

REPORT UPDATE

Application No: AL/44/18/RES

Reason for the Update / Changes

Reason for Update/Changes:

1. Additional condition included requiring the submission of cladding and brickwork schedule.

Officers Comment:

1. The Design Statement (April 2018) which accompanied the application and Design Code (DLA.1859.P.DCODE.RPT.01.A) approved under reference AL/27/18/DOC identify acceptable design principles but they do not specify the materials and colours. Therefore, Condition 2 has been included to secure the submission of this detail.

Note: The additional Condition is shown on the amended replacement recommendation sheet.

Notes: Changes to recommendations, conditions and / or reasons for refusal will always be reflected in the recommendation section of the attached Officer's Report.

Recommendation Report for Approval of Reserved Matters Following Outline Approval

REF NO: AL/44/18/RES

LOCATION: Oldlands Farm
Steyning Way
Bersted
PO22 9NW

PROPOSAL: Application for all reserved matters following outline consent AL/58/15/OUT (Hybrid Appplication)
for up to 20,453 sqm of B2 general industrial floorspace together with B8 warehousing & distribution floorspace (as amended by subsequent Variation of Conditions 11, 12 & 37).

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

As above.

SITE AREA

Approximately 6.04 hectares.

TOPOGRAPHY

The development site slopes gently from west to east. The newly constructed BRNRR sits adjacent to the site to the north on a raised level to the application site. A number of drainage ditches cross the site.

TREES

There are 3 no. Oak trees located centrally upon the site which are intended to be retained. It is required by condition 38 of planning approval AL/58/15/OUT that prior to

	development commencing (including site clearance) that existing trees/bushes and hedges are protected.
BOUNDARY TREATMENT	The north and west of the proposed development site is currently contained by wire fences which border the BRNRR. Beyond this lies the boundary of the Bognor Regis Northern Relief Road (BRNRR), which is raised above the site. The slopes of the site would be subject to landscaping. Just beyond the eastern boundary lies a railway line which sits on a slightly higher level, this is bordered by a tree and scrub belt. The former LEC airfield lies further to the east and contains a number of rifes, comprising an area of biodiversity opportunity set on relatively flat land. The southern boundary of the site follows the line of the recent Rolls Royce manufacturing development which includes a number of large, modern manufacturing buildings.
SITE CHARACTERISTICS	The application site comprises Grade 3b agricultural land with a number of drainage ditches crossing the site.
CHARACTER OF LOCALITY	Whilst the site is rural, the area has been heavily influenced by major transport links and large scale commercial developments. The landscape character is predominantly low lying arable with limited tree cover. Land, particularly to the north and east, is open. The village of Shripney is located 500m to the northwest of the site and straddles the A29. There are small settlements further to the north. To the south and beyond the Rolls Royce development lies Southern Cross Industrial Estate which is indicative of a more urban context.

RELEVANT SITE HISTORY

AL/58/15/OUT	Hybrid Application 1: Full planning application for earth works to facilitate flood compensation area & 2-Outline application (all matters reserved) for up to 20,453 sq m of B2 General Industrial Floorspace together with B8 warehousing & distribution floorspace.	App Cond with S106 20-04-16
AL/57/16/PL	Variation of conditions 11,12 and 37 of AL/58/15/OUT	ApproveConditionally 09-09-16

A hybrid application was previously determined by the Local Planning Authority under reference AL/58/15/OUT that sought full planning permission for earth works to facilitate a flood compensation area and outline permission (with all matters reserved) for up to 20,453 sq m of B2 General Industrial Floorspace together with B8 warehousing & distribution floorspace. Therefore, the principle of the proposal has been established.

Planning application AL/57/16/PL sought to vary conditions 11, 12 and 37 of planning approval AL/58/15/OUT. Condition 12 restricted the development to 17,453m³ of B2 floorspace and prevented the

inclusion of any B8 floorspace. Permission was granted for the variation of conditions 11, 12 and 37 under reference AL/57/16/PL.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Aldingbourne Parish Council

Bersted Parish Council

ALDINGBOURNE PARISH COUNCIL:

No objection subject to ADC Drainage Engineer being satisfied that drainage proposals are adequate.

