

Parish: Chichester	Ward: Chichester South
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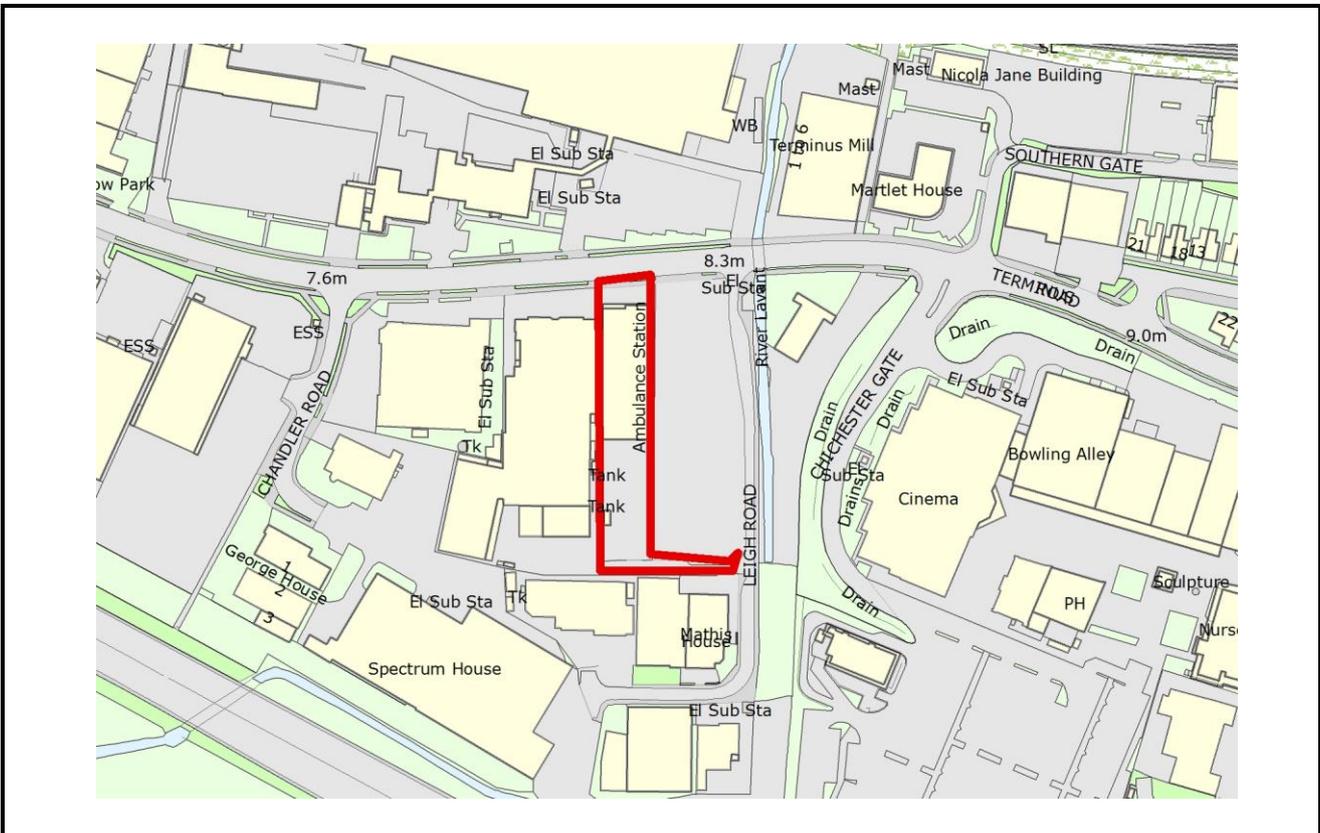
Proposal Change of use of existing building (former ambulance station) to church (D1 use including some B1 space) including minor external alterations.

Site Chichester Ambulance Station Terminus Road Chichester PO19 8TX

Map Ref (E) 485503 (N) 104175

Applicant Grace Church

RECOMMENDATION TO PERMIT



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1.0 Reason for Committee Referral

1.1 A leader of Grace Church (the applicant) is related to an employee of the Council.

2.0 The Site and Surroundings

- 2.1 The application site is located to the south side of Terminus Road, a predominantly commercial road within the settlement of Chichester. The application site is accessed from Terminus Road, including a parking area to the front, and there is an additional vehicular access from Leigh Road to the east, which provides an alternative access to the rear of the building. The building comprises a pitched roof and clad two storey elevations. The building is currently vacant, and was previously a mixed 'sui generis' use comprising office space at first floor level with an open plan ground floor used to accommodate the ambulance vehicles. Planning permission was granted in 2015 for the change of use of the building to B1/B8 use, however this was never implemented.
- 2.2 The site lies within an established employment area amongst a range of business units including offices, car showrooms/garages and storage and distribution uses. Whilst the site contains on site parking, there are also designated parking bays for a period of up to two hours located along the road.

