

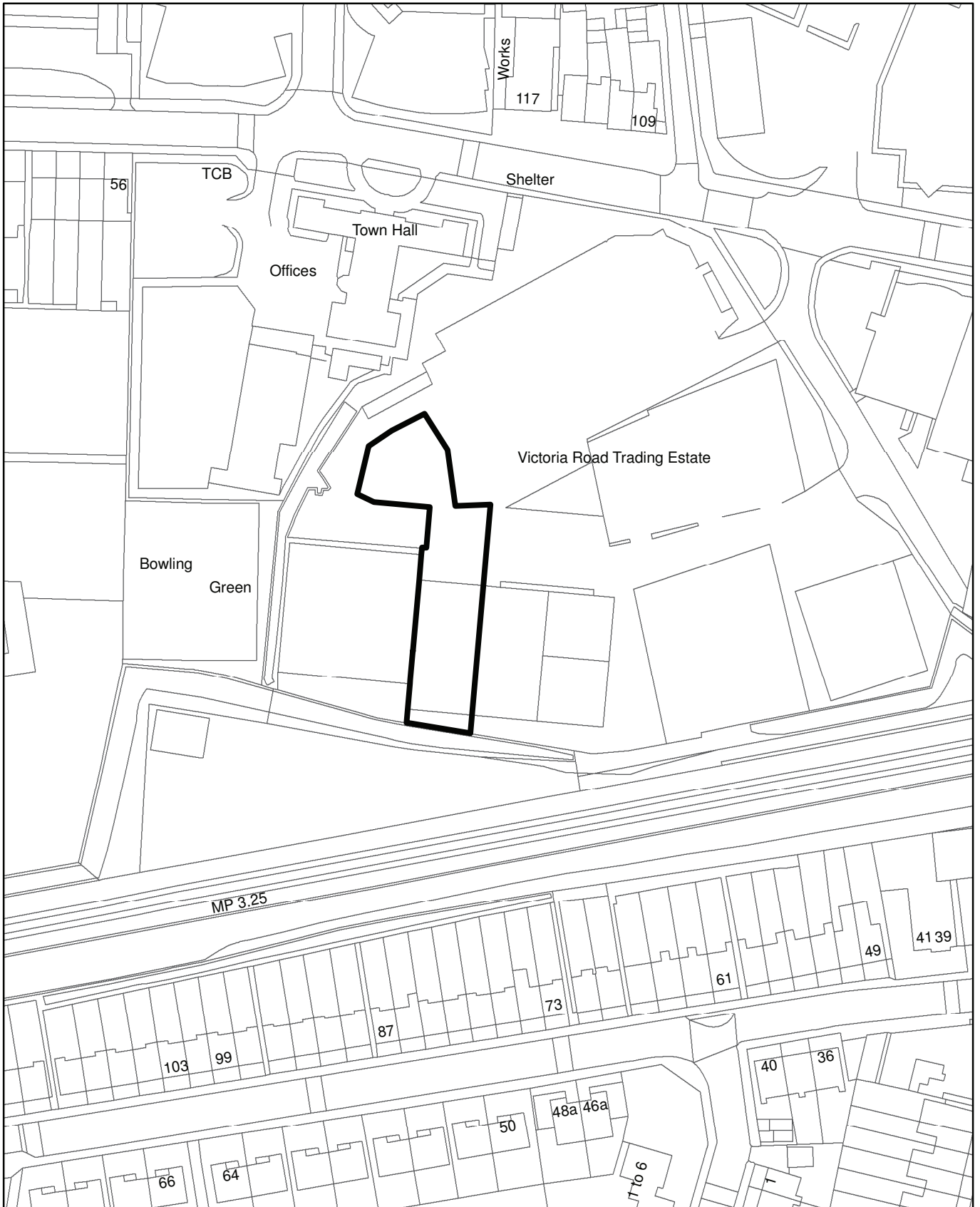
**PLANS LIST  
ITEM B**

**Unit 7a Victoria Road Trading Estate,  
Victoria Road, Portslade**

**BH2012/02640  
Full planning**

**31 OCTOBER 2012**

# BH2012/02640 Unit 7a Victoria Road Trading Estate, Victoria Road, Portslade



**Brighton & Hove  
City Council**



**Scale: 1:1,250**

<b><u>No:</u></b>	<b>BH2012/02640</b>	<b><u>Ward:</u></b>	<b>SOUTH PORTSLADE</b>
<b><u>App Type:</u></b>	<b>Full Planning</b>		
<b><u>Address:</u></b>	<b>Unit 7A Victoria Road Trading Estate, Victoria Road, Portslade</b>		
<b><u>Proposal:</u></b>	<b>Subdivision to create one smaller warehouse including replacement of a loading bay door with a pedestrian entrance and windows to the front elevation.</b>		
<b><u>Officer:</u></b>	Clare Gibbons Tel:292454	<b><u>Valid Date:</u></b>	03/09/2012
<b><u>Con Area:</u></b>	N/A	<b><u>Expiry Date:</u></b>	29/10/2012
<b><u>Listed Building Grade:</u></b>	N/A		
<b><u>Agent:</u></b>	Lewis & Co Planning, Paxton Business Centre, Portland Road, Hove		
<b><u>Applicant:</u></b>	Endeavour Holdings Ltd, Mr N Chapman, Victoria Road, Portslade		

## 1 RECOMMENDATION

- 1.1 That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 11 and the policies and guidance in section 7 and resolves to **GRANT** planning permission subject to the Conditions and Informatives set out in section 11.

## 2 SITE LOCATION & DESCRIPTION

- 2.1 The application relates to a vacant warehouse unit in the south-west corner of the Victoria Road Industrial Estate and forms part of a larger unit that was last used as a warehouse. In 2010 planning permission was granted to subdivide this larger unit into three units (one of them would have been very similar to the current proposal). That permission (ref: **BH2010/00353**) has not been implemented. There is a hardstanding in the front of the premises for car parking.
- 2.2 The surrounding area is mixed in character with occupied industrial units to the east of the site. To the north of the site is Portslade Town Hall and associated offices. A bowling green is immediately adjacent to the west of the application premises with the cemetery beyond. To the south is the railway line that runs between Fishergate and Portslade Stations. The nearest residential premises are over 60 metres to the south in Vale Road and 70 metres to the north in Victoria Road.