BERSTED PARISH COUNCIL:

Objection:

- Highway safety and traffic - Condition 12 of the outline application states that no B8 use but Unit 3 is B8 and will increase the vehicle trips on the local roads in conflict with Bersted Neighbourhood Development Plan Policy GA3.
- Highways England have asked for additional surveys on the trunk roads and Bersted feels the same should be done by WSCC on the local road network.
- Flood Risk - the developer must comply with the comments made by the Arun DC drainage engineer.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments are noted and will be considered in the conclusion to this report.

CONSULTATIONS

Economic Regeneration

Parks and Landscapes

Arboriculturist

WSCC Strategic Planning

Highways England

Environment Agency

Engineering Services Manager

Engineers (Drainage)

Southern Water Planning

Surface Water Drainage Team

Environmental Health

Network Rail

CONSULTATION RESPONSES RECEIVED:

ADC DRAINAGE ENGINEERS

Comments Received 8th May 2018

Please apply standard conditions ENGD4A and ENGD6A. Also apply ENGD2a with alterations to remove the need for infiltration testing and groundwater monitoring, as infiltration has been established as feasible.

- Full hydraulic calculations, green field run off details, catchment areas, detailed plans with dimensions of pipes and surface water attenuation tanks, construction details etc. will be required.
- Is the ditch running to the east of the site proposed or existing? If it is existing, clearance and de-siltation will be required. If it is proposed, consent will be required, and network rail will need to be consulted with.
- Any culverting, alteration or proposed new ordinary watercourses will require land drainage consent from us.
- Has compensatory flood plain storage been agreed with the Environment Agency? Natural England would like to be consulted regarding this and the potential to incorporate habitat.

Comments received 26th October 2018:

The decision for AL/58/15/OUT contained conditions 18, 21 and 22 which require the approval at Reserved Matters Stage of the surface water drainage scheme and its proposed maintenance regime. Based on the supplied documents I have no objection to the Reserved Matters application. Development should occur in line with the submitted drainage proposals.

WSCC HIGHWAYS

Comments received 25th May 2018

- A previous response to the proposal has been provided on the 2nd December 2015 which recommended highway approval to the proposals. The access and capacity data have been agreed at this stage and the LHA concluded that the proposals would not have a 'severe' residual impact on the surrounding highway network.
- The internal access roads have been designed in accordance with Manual for Streets parameters.
- Based on the information submitted the LHA are satisfied with the information provided in accordance with Condition 9 of the original planning consent AL/58/15/OUT.

HIGHWAYS ENGLAND

Comments received 29th May 2018

- No objection in principle to the approval of conditions 9, 13, 18, 21, 22, 31 and 35 as attached to the outline consent under reference AL/58/15/OUT.
- Condition 3 (Construction Management Plan) remains unresolved and when submitted we would welcome consultation.

Comments received 26th October 2018

- Assessment undertaken and it can be confirmed that in light of the amended wording of condition 12 previously approved, the quantum of development is acceptable.

ENVIRONMENT AGENCY

Comments received 6th June 2018

- We are satisfied that the conditions set by the Environment Agency have been met.
- We note that infiltration SuDS have been deemed unfeasible due to the low permeability of the ground conditions, therefore we have no objections to this development.

SOUTHERN WATER

Comments received 13th June 2018

- Relevant infrastructure will need to be provided to service the development.

GREENSPACE

Comments received 17th July 2018

- The reserved matter concerning landscaping was for the submission of a full landscape scheme to be submitted for approval, detailing species choice, position, densities and size at time of planting. These details are required to ensure that appropriate screening is provided, maintaining and uncompromising

the setting and ensuring that the proposals fit within the area of neighbouring development.

- The Oak trees along the north/eastern boundary edge identified for retention, must be protected during the works as they have been identified to provide good visual amenity in addition to their biodiversity importance.