3.0 The Proposal

- 3.1 This application seeks planning permission for the change of use of the existing building to a church (D1 use) which would also include ancillary B1 office and meeting space at first floor level. The proposal also includes minor external alterations to the physical form of the building, consisting of:
- New access ramp to the front elevation
 - Replacement of roller shutter door on front elevation with glazed door and windows
 - Replacement of roller shutter door on rear elevation with glazed door and windows
 - Two new window openings in ground floor of rear elevation

4.0 History

89/00574/CC	PER	One external unit 'Tornado Super De Lux' light vehicle plant spraybooth.
03/01152/ADV	PER	1 no. flag pole sign.
14/04285/COU	PER	Change of use from Sui Generis to B1/B8 use.

5.0 **Constraints**

Listed Building	NO
Conservation Area	NO
Rural Area	NO
AONB	NO
Strategic Gap	NO
Tree Preservation Order	NO
- Flood Zone 2	NO
- Flood Zone 3	NO

6.0 **Representations and Consultations**

6.1 **Parish Council**

No objection.

6.2 **WSCC Highways**

Having reviewed the accompanying information, the highway authority has no objection to the application. Given the times at which most of the transport-intensive activities take place at the proposed church, the use is unlikely to have a severe impact on the local road network. We assume that no modification is to be made to the access from Terminus Road.

Forty car parking spaces are proposed. The Design & Access Statement commits the church to directing users to public car parking spaces at times when the church car parks are full. The authority acknowledges that on-street spaces are likely to be available when church activities take place.

The applicants must send in a drawing showing the parking layout for approval before the building is first used. This is to ensure that the proposed number of spaces will indeed be made available and so avoid overspill onto the roads outside the site. The drawing must include details of bicycle parking. We assume that the occupant of the site has right of access from Leigh Road to the rear car park. All vehicles must be able to enter and leave the site nose-first. The 'Keep Clear' road markings on Terminus Road outside the site must ideally be removed before the building is first used and existing parking restrictions on the road may need to be extended. The applicant must contact the Area Highway Manager via <https://www.westsussex.gov.uk/roads-and-travel/make-an-enquiry-about-a-road-or-pavement/> to discuss this.

6.3 **CDC Environmental Management (Contaminated Land)**

The building is located within an industrial estate and there is considered to be potential for land contamination in the area. When the present building was constructed, site investigation and remediation works were undertaken however there may be residual land contamination at the site.

Given that the proposed building works are internal minor alterations, a watching brief should be kept while undertaking any construction works. Condition DC13 should be applied if permission is granted.

It is not known if there is fuel storage at the site (given its previous use as an ambulance station). If a tank is present it should be bunded to prevent spills leaks affecting ground conditions at the site. If removal of a tank is required as a result of this development, a method statement should be submitted to clarify the measures to be taken to ensure ground conditions are protected during such works. During construction works, all waste arisings must be disposed of in accordance with current Waste Regulations and there should be no burning of construction materials. Measures to mitigate the impacts of construction (such as dust and other emissions) should be taken to reduce the impact from the works on neighbouring premises.

6.4 Economic Development

Economic Development have no objections. The property has been on the market for since 2014, with little interest. Grace Church have been actively looking for premises for over two years, with no success. In our opinion, this is a suitable re-use of a building, that might otherwise be empty for a number of years.

6.5 Third Party Representations

1 third party letter of comment has been received from Chichester Society which made the following comments: The Executive Committee considers that the proposal is reasonable. However we do feel that this site should really be used for employment, and for relocation of a use to free up a site important to the Southern Gateway Regeneration such as the Royal Mail Depot.

7.0 Planning Policy

7.1 The Development Plan for the area comprises the Chichester Local Plan: Key Policies 2014-2029. There is no made neighbourhood plan for Chichester at this time.

7.2 The principal policies and neighbourhood plans relevant to the consideration of this application are as follows:

Chichester Local Plan 2014-2029:

Policy 1 Presumption in Favour of Sustainable Dev
Policy 2 Dev Strategy and Settlement Hierarchy
Policy 3 The Economy and Employment Provision
Policy 8 Transport and Accessibility
Policy 11 Chichester City Employment Sites
Policy 26 Existing Employment Sites

National Policy and Guidance

- 7.3 Government planning policy now comprises the National Planning Policy Framework (NPPF), paragraph 14 of which states:

At the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking:

For decision-taking this means unless material considerations indicate otherwise:

- Approving development proposals that accord with the development plan without delay; and
- Where the development plan is absent, silent or relevant policies are out-of-date, granting planning permission unless any adverse impacts of doing so would significantly or demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in (the) Framework indicate development should be restricted.