## 3 RELEVANT HISTORY

**BH2012/02225:** On 2<sup>nd</sup> August 2012 a planning application was received seeking permission for a temporary change of use from warehouse (Class B8) to climbing wall centre (Class D2) for a period of 5 years. Associated external alterations including addition of extract fans and access ramps. Currently undetermined.

**BH2010/00353:** On 5<sup>th</sup> May 2010 full planning permission was granted to divide the existing warehouse into three units comprising warehouse floorspace, office accommodation and trade counter. This has not been implemented.

**BH2007/01721:** On 20<sup>th</sup> March 2008 outline permission was granted for the redevelopment of the industrial estate with a car showroom and two B1 units and two B1/B2/B8 unit. This has not been implemented.

**BH2006/02661:** On 2<sup>nd</sup> October 2006 a Certificate of lawfulness for the existing use of Unit 7 as a trade counter & warehouse was approved.

**BH2005/00918/FP:** On 6<sup>th</sup> May 2005 planning permission was granted for the erection of a 2.4m high palisade fencing around the estate boundary. This has been implemented.

**BH2003/02114/FO:** On 19<sup>th</sup> August 2003 planning permission was granted for the erection of 2.4m high palisade fencing on the western boundary of the estate.

**BH1999/01190/FP:** On 23<sup>rd</sup> August 1999 planning permission was granted for the formation of new trade counter to front elevation.

**3/80/0366:** On 25<sup>th</sup> July 1980 planning permission was granted for the redevelopment of the existing industrial estate, including demolition of 3 units and part demolition of one existing unit and construction of 4 new units (nos. 3, 4 and 6) industrial and no. 7 warehouse.

#### **4 THE APPLICATION**

- 4.1 A planning application has been submitted for a temporary change of use of two thirds of the existing warehouse unit (Class B8) to a recreational climbing wall centre (Class D2 Assembly). The application seeks to regularise the use of the remaining floorspace (unit 7a) as a smaller warehouse with ancillary office and trade counter.
- 4.2 The proposal involves the installation of an internal partition and external alterations, including the replacement of an existing loading bay door with a new pedestrian entrance and windows in the front elevation. Eleven car parking spaces are proposed in the front forecourt (one suitable for people with disabilities) and two lorry loading bays.

#### **5 PUBLICITY & CONSULTATIONS**

##### **External**

- 5.1 **Neighbours:** No response received.