Comments received 7th November 2018

- Full detailed landscape details have been submitted, now detailing species choice, position, densities and size at time of planting. These details now provide the information that was outstanding and have provided a scheme with appropriate screening, native and ornamental planting, fitting to location, aiding biodiversity and ensuring that proposals fit within the area of neighbouring development.

- I now have no landscape objection to the details submitted to discharge the landscape condition (31) imposed.

COMMENTS ON CONSULTATION RESPONSES:

In response to the comments from Highways England it should be noted that the quantum of development under Condition 12 of planning approval AL/58/15/OUT was amended by application AL/57/16/PL and as such the quantum of development proposed is in accordance with Condition 12 (as amended). This has been discussed with Highways England and given that the B2 uses generate a higher number of vehicular movements as opposed to B8 it is considered that the proposed development would not adversely impact upon existing traffic flows and congestion levels.

POLICY CONTEXT

Designation applicable to site:

- Flood Zones 2 and 3
- Policy EMP DM2 'Enterprise Bognor Regis'

DEVELOPMENT PLAN POLICES

DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
EMPDM1	EMP DM1 Employment Land: Development Management
EMPDM2	EMP DM2 Enterprise Bognor Regis
EMPSP1	EMP SP1 Strategic Economic Growth
QEDM1	QE DM1 Noise Pollution
QEDM2	QE DM2 Light pollution
QEDM3	QE DM3 Air Pollution
QESP1	QE SP1 Quality of the Environment
TSP1	T SP1 Transport and Development
WDM1	W DM1 Water supply and quality
WDM2	W DM2 Flood Risk
WDM3	W DM3 Sustainable Urban Drainage Systems
WMDM1	WM DM1 Waste Management
WSP1	W SP1 Water

[Aldingbourne Neighbourhood Plan 2016 POLICY EE1](#)

Supporting existing employment and retail

Aldingbourne Neighbourhood Plan 2016 POLICY

Support for new commercial uses

EE3

Aldingbourne Neighbourhood Plan 2016 POLICY Sustainable Commercial and employment buildings
EE9

Aldingbourne Neighbourhood Plan 2016 POLICY Protection of trees and hedgerows
EH6

PLANNING POLICY GUIDANCE:

NPPF National Planning Policy Framework
NPPG National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011-2031, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan.

Made Plans in Arun District Council's Local Planning Authority Area are: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton.

The Aldingbourne Neighbourhood Plan has been made and policies EH6, EE1, EE3 and EE9 are considered relevant to the determination of this application.

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 concerning access, appearance, layout, scale and landscaping as set out in the conclusion to this report.

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

PRINCIPLE

The principle of development has been established by outline approval AL/58/15/OUT and the

subsequent variation of conditions application approved under reference AL/57/16/PL. The quantum of development proposed by this application accords with that approved as part of the variation of condition under reference AL/57/16/PL.

DESIGN, LAYOUT AND SCALE

Condition 19 of planning application AL/58/15/OUT required the submission of a parameter plan and design code prior to the submission of any reserved matters application. This condition was discharged under reference AL/27/18/DOC on the 20th April 2018.

The proposed development incorporates 4 no. Industrial units providing a total of 7,032sqm of B2 floor space and 10,610sqm of B8 floor space, with all units incorporating a total of 5% office use at upper levels. Therefore, the development will secure a total employment provision of approximately 18,524sqm.

The approved documents establishes the key principles of the development including the maximum ridge heights of the units. The design of the development proposed by this reserved matters application accords with the principles established under the design code.

Units 1, 2 and 4 will feature a maximum ridge height of 10m with unit 3 measuring a maximum of 13.5m in height. The proposed external facades of the units will reflect that approved to the south of the application site for the industrial units currently occupied by Rolls-Royce. This is through the incorporation of horizontal banding at high level with framing elements that, where possible, lead around corners and address the public realm in a positive way. The proposed materials will be dark grey, with lighter coloured panelled cladding to create interest. It is considered that the proposal results in architectural detailing is kept consistent throughout the development, therefore the existing character of Oldlands Farm has been reflected and will be retained by the proposal.

