

Recommendation Report for Planning Permission

REF NO: AL/45/18/PL

LOCATION: Global Technologies Racing Ltd
Denmans Lane
Fontwell
BN18 0SU

PROPOSAL: Side extension to enclose existing plant/machiney.

SITE AND SURROUNDINGS	
DESCRIPTION OF APPLICATION	As above. The extension is to the east side of the buildings and to the north of the extension approved by AL/58/16/PL. The extension roughly covers a footprint of 29m by 20m. It will have a total height of 8m with different eaves heights (4 and 5.5m). It is proposed to match with the materials of the adjoining buildings.
SITE AREA	414 square metres.
TOPOGRAPHY	Predominantly flat.
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	The site has a mix of boundary treatments, including some fencing. It is however well screened by heading of at least 3m to 4m in height and up to considerably greater heights on boundaries with adjoining land.
SITE CHARACTERISTICS	The site is occupied by an employment development which has grown over time to its present size. The buildings are largely of the portal frame type and appear akin to agricultural buildings, except at the front of the site where the buildings are older and more traditional. The site is well screened from surrounding development. Access is from Denmans Lane to the west.
CHARACTER OF LOCALITY	The character of the area is largely rural. The site lies in a pocket of development which includes residential and a nursery.
RELEVANT SITE HISTORY	

AL/58/16/PL	1 No. light industrial unit. Departure from the Development Plan.	ApproveConditionally 18-11-16
-------------	---	----------------------------------

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

None.

COMMENTS ON REPRESENTATIONS RECEIVED:

N/A.

CONSULTATIONS

Environment Agency
 Engineering Services Manager
 Engineers (Drainage)
 Environmental Health
 Archaeology Advisor
 Southern Water Planning
 Economic Regeneration
 WSCC Strategic Planning

CONSULTATION RESPONSES RECEIVED:

ENVIRONMENT AGENCY - No objection subject to a contamination condition. State that the site is located close to the boundary of the Lambeth Group and the Chalk and that these are overlain by Storm Beach and Head deposits. The site also lies within a Source Protection Zone (1) for the Eastergate abstraction, which lies approximately 630m south of the site. Therefore, state that this site is very sensitive with regards to any development and groundwater must be protected against pollution. However, following a site visit they are satisfied with that only clean roof water runoff will be draining to ground and that whilst the application makes reference to a cess pit, it is understood that foul water is held in a tank and removed from site. Therefore, have no concerns regarding drainage from this application and offer general advice regarding drainage.

SOUTHERN WATER - No objection. Request an informative regarding sewer connections and a condition to protect any unrecorded public sewers.

WSCC HIGHWAYS - No objection. Comment that the proposals are for the replacement of existing units comprising acoustic plant and machinery and an equipment maintenance workshop with a new building incorporating the existing uses on a similar footprint. State that as the proposals are for the replacement of existing uses on the site, the proposals are not considered to increase trip generation above existing permitted levels. Furthermore, the proposals do not alter the existing access arrangements from Denmans Lane or the existing car parking levels. Therefore, the proposals are not considered to have a negative impact upon the highway network.

ADC DRAINAGE ENGINEERS - Request that a drainage condition be imposed.

ADC ENVIRONMENTAL HEALTH - Do not wish to make any comments.

ADC ECONOMIC DEVELOPMENT - Support with the following comment:

"GTR are a company that has long been established in the district and Economic Development have

been working with GTR to try to accommodate their growth requirements for some time. GTR are a very important component of the Arun economy, not just for the number of people they employ but also for the high technical quality of their products which requires skilled labour. For all of these reasons Economic Development remain very supportive of GTR expanding their facilities as soon as possible and would support this application."

COUNCIL's ARCHAEOLOGY ADVISER - State that it is unlikely that works associated with the proposal would impinge on archaeological deposits to the extent that refusal or the requirement of other mitigation measures would be justified.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designations applicable to site:

Outside the Built Up Area Boundary;
Archaeological Notification Area (Site of two Roman Burials);
Special Control of Adverts;
Mineral Consultation Area (Sharp Sand & Gravel);
Source Protection Zone 1 and
No Public Sewer.