##### **Internal:**

- 5.2 **Environmental Health:** No Comment.
- 5.3 **Economic Development:** No adverse comments.
- 5.4 **Highway Authority:** No objection subject to recommended conditions.

#### **6 MATERIAL CONSIDERATIONS**

- 6.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that "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.”

- 6.2 The development plan comprises:
- The Regional Spatial Strategy, The South East Plan (6 May 2009);
  - East Sussex and Brighton & Hove Minerals Local Plan (November 1999);
  - East Sussex and Brighton & Hove Waste Local Plan (February 2006);
  - Brighton & Hove Local Plan 2005 (saved policies post 2004).
- 6.3 The National Planning Policy Framework (NPPF) was published on 27 March 2012 and is a material consideration which applies with immediate effect.
- 6.4 Due weight should be given to relevant policies in the development plan according to their degree of consistency with the NPPF. At the heart of the NPPF is a presumption in favour of sustainable development.
- 6.5 All material considerations and any policy conflicts are identified in the considerations and assessment section of the report.

## **7 RELEVANT POLICIES & GUIDANCE**

### The National Planning Policy Framework (NPPF) March 2012

#### Brighton & Hove Local Plan 2005:

TR1	Development and the demand for travel
TR2	Public transport accessibility and parking
TR7	Safe development
TR14	Cycle access and parking
TR18	Parking for people with a mobility related disability
TR19	Parking standards
SU9	Pollution and nuisance control
SU10	Noise nuisance
SU11	Polluted land and buildings
QD2	Design – key principles for neighbourhoods
QD14	Extensions and alterations
QD27	Protection of Amenity
EM1	Identified employment sites (industry and business)
EM3	Retaining the best sites for industry

#### Supplementary Planning Guidance:

SPGBH4 Parking Standards

## **8 CONSIDERATIONS & ASSESSMENT**

- 8.1 The main considerations in the determination of this application is the acceptability of subdividing this warehouse unit and the impact of the proposed external alterations.

**Land use:**

- 8.2 As a consequence of a current planning application seeking a temporary change of use of two thirds of the larger warehouse unit from warehouse (Class B8) to a climbing wall centre (Class D2) for a period of 5 years (ref: **BH2012/02225**), this application seeks permission to regularise the use of the remaining floorspace as a smaller warehouse with a trade counter. The proposal would mean that the application premises could be used as a separate warehouse unit whether the rest of the unit remains as a single warehouse or are converted into two smaller warehouses or a climbing wall.
- 8.3 The application premises form part of the Victoria Road Industrial Estate, where policy EM1 identifies there should be primarily industrial and business use (Use Classes B1(b), (c) and B2) and trade counters will not be acceptable in the B8 units. Nevertheless, the lawful use of the larger unit is warehousing with a trade counter and a certificate of lawfulness to that effect was approved on 2<sup>nd</sup> October 2006.
- 8.4 The proposed smaller unit would be in line with the extant planning permission granted on 5<sup>th</sup> May 2010 for the sub-division of the existing warehouse, office and trade counter (ref: **BH2010/00353**). Since then the National Planning Policy Framework was published in March 2012. However, it is considered that this does not raise any new material consideration. The Design & Access and Planning Statement submitted in support of this application outlines that the premises have been continued to be marketed without success. The proposal would allow for greater flexibility to facilitate its occupation and given the extant permission is considered to be acceptable.
- 8.5 As the application site is on an industrial estate and the nearest residential properties are over 60 metres away, it is considered that the proposal does not raise any significant issues in terms of residential amenity, in line with policy QD27. The proposal does not involve ground breaking but in line with the extant permission, safeguarding conditions are recommended in respect of possible land contamination.

**Transport:**

- 8.6 The forecast trip generation would be similar to the existing permitted Class B8 use. The use of the existing vehicle access from Victoria Road is acceptable. The proposed car parking and cycle parking is considered satisfactory, subject to the recommended conditions.

**Design:**

- 8.7 Policy QD2 requires that all new developments should be designed to emphasise and enhance the positive qualities of the local neighbourhood. It is proposed to install new cladding and aluminium glazing in the front elevation principally to provide an entrance to the trade counter. The proposed alterations would not look out-of-place on this modern utilitarian building and would not cause harm in the context of this modern industrial estate.