Units 1 and 2 are situated in close proximity to the eastern boundary of the site with car parking provision situated to the north of Unit 1 and south-west of Unit 2. Unit 3 which is the largest of the units proposed measuring 10,610sqm in area will be situated to the north of the existing industrial buildings on site approximately 16m from the western boundary of the site with car parking provision to the north of the unit. Unit 4 is the northernmost unit on site measuring 1,042sqm in area with car parking situated to the south.

The units will be accessed via an extension of the existing road present on site which will run centrally through the development with landscaping and tree planting on either side of the road. Further planting is shown around the units.

The proposed layout, scale and appearance of the development is considered acceptable and deemed to accord with policies D DM1(1), (2), (3), (10), (11) and (14) of the Arun Local Plan.

IMPACT

The proposed development is considered to have a minimal impact upon users and occupiers of nearby property and land. The proposals will not result in any significant loss of sunlight, privacy or outlook. It is acknowledged that the proposed use will result in some noise and potential disturbance. However, it is considered that by virtue of the sites location it will not result in any unacceptably adverse impacts. Therefore, the proposed development is deemed to accord with policy D DM1(3) of the Arun Local Plan.

ACCESS AND PARKING

The proposed development will be accessed via the existing access onto the A259 which was approved under reference BE/73/14/PL. The proposed development has been the subject of consultation with WSCC and Highways England with no objections having been raised in relation to the proposed development and its impact upon the operation of the highways network. The proposed access

arrangements, parking provision and internal HGV movements have been considered and are deemed to accord with relevant development plan policies. Therefore the proposals are deemed to be in accordance with policy T SP1 of the Arun Local Plan.

LANDSCAPING

The submitted information has provided detail of the species choices, position, densities and size at time of planting and has been subject of consultation with the Council's Greenspace Team. In their consultation response dated the 7th November 2018 it was confirmed that no objection was raised in relation to the detail provided and that this would accord with Condition 31 imposed under reference AL/58/15/OUT.

The proposed landscaping scheme will secure appropriate planting throughout the site which will assist in mitigating some of the impact of the development. Therefore, it is considered that the proposed landscaping scheme will accord with policy D DM1 (1), (2), (7) and (9) of the Arun Local Plan.

DRAINAGE

Outline planning permission AL/58/15/OUT required the drainage conditions relating to surface water drainage and its proposed maintenance regime to be approved at reserved matters stage. The drainage strategy for the site has been the subject of detailed and prolonged discussions between the applicant and the Council's Drainage Engineers. It was confirmed in the consultation response from the Council's Drainage Engineer (dated the 26th October 2018) that based upon the submitted documentation there was no objection subject to development occurring in accordance with the approved details.

Therefore, the proposed drainage strategy for the site is deemed to accord with policies W SP1, W DM1, W DM2 and W DM3 of the Arun Local Plan.

SUMMARY

The proposed development has been considered against the development plan and found to accord with relevant policies.

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 8 (right to respect 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 the following impacts have 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).

The proposal would have a neutral impact on the protected characteristics.

RECOMMENDATION

APPROVE CONDITIONALLY

1 The development hereby approved shall be carried out in accordance with the following approved plans;

- Site Location Plan - dwg. 1643.L003.0` Rev A
- Red Line Boundary - dwg. DLA.1643.L003.01
- Block Site Plan - dwg. 7999/SK100D
- Oldlands Farm Phasing Plan - dwg. DLA-1589-XX-XX-DR-L-07
- Development Heights Parameter Plan - dwg. DLA-XX-XX-DR-L08
- Illustrative Masterplan - dwg. DLA-1859-XXXX-DR-L-01 Rev P02
- Proposed Site Levels Contours Plan - dwg. RAM-0600-02-DR-CR-00001 Rev P01