DEVELOPMENT PLAN POLICES

CSP1	C SP1 Countryside
DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
ECCSP2	ECC SP2 Energy and climate change mitigation
EMPDM1	EMP DM1 Employment Land: Development Management
LANDM1	LAN DM1 Protection of landscape character
QEDM1	QE DM1 Noise Pollution
QEDM2	QE DM2 Light pollution
QEDM3	QE DM3 Air Pollution
QEDM4	QE DM4 Contaminated Land
QESP1	QE SP1 Quality of the Environment
SDSP1	SD SP1 Sustainable Development
TSP1	T SP1 Transport and Development
WDM1	W DM1 Water supply and quality
WDM3	W DM3 Sustainable Urban Drainage Systems
WSP1	W SP1 Water

[Aldingbourne Neighbourhood Plan 2016 POLICY EE1](#) Supporting existing employment and retail

Aldingbourne Neighbourhood Plan 2016 POLICY EE2 Retention of employment land

Aldingbourne Neighbourhood Plan 2016 POLICY Resist development outside

EH1

Aldingbourne Neighbourhood Plan 2016 POLICY Unlit village status
EH10

Aldingbourne Neighbourhood Plan 2016 POLICY Parking and new development
GA3

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011-31, West Sussex County Council's Waste and Minerals Plan (July 2018) 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.

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 relevant Neighbourhood Development Plan policies are considered within this report.

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 the provisions of the development plan and the development would not cause harm to the character or appearance of the neighbour.

OTHER MATERIAL CONSIDERATIONS

It is considered that regard should be had to the fact that this is an existing developed site and that the proposed building is to be located on an area that already has buildings and equipment on it. This will be discussed in detail in the report's conclusions.

CONCLUSIONS

PRINCIPLE:

The site is located outside of the built-up area boundary as set out within both the Aldingbourne

Neighbourhood Development Plan (ANDP) and the Arun Local Plan (ALP). ANDP policy EH1 "Built Up Area Boundary" is relevant and states that proposals for development outside of the built-up area boundary, that do not accord with development plan policies in respect of the countryside, will be resisted unless it is for essential utility infrastructure, where the benefits outweigh any harm, and it can be demonstrated that no reasonable alternative sites are available.

Policy C SP1 of the ALP states that development will be permitted in the countryside where it is in accordance with other policies in the Plan which refer to a specific use or type of development.

Part 6 of policy EMP DM1 offers support to economic growth outside the built up area boundary and therefore allows an exception to be made in respect of development in the countryside. It states that:

"Planning permission will be granted on sites outside the built-up area, provided that the proposal demonstrates:

- a. That it is an appropriate sized extension of an existing employment site, or no acceptable alternative can be identified within existing permitted or allocated sites, or within or through redevelopment of existing commercial premises;
- b. That it would not intensify uses at the site to the detriment of existing public access routes and highways;
- c. A high standard of design, layout and landscaping appropriate to the context;
- d. That it is capable of being well served by public transport or otherwise is readily accessible by means other than by private car to a significant residential workforce if employment intensive uses are proposed;
- e. Access arrangements and parking facilities will be provided in accordance with the Council's adopted standards;
- f. A sympathetic relationship to the surrounding areas that shows consideration of the landscape, habitat, built and historic environment contexts, the opportunities to deliver on-site habitats and protect key species.
- g. A satisfactory relationship with neighbouring uses in order that the amenities of nearby residents, in particular, are protected; and
- h. Where appropriate, crime prevention measures are incorporated."

Other sections of policy EMP DM1 also seek to protect and enhance existing employment sites.

Regard is also had to policy EE1 of the ANDP which states support for development proposals that seek to upgrade or extend existing employment sites but only where the impact of the development on the amenities of surrounding properties is acceptable. Furthermore, policy EE2 seeks to protect existing employment sites.