## 9 CONCLUSION

- 9.1 On 5<sup>th</sup> May 2010 full planning permission was granted to divide unit 7 into three units comprising warehouse floorspace, office accommodation and trade counter. This application seeks permission to create one of the units that would be in line with that extant permission. The proposal would enable the application premises to be used as a separate warehouse unit whether the rest of the unit remains as a single warehouse or is converted into two smaller warehouses or a climbing wall (which is the subject of a separate application). On this basis, the proposed use is considered acceptable.
- 9.2 The proposed external alterations would not appear incongruous on this modern building in the context of the Victoria Estate and so would be in line with QD2.

## 10 EQUALITIES

- 10.1 One car parking space would be provided to facilitate access for people with disabilities.

## 11 CONDITIONS / INFORMATIVES

### 11.1 Regulatory Conditions:

- 1) The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.  
**Reason:** To ensure that the Local Planning Authority retains the right to review unimplemented permissions.
- 2) The development hereby permitted shall be carried out in accordance with the approved drawings listed below.  
**Reason:** For the avoidance of doubt and in the interests of proper planning.

Plan Type	Reference	Version	Date Received
Block plan	PL05		29 <sup>th</sup> August 2012
Site location	PL04		29 <sup>th</sup> August 2012
Location plan			29 <sup>th</sup> August 2012
Ground floor plan	SY01		29 <sup>th</sup> August 2012
Elevations & sections	SY03		29 <sup>th</sup> August 2012
Proposed ground floor plan	PL06		29 <sup>th</sup> August 2012
Proposed first floor plan	PL6.1		29 <sup>th</sup> August 2012
Proposed elevations	PL07		29 <sup>th</sup> August 2012
Proposed car parking	PI08		29 <sup>th</sup> August 2012

- 3) The trade counter shall be used solely ancillary to the main warehousing (Class B8) use of the hereby approved unit and not as a separate retail unit without planning permission being obtained from the Local Planning Authority.  
**Reason:** To ensure the primary use is within Class B8 and a separate use does not commence without due consideration of its impact and to comply with policy EM1 of the Brighton & Hove Local Plan 2005.

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- 4) The vehicle parking area shown on the approved plan shall not be used otherwise than for the parking of private motor vehicles belonging to the occupants of and visitors to the development hereby approved.

**Reason:** To ensure that adequate parking provision is retained and to comply with policy TR19 of the Brighton & Hove Local Plan 2005.

### 11.2 Pre-Commencement Conditions:

- 5) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the alterations hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

**Reason:** to ensure a satisfactory appearance to the development and to comply with policies QD1 and QD14 of the Brighton & Hove Local Plan 2005.

- 6) The development hereby permitted shall not be commenced until details of secure cycle parking facilities for the occupants of, and visitors to, the hereby approved have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be fully implemented and made available for use prior to the occupation of the development hereby permitted and shall thereafter be retained for use at all times.

**Reason:** To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than private motor vehicles and to comply with policy TR14 of the Brighton & Hove Local Plan 2005.

- 7) The development hereby permitted shall not be commenced until details of disabled car parking provision for the occupants of, and visitors to, the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be fully implemented and made available for use prior to the occupation of the development hereby permitted and shall thereafter be retained for use at all times.

**Reason:** To ensure the development provides for the needs of disabled staff and visitors to the site and to comply with Local Plan policies TR1, TR18 and SPG4.

- 8) Unless otherwise agreed in writing by the Local Planning Authority no development shall commence until a risk assessment has been submitted to and approved in writing by the Local Planning Authority. The risk assessment shall be carried out by a competent individual and shall incorporate a scoring system and suitable control measures for the laying of any drainage and utilities which require the breaking of the existing hard standing and/or floor slab.

**Reason:** To minimise the risk to human health, buildings and/or controlled waters and to comply with policies SU3 and SU11 of the Brighton & Hove Local Plan 2005.

- 9) If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing by the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local



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Planning Authority for, a method statement to identify, risk assess and address the unidentified contaminants.

**Reason:** To prevent pollution of the water environment and to comply with policy SU3 of the Brighton & Hove Local Plan 2005.

### 11.3 Informatives:

1. This decision to grant Planning Permission has been taken:
  - (i) having regard to the policies and proposals in the National Planning Policy Framework and the Development Plan, including Supplementary Planning Guidance and Supplementary Planning Documents:  
(Please see section 7 of the report for the full list); and
  - (ii) for the following reasons:-  
The development would enable the creation of an individual unit to meet the needs of smaller businesses and given the lawful use of the premises is considered to be acceptable. The proposed external alterations would not appear incongruous on this building or harm the visual amenity of the area.