- Floor Plans Unit 1 - dwg. 7999 SK103
- Office Accommodation Unit 1 - dwg. 7999 SK104
- Elevations Unit 1 - dwg. 7999 SK105
- Floor Plans Unit 2 - dwg. 7999 SK106
- Office Accommodation Unit 2 - dwg. 7999 SK107
- Elevations Unit 2 - dwg. 7999 SK108
- Floor Plans Unit 3 - dwg. 7999 SK109
- Office Accommodation Unit 3 - dwg. 7999 SK110
- Elevations Unit 3 - dwg. 7999 SK111
- Floor Plans Unit 4 - 7999 SK103
- Elevations Unit 4 - 7999 SK113

- Access Arrangement Plan and Sight Lines - RAM-0500-DR-CR-00001 P01
- Access Road Long Sections - RAM-0101-DR-CR-00001 Rev P01
- Swept Path Analysis Plan Sheet 1 of 5 - RAM-0119-02-DR-CR-00001 Rev P01
- Swept Path Analysis Plan Sheet 2 of 5 - RAM-0119-02-DR-CR-00002 Rev P01
- Swept Path Analysis Plan Sheet 3 of 5 - RAM-0119-02-DR-CR-00003 Rev P01
- Swept Path Analysis Plan Sheet 4 of 5 - RAM-0119-02-DR-CR-00004 Rev P01
- Swept Path Analysis Plan Sheet 5 of 5 - RAM-0119-02-DR-CR-00005 Rev P01

- Drainage Strategy - RAM-0500-02-DR-00001 Rev P07
- Flood Exceedance Route Plan - RAM-0500-02-DR-CR-0002 Rev P02
- Drainage Manhole Schedule - RAM-0200-02-SC-CR-00001 Rev P05
- Attenuation Tanks Typical Construction Detail - RAM-0500-02-SD-CR-0001 Rev P01
- Drainage Typical Construction Details - RAM-0500-02-SD-CR-00002 Rev P01
- Drainage Typical Construction Details - RAM-0500-02-SD-CR-00003 Rev P03
- Drainage Overflow Areas - RAM-0500-02-SD-CR-00004 Rev P02
- Concept Design Phase 2A Existing Ditch Retaining Solution No Gabion Option - RAM-DR-CB-00003 Rev P02
- Sections Through Oldlands Ditch Plan dwg. DLA-1859-XXXXDR-L06 P01

- Planting Plan (Sheet 1 of 4) - 02 Rev P02
- Planting Plan (Sheet 2 of 4) - 03 Rev P02

- Planting Plan (Sheet 3 of 4) - 04 Rev P02
- Planting Plan (Sheet 4 of 4) - 05 Rev P02
- Trees Affected / Tree Protection - 09 Rev P01

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 of the Arun Local Plan.

- 2 No development above damp proof course (DPC) level shall take place unless and until a schedule of materials and finishes to be used for external walls and roofs of the proposed buildings have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the building/extension.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity and character and appearance of the development in accordance with policy D DM1 of the Arun Local Plan.

- 3 INFORMATIVE: The applicant should note that under Part 1 of the Wildlife and Countryside Act 1981, with only a few exceptions, it is an offence for any person to intentionally take, damage or destroy the nest of any wild birds while the nest is in use or being built. Birds nest between March and September and therefore removal of dense bushes, ivy or trees or parts of trees etc. during this period could lead to an offence under the act.
- 4 INFORMATIVE: This notice does not give authority to destroy or damage a bat roost or disturb a bat. Bat species are protected under Section 39 of the 1994 Conservation (Natural Habitats etc) Regulations (as amended), the 1981 Wildlife and Countryside Act (as amended) and the 2000 Countryside and Rights of Way Act. It is illegal to damage or destroy any bat roost, whether occupied or not, or disturb or harm a bat. If you are aware that bats roost in a tree(s) for which work is planned, you should take further advice from Natural England (via the Bat Conservation Trust on 0845 1300228) or an ecological consultant before you start. If bats are discovered during the work, you must stop immediately and contact Natural England before continuing.
- 5 INFORMATIVE: Conditions 18, 21, 22, 31 and 35 of planning approval AL/58/15/OUT are deemed to have been complied with through the details submitted in support of this application.
- 6 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure)(England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.