The following analysis of policy EMP DM1 (6) is given:

- a. It is considered that the extension is appropriate in size and it is particularly noted that the extensions covers land on which there are building buildings and plant/equipment.
- b. The site is not crossed by any footpaths and West Sussex Highways have not raised any objections to the highway implications of the proposal.
- c. Design will be considered separately in these conclusions. However, it is considered that the extension will visually improve the existing site by accommodating several existing small buildings and external facilities within a building that matches with the design and colour of existing buildings.
- d. The site is not located in the most sustainable location. It is well placed with regard to the local road network (with easy access onto the A27) but there are no bus stops on Denmans Lane and no footpath between the site and the bus stops on the A27 (and so safe crossing points to the eastbound bus stop). Furthermore, the site is in walking distance of only a handful of residential properties. However, it would

be possible to cycle to the site from the residential areas of Eastergate, Westergate, Fontwell and Aldingbourne.

e. West Sussex Highways have not raised any objections to the highway implications of the proposal.

f. The proposal has no impact on landscape or the natural environment.

g. Residential amenity will be considered separately in these conclusions.

h. Crime prevention measures are not shown but this is an existing site and is subject to existing security measures and there is no reason to believe these are not sufficient.

It is therefore considered that the proposal is in accordance with ALP policies C SP1 & EMP DM1 and with ANDP policies EH1 and EE1.

PROTECTION OF MINERAL RESOURCES:

The West Sussex Joint Minerals Local Plan was adopted on 20 July 2018. It sets out mineral protection zones and the site falls within a protected area for sharp sand and gravel. Accordingly, it is necessary to consider the proposal against policy M9 "Safeguarding Minerals". This states that:

"Proposals for non-mineral development within the Minerals Safeguarded Areas (as shown on maps in Appendix E) will not be permitted unless:

- (i) Mineral sterilisation will not occur; or
- (ii) it is appropriate and practicable to extract the mineral prior to the development taking place, having regards to the other policies in this Plan; or
- (iii) the overriding need for the development outweighs the safeguarding of the mineral and it has been demonstrated that prior extraction is not practicable or environmentally feasible."

The application submission contains no justification in respect of the above policy. However, it should be noted that the extension is to an existing complex of buildings and that the site of the extension is already partially occupied by smaller buildings. Furthermore, GTR is an important local employer in a potential growth field and has the potential to provide increased skilled employment opportunities for the Arun population at a range of ages. The Councils Economic Development Officers strongly support the expansion of the existing site and therefore there is a need for the development which could be considered to outweigh the loss of a small area of potential mineral extraction.

It is therefore considered that the proposal does not conflict with policy M9.

DESIGN & VISUAL AMENITY:

Policy D DM1 of the Arun Local Plan 2011-2031 requires that the Council have regard to certain aspects including:

(1) Character - "Make the best possible use of the available land by reflecting or improving upon the character of the site and the surrounding area, in terms of its scale, massing, aspect, siting, layout, density, building materials (colour, texture), landscaping, and design features.";

(2) Appearance/attractiveness - "Demonstrate a high standard of architectural principles, use of building materials, craftsmanship and hard and soft landscaping to reflect the local area";

(14) Scale - "The scale of development should keep within the general confines of the overall character of a locality unless it can be demonstrated that the contrary would bring a substantial visual improvement."

Furthermore, policy D DM4 refers to extensions to existing buildings. It states that:

"When considering applications for extensions and alterations to existing buildings, the Council will require that:-

- a. the extension or alteration sympathetically relates to and is visually integrated with, the existing building in siting, massing, design, form, scale and materials;
- b. the extension or alteration is visually subservient to the main building and provide a high standard of amenity;
- d. in streets characterised by relatively small gaps at first floor level between buildings, any extension or alteration at first floor level does not come to within a minimum of one metre of the side boundary and;
- e. the extension or alteration does not compromise the established spatial character and pattern of the place but is instead a positive addition."

Criteria (c), part 6 of policy EMP DM1 states that proposals must demonstrate a high standard of design & layout appropriate to the context.

There are no ADNP policies relating to building design.