- 7.4 Consideration should also be given to paragraph 17 (Core Planning Principles), and sections 7 and 12 generally.

Other Local Policy and Guidance

- 7.5 Consideration has also been given to:
CDC PGN3: Design Guidelines for Alterations to Dwellings and Extensions
- 7.6 The aims and objectives of the Chichester in Partnership Community Strategy 2016-2029 which are relevant and material to the determination of this planning application are:
- Support and empower communities and people to help themselves and develop resilience
 - Influence local policies in order to conserve and enhance the qualities and distinctiveness of our area

8.0 Planning Comments

The main considerations are:

- i) Principle of development / Loss of employment site
 - ii) Impacts on visual amenities and character and quality of site and surroundings
 - iii) Impact on amenity of neighbouring properties
 - iv) Highway Safety
 - v) Contamination
- i) Principle of Development

8.1 The site is located within the settlement boundary and comprises an existing employment site, as defined within the Local Plan. Policies 2, 3 and 11 of the Local Plan are supportive of employment generating uses whilst policy 26 of the Local Plan states that alternative uses will be permitted on business sites only where it has been demonstrated that the site is no longer required and is unlikely to be re-used or redeveloped for business of similar uses.

8.2 The proposal would involve the loss of an employment use and therefore to demonstrate compliance with this policy and the marketing guidance, the applicant has submitted a marketing statement and summary produced by Flude Commercial. The statement reports that two phases of marketing were undertaken between September 2016 to October 2017 (Phase 1) and October 2017 until the present day (including during the consideration of the planning application) (Phase 2). Marketing techniques across two periods (the second of which included a price reduction) included: brochure production; online marketing; target mailing; marketing boards; local advertising (Chichester Observer), telephone canvassing and marketing strategies. In addition an enquiry log and summary of why potential buyers did not pursue their interest in the site has also been provided. The report by Flude Commercial states that the property has been unsuccessfully marketed for another business use and concludes;

‘...it is self-evident that there is currently no demand for this type of property at present with the benefit of the original sui generis ambulance consent or with the recently expired B1 and B8 consent....our view is that the configuration of the property (specifically built as an ambulance station) is the main cause of the lack of interest.’

8.3 Whilst the requisite marketing period of two years as outlined within Appendix E of the Local Plan has not been completed, Officers are satisfied that based on the marketing evidence submitted and the fact the previous use of the site as an ambulance station would not constitute an employment use for interpreting Policy 26 of the Local Plan, it has been demonstrated that the site is unlikely to be re-used or redeveloped for employment purposes. The property has been marketed since October 2016 and has been reduced in rental and freehold price. Furthermore, whilst there is evidence that the site has attracted interest from 9 potential occupiers, there are genuine reasons as to why those interests have not been pursued. In particular; as a purpose built ambulance station the property has limitations in terms of its operational use for other employment uses, including: sloping floor within the main warehouse designed for providing run off for cleaning down of ambulance vehicles; concrete kerb allowing ambulance vehicles to park up, and limited parking and loading areas to front. The Economic Development Team have also confirmed that they support the proposals to bring the application site back into operational use.

8.4 Having regard to the difficulties in attracting an alternative business use to the premises the proposals would represent a sustainable use of a vacant site and would not conflict with the aims of Policy 26 of the Local Plan to protect existing employment sites.

ii) Impact on visual amenities and character of the area

8.5 The proposals would not result in a significant change to the character of the area in terms of its use. Whilst the church would operate during the week and at weekends it would retain its appearance as commercial unit, and the level of use would not significantly change the character and appearance of the site or the surrounding area.

8.6 The proposals would alter the front and rear elevations of the building by replacing the previous roller shutter doors used by the ambulance station with glazed panels and entrance doors. Furthermore two additional windows are proposed within the rear elevation. It is considered that these changes represent practical and sympathetic alterations to the existing building to accommodate the proposed use. On this basis the proposals are considered to be acceptable and relate appropriately with the character and appearance of the area.

