

Recommendation Report for Planning Permission

REF NO: AL/108/12/

LOCATION: Lees Yard
Lidsey Road
Woodgate Chichester

PROPOSAL: Renewal of temporary permission (AL/88/10) for the location of a single storey portakabin within area 2 of the site.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The portable building measures approximately 6.5m in width, depth of 3m with a maximum height of 2.6m. It is grey in colour with blue edging.
SITE AREA	Approximately 619 square metres.
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	The site is enclosed by steel fencing approximately 2m in height.
SITE CHARACTERISTICS	The site comprises a number of industrial buildings with external storage areas. To the front of the site is a brick built bungalow with triple detached garage.
CHARACTER OF LOCALITY	Main A29 within a predominantly rural area, open fields to the south. Willows Caravan Park to the rear of the site. Detached properties of various styles and designs to the west of the site.

RELEVANT SITE HISTORY

AL/70/01/	Change of use from saw mill to storage units internally and provide new external cladding.	Approve Conditionally 05-11-2001
AL/88/10/	Change of use to car storage for Area 2 - Bay 4 and associated new Portable unit in Area 2 - Bays 2/3	Approve Conditionally 18-10-2010

REPRESENTATIONS

Representations received:
Aldingbourne Parish Council
Awaited

Comments on Representations received:

None

CONSULTATIONS

Southern Water Planning

Consultations responses received:

Southern Water

We request that should this application receive planning approval, an informative is attached to the consent regarding any new connection to the public sewerage system.

Comments on Consultation responses:

None

POLICY CONTEXT

Designation applicable to site:

Outside Built Up Area Boundary

Class A Road

Area of Special Control for Advertisements

No Public Sewer

PDR on

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:

[GEN3](#)
[GEN7](#)

Protection of the Countryside
The Form of New Development

PLANNING POLICY GUIDANCE

NPPF

National Planning Policy Framework

POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to visual and residential amenity.

The Development Plan consists of the Arun District Local Plan 2003 and the South East Plan adopted in 2009. It should be noted that the Arun District Local Plan was adopted in 2003 and the South East Plan in 2009.

In accordance with paragraphs 214 of the NPPF, the South East Plan is afforded full weight as part of the development plan. Footnote 41 (page 49) states the Governments clear policy intention to revoke regional strategies.

Paragraphs 214 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight but, because it predates 2004, a reduced weight. The weight afforded to the policies with Local Plan policies can be assessed according to their level of consistency of the various policies with the National Planning Policy Framework. It should be noted that the NPPF states that weight is given to individual policies and not to the plan as a whole.

The emerging local plan has recently been approved by the Council and is therefore a material consideration in the determination of this planning application. Whilst it has not been fully adopted due weight has been given to its policies in terms of the decision making process at this stage.

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 the 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

The site is located within an existing industrial park where there are existing internal and external storage units with some light industrial uses. Planning permission AL/88/10 for the portable building and storage of vehicles for Area 2, bays 2 & 3 was given temporary consent for a two year period expiring on 13th October 2010.

The area in question Area 2, bays 2 & 3 is enclosed by steel fencing and the portable unit is sited within this area and is currently occupied by Southern Mobility Vehicles who use the units as an office with storage. Southern Mobility Vehicles adapt vehicles for wheelchair users and the remaining area is used for the storage of vehicles.

The storage and portable building remains unchanged from the previous consent and the application seeks a more permanent approval. The building is not readily visible from the front of the site being sited at the far end of the industrial park and whilst it is accepted that the building may be visible from the open fields to the south of the site it is not considered that this is of an obtrusive nature or has a detrimental impact on the visual amenity of the surrounding rural area.

There has been no intensification of the use during the last two years and it is therefore recommended that the application be approved, subject to conditions.

HUMAN RIGHTS ACT

Human Rights Act:

The Council in making a decision should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as Arun District Council to act in a manner, which is incompatible with the European Convention on Human Rights.

Consideration has been specifically given to Article (right to respect for private and family life) and Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for approval of the grant of permission in this case interferes unreasonably with any local residents' right to respect for their private and family life and home, except insofar as it is

necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for approval is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

In assessing this proposal a neutral impact has been identified upon those people with the following protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation).

RECOMMENDATION

APPROVE CONDITIONALLY

- 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 approved has been carried out in accordance with the following plans: Site 1:1250, Block 1:500, Floor/Elevations 1:50 Rev B received on 12th October 2012.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Policy GEN7 of the Arun District Local Plan.

- 3 INFORMATIVE: Southern Water request that a formal application for any new connection to the public sewer would be required. Please contact Atkins Ltd, Anglo St James House, 39A Southgate Street, Winchester, SO23 9EH (Tel: 01962 858688), or www.southernwater.co.uk.

- 4 INFORMATIVE: Summary of Reasons for Grant Article 31 Development Management Procedure Order 2010

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

LOCAL PLAN: GEN3, GEN7

THE NATIONAL PLANNING POLICY FRAMEWORK

AL/108/12/

This is only a summary of reasons for granting to comply with Article 31 and full reasons appear in the Officer report.