The proposed extension is not considered to be of any significant merit but is to be clad to match the existing buildings and has an agricultural appearance in keeping with the rural setting. In addition, the site and also the land to the south is well screened by landscaping to the east, south and west. The existing development is not considered to be widely visible and this will be the same for the proposed extension which will also be screened by existing buildings to the immediate west and south. The proposal is therefore considered to be consistent with policies that seek to prevent harm to visual amenity and the character of the countryside (Arun Local Plan policies D DM1 & D DM4).

RESIDENTIAL AMENITY:

Part c of ALP policy D DM4 states that the extension or alteration must not have an adverse overshadowing, overlooking or overbearing effect on neighbouring properties. In addition, part 3 of policy D DM1 states that: "Have minimal impact to users and occupiers of nearby property and land. For example, by avoiding significant loss of sunlight, privacy and outlook and unacceptable noise and disturbance."

In addition, criteria (g), part 6 of policy EMP DM1 states that proposals must demonstrate a satisfactory relationship with neighbouring uses in order that the amenities of nearby residents are protected. Regard should also be had to policy EE1 of the ANDP which states that the impact of the development on the amenities of surrounding properties must be acceptable.

There are existing dwellings to the west of the site. However, the closest dwelling to the site of the extension is 125m (Clock House). It is not therefore considered that the extension will have any impact on residential amenity. It is also noted that Environmental Health officers raise no objections in respect of noise or air pollution issues.

It is therefore considered that the proposal is in accordance with ALP policies D DM1, D DM4 & EMP DM1 and with policy EE1 of the ANDP.

HIGHWAYS & PARKING:

Arun Local Plan policy T SP1 seeks to ensure that development: provides safe access on to the highway network; contributes to highway improvements & promotes sustainable transport, including the use of low

emission fuels, public transport improvements and the cycle, pedestrian and bridleway network. In respect of parking, it states that:

"The Council will support transport and development which: incorporates appropriate levels of parking in line with West Sussex County Council guidance on parking provision and the forthcoming Arun Design Guide taking into consideration the impact of development upon on-street parking"

ANDP Policy GA3 is also relevant and requires that parking be provided in accordance with the standards adopted at the time.

In respect of highway safety, it states that:

"The Council will support transport and development which: Explains how the development has been designed to: (i) accommodate the efficient delivery of goods and supplies; (ii) give priority to pedestrian and cycle movements and have access to high quality public transport facilities; (iii) create safe and secure layouts for traffic, cyclists and pedestrians whilst avoiding street clutter."

Regard should also be had to paragraph 109 of the NPPF which states that: "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."

County Highways have assessed this scheme but given that the extension will replace existing buildings and external uses, do not consider that there are any grounds to require improvements to the access or additional car parking.

The proposal is therefore considered to comply with ALP policy T SP1 and with ANDP policy GA3.

DRAINAGE & WATER POLLUTION:

Arun Local Plan policy W DM1 states that: "To ensure good water quality in the District, all major developments must: a. Illustrate, where necessary, how they have contributed to the protection and enhancement of waterbodies identified by the South East River Basin Management Plan objectives;"

The applicant has confirmed that 'liquid' discharge from the site is limited to foul drainage to an existing large cess pit with alarm and surface water runoff to a soakaway. They also have a dust extractor with particulate separator. Any component de-greasing is carried out in a closed circuit cabinet and is then recycled by a specialist supplier.

The application has been assessed by Southern Water, the Environment Agency and by the Council's own Drainage Engineers, none of whom raise any objection.

On the previous application (AL/58/16/PL), Portsmouth Water were consulted but their only comment was regarding runoff from the proposed car park and they did not specify any additional mitigation measures in respect of the then proposed extension. Therefore, it is not considered that any additional mitigation measures are required in order to prevent pollution of the fresh water supply.

On this basis, it is considered that the proposal complies with the relevant ALP policy.

SUMMARY:

Although this site lies in open countryside, it is considered that the proposed extension is small scale and is necessary in the interests of the continued viability of the business. The impacts of the proposal are

not considered to be significant. It is therefore recommended that the application be approved subject to the following conditions.

