares approximately. Area for parking campers: 0.023 hectares approximately
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected.
BOUNDARY TREATMENT	2m high close-boarded fencing and hedging forms the sites boundaries. Relatively well screened from Angmering by-pass by fencing and high trees.
SITE CHARACTERISTICS	The site contains a large single storey brick warehouse with a pitched roof. Hardstanding areas surround the building, and the site is currently vacant.
CHARACTER OF LOCALITY	Varying uses of land within the surrounding area. Predominantly horticulture, light industrial/storage and some residential. A bungalow dwelling is positioned adjacent to the west of the site, whilst to the rear and east is 'Lower Tree Nursery'. 'Roundstone Garden Centre' is adjacent to the south, whilst further to the east is 'Roundstone Nurseries'.

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
A/10/96/CLE	Application for a Certificate of Lawfulness for an existing use – use of the site for transport services.	Approved 13-03-96
A/52/01/CLE	Application for a Certificate of Lawfulness for an existing use – use of land for the storage of mobile touring caravans.	Refused 22-11-01
A/53/01/CLE	Application for a Certificate of Lawfulness for an existing use – use of land and buildings for vehicle repair and maintenance.	Approved 22-11-01
A/19/02/CLE	Application for a Certificate of Lawfulness for use of land for the storage of touring caravans (Resubmission of A/52/01/CLE).	Approved 22-08-02

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RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
A/78/03	Outline application for the erection of a distribution warehouse (use class B8) in place of existing warehouse.	Approved Cond 09-09-03
A/157/03	Application to remove conditions 7, 10, 11 & 12 of outline planning permission A/78/03.	Refused 21-01-04

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
Angmering Parish Council	No objection.
LOCAL GROUPS	None.
OTHER	None.

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
Environmental Health Officer (Pollution)	"No comments"
County Highways	With regard to the previous use of the site (Transport Warehouse - B8), I expressed concern about the possible use of the site by large HGV's, and suggested a personal permission that would control this. The use of the site for the sale of Camper vans would only be acceptable if the vans for sale were not delivered to the site on large transporters.
County Highways – re-consultation	I understand the Agent has confirmed that deliveries of Camper Vans to the site will not be undertaken by means of HGV transporters. As a result, I have no objections to this proposal from the highway point of view, but would recommend a condition that there shall be no deliveries by transporters. In the interests of highway safety.
Sussex Police	No adverse comments.

POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
<ul style="list-style-type: none"> ◆ Outside Built-up Area Boundary ◆ Local Gap ◆ Class 'A' Road ◆ PD Restriction: A/78/03 Cond 8 – "Notwithstanding..... the building shall not be extended or altered, including the insertion of a mezzanine floor"; Cond 9 – "The proposed building shall be constructed as a single storey building"; Cond 11 – "The office use shall be restricted to the hours of 0800-1800 hours monday to saturday (inclusive)".

DEVELOPMENT PLAN POLICIES

West Sussex Structure Plan : LOC2, DEV1, CH1, NE8 Arun District Local Plan : GEN3, GEN7, AREA11
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PLANNING POLICY GUIDANCE

PPS1	- Delivering Sustainable Development
PPG4	- Industrial and Commercial Development
PPS7	- Sustainable Development in Rural Areas

POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to the protection of the countryside, the visual quality and character of the surrounding Local Gap, and residential amenity.

COMMENT ON CONSULTATION RESPONSES

Noted. In response to County Highways request for further information, the applicant has confirmed that none of their stock will be delivered by Heavy Goods Vehicles (HGV), they will be driven to the premises direct from Germany or the UK. The County Surveyor was re-consulted on the application and confirmed that in light of the letter from the agent, he wished to raise no objections to the proposal from a highway point of view. However, it was recommended that a condition is imposed on any conditional approval that states that there shall be no deliveries by transporters, in the interests of highway safety.

COMMENT ON REPRESENTATIONS RECEIVED

None.

ASSESSMENT OF PROPOSAL**DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is considered to comply with relevant Development Plan policies in that it would have no materially adverse effect on the visual amenities of the locality or the residential amenities of adjoining properties, nor would it have an adverse impact upon the established character of the surrounding area.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

It is considered that the proposed change of use may generate a minimal increase in noise disturbance due to the change of use from storage use to the sale of camper vans. However, due to the relatively isolated nature of the site, with only one nearby residential property and nurseries and garden centers to all other sides, it is considered that the minimal increase would be acceptable and would not detrimentally affect the amenities of the nearby dwelling or surrounding businesses.

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CONCLUSIONS

Further, it is considered that the site is well screened from the Angmering By-Pass by 1.8m high fencing and tree coverage. As a result, the proposal would appear unobtrusive in the context of the area and would not conflict with the established character of the surrounding area.

For the reasons mentioned above, it is considered that the proposal is likely to be acceptable. However, due to the change of use of the land, it is considered that a temporary permission may be appropriate to allow officers to monitor the development and ensure that the change of use will not be detrimental to the amenities of the nearby residential property, nor the character of the surrounding area.

It is therefore recommended that the application be approved, subject to the conditions set out overleaf.

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RECOMMENDATION

Approve Conditions

- 1 The use of the land/building hereby permitted shall be discontinued permanently and the land restored to its former condition, or to a condition to be agreed in writing by the Local Planning Authority, on or before the expiration of the period ending on 28th February 2007.

Reason: To enable the Local Planning Authority to review the special circumstances under which this permission is granted;

- 2 The premises shall be used for the sale of Camper Vans only and for no other purposes within any Use Class specified in the schedule of the Town and Country Planning (Use Classes) Order 1987.

Reason: To enable the Local Planning Authority to control the use of the premises in detail having regard to the amenities of nearby residential properties in order that the Local Planning Authority may regulate and control the use of the premises in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

- 3 No vehicles 7.5 tonnes or over shall at any time enter or exit the application site at any time, without the prior permission of the Local Planning Authority in an application on that behalf.

Reason: In the interests of Highway Safety in accordance with policies DEV1, NE13 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

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4 INFORMATIVE:
permission

This ~~consent~~ does not puport or be deemed to grant consent for any advertisements displayed in or around the site for which a seperate application for advertisement consent is required.

Reason: For the avoidance of doubt.