BR/300/07

PLANNING APPLICATION REPORT

DESCRIPTION/ ADDRESS	-	Change of use from use Class B2 to use Class B8. 1, 2 and 3 Durban Business Centre, Durban Road, Bognor Regis

THE SITE AND ITS SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
SITE AREA	0.28 hectares
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Flat
TREES	None
BOUNDARY TREATMENT	None to the front of the building.
SITE CHARACTERISTICS	2 storey high industrial building. Painted grey cladding. Car parking area to the front. Use already installed within the building.
CHARACTER OF LOCALITY	Industrial estate

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
BR/381/05	Refurbishment including recladding to existing office buildings, subdivision and recladding of existing ground floor industrial premises.	Approved Conditionally 15.12.05
BR/287/06	Erection of 2no. additional units on site, light industrial.	Approved Conditionally 14.11.06

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
Bognor Regis Town Council	No objection
Local Groups	None
Other	None

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
None	

BR/300/07

POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Within Built-up Area Boundary

DEVELOPMENT PLAN POLICIES

West Sussex Structure Plan : LOC1, NE5
Arun District Local Plan : GEN7

PLANNING POLICY GUIDANCE

PPS 1 - Delivering Sustainable Development
PPG 4 - Industrial & Commercial Development

POLICY COMMENTARY

The above policies combine to give the development control criteria against which applications of this nature will be judged that is whether the change of use would have an adverse impact on the area.

COMMENT ON CONSULTATION RESPONSES

None

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 there will be no detriment to the visual amenities of the 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

The building is a recently refurbished and extended industrial building. As the size of unit is over 235 sqm then planning permission is required for its change of use to Class B8. However, this is an industrial estate and there are other B8 uses within the area. The

BR/300/07

CONCLUSIONS

proposal will therefore not have an adverse impact on the existing estate by any loss of employment premises.

There is to be an ancillary Trade Counter. The agents have made it clear that this is ancillary and it will not be used for retail sales.

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

RECOMMENDATION BR/300/07/

TOWN AND COUNTRY PLANNING ACT 1990

RECOMMENDATION

Application Ref: BR/300/07/

1 **To Addressee**

2 **Site Address**

1, 2, & 3 Durban Business Centre
Durban Road
Bognor Regis

3 **Description of Development**

Change of use from use Class B2 to use Class B8

4 In pursuance of their powers under this Act and related Orders and Regulations the Council PERMIT this development to be carried out in accordance with the application and plan and subject to compliance with the conditions specified.

RECOMMENDATION

CONDITION 1 Any trade counter floorspace shall not exceed 25% of the total floorspace of the unit and shall not be available to visiting members of the public.

Reason: To ensure that the unit is used under the terms of Use Class B8 and not as a retail unit in accordance with policy GEN7 of the Arun District Local Plan.

INFORMATIVE:

Summary of Reasons for Grant Article 22(1) General Development Procedure Order 1995

SUMMARY

This planning permission is granted because it complies with the policies listed below in that the development would not cause any material adverse effect on visual or residential amenity on the surrounding area and its character and there are no material considerations to indicate otherwise.

RELEVANT POLICIES

STRUCTURE PLAN: LOC1, NE5

LOCAL PLAN: GEN7

NATIONAL POLICIES: PPS1, PPG4

This is only a summary of reasons for granting to comply with Article 22 and full reasons appear in the Officer report.

Case Officer: Mr K Wheway