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 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 shall be carried out in accordance with the following approved plans and documents:

Drawing RA/021/125 "Site Location Plan";
 Drawing RA/021/125 "Block Plan";
 Drawing RA/152/100 Rev 1 "Proposed Extension to Existing Industrial Unit" (Sheet 1 - Plans); Drawing RA/152/100 Rev 1 "Proposed Extension to Existing Industrial Unit" (Sheet 2 - Elevations); and
 Letter from Rural Associates dated 09/07/18.

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.

- 3 Development shall not commence, other than works of site survey and investigation, until full details of the proposed surface water drainage scheme have been submitted to and approved

in writing by the Local Planning Authority. The design should follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations, and the recommendations of the SuDs Manual produced by CIRIA. Winter groundwater monitoring to establish highest annual ground water levels and Percolation testing to BRE 365, or similar approved, will be required to support the design of any Infiltration drainage. No building / No part of the extended building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order in perpetuity.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policy W DM3 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition because it would not be possible to implement a surface drainage scheme once development had commenced.

- 4 The materials and finishes of the external walls and roof of the building hereby permitted shall match in colour and texture with those of the existing buildings.

Reason: In the interests of amenity in accordance with policies D DM1 and D DM4 of the Arun Local Plan.

- 5 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

Reason: To ensure that any contamination identified during the construction works is fully characterised & assessed in accordance with Arun Local Plan policy QE DM4 and with the National Planning Policy Framework paragraphs 178-179.

- 6 Should any sewers be found during construction works then all development activities shall cease and not recommence until full details of the proposed measures to be undertaken to protect the public sewer have been submitted and approved in writing by the local planning authority (in conjunction with Southern Water) and then implemented in accordance with the agreed details.

Reason: To ensure that the proposed development does not result in any damage to the existing foul sewer in accordance with policies W DM1 and W DM3 of the Arun Local Plan.

- 7 No external lighting shall be installed on the site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage have been submitted to and approved in writing by the Local Planning Authority. The lighting approved shall be installed and shall be maintained in accordance with the approved details.

Reason: In the interests of maintaining dark skies in the area in accordance with policy QE DM2 of the Arun Local Plan and EH10 of the Aldingbourne Neighbourhood Development Plan.

- 8 Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which will only be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters.

Reason: In accordance with policy W DM1 of the Arun Local Plan in that the site lies within

groundwater Source Protection Zone 1 and above the Chalk Formation which is designated as a principal aquifer. Intrusive foundation methods could adversely affect ground water supplies.

- 9 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 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.
- 10 INFORMATIVE: A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk. Please read our New Connections Services Charging Arrangements documents which has now been published and is available to read on our website via the following link <https://beta.southernwater.co.uk/infrastructurecharges>.
- 11 INFORMATIVE: The proposed development site appears to have been the subject of past industrial activity which poses a low risk of pollution to controlled waters. There is no current evidence to suggest that there is any contamination from the current and historical activities on site. However we recommend that developers should:
1. Follow the risk management framework provided in CLR11, Model Procedures for the Management of Land Contamination, when dealing with land affected by contamination.
 2. Refer to the Environment Agency Guiding principles for land contamination for the type of information that is required in order to assess risks to controlled waters from the site. The Local Authority can advise on risk to other receptors, such as human health.
 3. Refer to the contaminated land pages on GOV.UK for more information.
- 12 INFORMATIVE: With regards to clean roof water, we have no objection to this being discharged to ground. However surface water drainage from car parking areas and roads has the potential to contain pollutants and hazardous substances. The Environment Agency would expect a risk assessment to be carried out to determine the level of treatment required prior to the water from these areas being discharged to ground. The Environment Agency would like to direct the developer to the Ciria SuDs manual C753 where industry best practice is provided. It provides further information and guidance on risk assessment and the likely level of treatment needed for such sites. This can be found at <http://www.susdrain.org/>.
- 13 INFORMATIVE: The applicant is advised that over-hanging vegetation at the junction of the private road with Denmans Lane can lead to issues with visibility and that this vegetation should be maintained on a regular basis in the interests of safety.
- 14 INFORMATIVE: It is noted that none of the conditions requiring the approval of details associated with AL/58/16/PL have been discharged and the planning authority would therefore advise the applicant that they are in breach of these conditions.