iii) Impact on amenity of neighbouring properties

8.7 Given its location within an employment area, it is considered that the proposed change of use and its alterations would not result in significant harm to the amenity of neighbouring properties, which comprise of commercial units. There are no immediate neighbours, either residential or commercial that would be affected by the proposals, as the development would operate within the confines of the existing site

iv) Impact on Highway Safety

8.8 Policy 39 of the Local Plan seeks to ensure that new development has acceptable parking levels, and safe access and egress to the highway. The proposed development would utilise the existing accesses from Terminus Road and Leigh Road. The site provides a total of 6 parking spaces to the front and 34 spaces to the rear. WSCC Highways have confirmed that this is an acceptable level of parking provision for the proposed use. Furthermore the WSCC Highways are content that excess vehicles wishing to park could use nearby public car parks and available on-street spaces when church activities take place. In addition, WSCC Highways have raised no objection to the application regarding the impact of the change of use on the local highway network. In this regard it is anticipated that more intensive movements to and from the site, would be during the evenings and weekends which would avoid peak traffic movements taking place at other businesses around the site. Therefore the use is unlikely to have a severe impact on the local road network. The advice from WSCC Highways recommends conditions securing an appropriate parking layout, as well as details of bicycle parking. Subject to compliance with the requested conditions it is not considered that the proposed use would result in a severe highway impact or inappropriate parking behaviour. On this basis the proposals would comply with Policy 39 of the Local Plan.

v) Contamination

8.9 The building is located within an industrial estate and the Environmental Protection Team (EPT) consider that there is potential that there may be residual land contamination at the site. Given that the proposed building works are internal minor alterations the EMT are content that a watching brief should be kept while undertaking any construction works. The views of the EMT are agreed and a condition is recommended to secure a watching brief.

8.10 In addition the EPT recommend that a condition is imposed regarding the removal of fuel storage tanks on site. Given that the proposals involve the change of use of the site and minor alterations, a condition in this respect is considered to be unnecessary in order to make the proposals acceptable. However an informative is recommended, drawing the applicant's attention to this advice.

Conclusion

8.11 Based on the above assessment, it is considered the proposal would represent an appropriate alternative use of the site and would not result in harm to the visual amenities of the area, or highway safety impacts. As such the proposal complies with the Development Plan. There are no material considerations that indicate otherwise therefore, subject to conditions, permission should be granted.

Human Rights

8.12 In reaching this conclusion the Human Rights of the applicants and nearby occupiers have been taken into account when reaching this recommendation and it is concluded that the recommendation to permit is justified and proportionate

RECOMMENDATION

PERMIT subject to the following conditions and informatives:-

1) The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

2) The development hereby permitted shall be carried out in accordance with the approved plans: 748/02 REV A, 748/04, 748/03 REV B

Reason: For the avoidance of doubt and in the interests of proper planning.

3) The development hereby permitted shall be constructed using external materials to match those on the existing building in colour, texture, form and composition unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of amenity.

4) Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987, as amended, and the Town and Country Planning (General Permitted Development) Order 2015, or any other statutory instrument amending, revoking and re-enacting the Order, the building hereby permitted shall be used for D1; and for no other purpose (including any other purpose in Class D1; only of the Schedule to the Town and Country Planning (Use Classes) Order 1987, as amended, or in any provision equivalent to that Class in any other statutory instrument revoking and re-enacting that Order).

Reason: To ensure the use of the building does not have a harmful environmental effect in the interests of amenity/in the interests of protecting the character of the area/in the interests of protecting residential amenity.

5) The development shall be occupied until space has been laid out within the site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority for cars and bicycles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. The parking/turning areas shall be used and retained exclusively for its designated purpose.

Reason: In the interests of highway safety.

6) In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. Development shall not be first occupied until

i) An investigation and risk assessment has been undertaken in accordance with a scheme that shall first have been submitted to and approved in writing by the Local Planning Authority, and

ii) where remediation is necessary a remediation scheme must be submitted to and approved in writing by the Local Planning Authority. Any remediation shall be fully implemented in accordance with the approved scheme before the development is bought into use, and

iii) a verification report for the remediation shall be submitted in writing to the Local Planning

Authority before the development is first bought into use.

Reason: In the interests of amenity and to protect the health of future occupiers of the site from any possible effects of contaminated land in accordance with local and national planning policy

INFORMATIVES

1) The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

2) if there is fuel storage at the site (given its previous use as an ambulance station). If a tank is present it should be bunded to prevent spills leaks affecting ground conditions at the site. If removal of a tank is required as a result of this development, a method statement should be submitted to clarify the measures to be taken to ensure ground conditions are protected during such works. During construction works, all waste arisings must be disposed of in accordance with current Waste Regulations and there should be no burning of construction materials. Measures to mitigate the impacts of construction (such as dust and other emissions) should be taken to reduce the impact from the works on neighbouring premises.

For further information on this application please contact Robert Sims on 01243 534734