Recommendation Report for

REF NO: AL/82/18/LDO

LOCATION: Aldingbourne Nurseries
Church Road
Aldingbourne
West Sussex

PROPOSAL: Horticultural Development: Local Development Order 2016 Pre-Development notification for the proposed demolition of existing glasshouses & packing shed & provide new poly tunnels, packing & distribution barns complete with sunken loading dock, concrete yard, new office unit & additional water storage tanks.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application proposes a number of alterations which involve the demolition of existing glasshouses and packing shed and the construction of new poly tunnels, packing and distribution barns complete with sunken loading dock, concrete yard, new office unit and 2 additional water storage tanks.
SITE AREA	2.3ha
TOPOGRAPHY	Predominantly flat
TREES	The is a line of Leylandii trees along the north eastern property boundary. They will undergo some crown reduction works however works will be in line with approved plans.
BOUNDARY TREATMENT	A line of Leylandii trees along the north eastern boundary. The southern and western boundary consists of open space and some commercial units.
SITE CHARACTERISTICS	The site is occupied by a number of glasshouses and a small packing shed.
CHARACTER OF LOCALITY	The area consists of commercial and some residential units within a rural location.

None.

REPRESENTATIONS

No representations received.

COMMENTS ON REPRESENTATIONS RECEIVED:

None

CONSULTATIONS

Arboriculturist

CONSULTATION RESPONSES RECEIVED:

Arboriculturalist - Following the submission of a revised Tree Protection plan, the Tree Officer provided no objection to the application. Full Comments are available online.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted

POLICY CONTEXT

Designation applicable to site:
Outside up area boundary
PD Restriction.

DEVELOPMENT PLAN POLICIES

Arun Local Plan 2011 - 2031:

ENVDM4	ENV DM4 Protection of trees
QEDM2	QE DM2 Light pollution
DSP1	D SP1 Design
WDM3	W DM3 Sustainable Urban Drainage Systems
CSP1	C SP1 Countryside
DDM1	D DM1 Aspects of form and design quality
HORDM1	HOR DM1 Horticulture

Aldingbourne Neighbourhood Plan 2016 POLICY EH6	Protection of trees and hedgerows
Aldingbourne Neighbourhood Plan 2016 POLICY EH10	Unlit village status

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 policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

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.

Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation(Reg.14).

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 application site is situated outside the built up area boundary, as defined in SDSP2 of the Arun Local Plan (2011-2031). The proposal is for works within the plot of an existing commercial unit. However, the proposal is in accordance with CSP1 as it is in accordance with HOR DM1 of the Arun Local Plan. Development can be accordance with CSP1 if it refers to a specific use or type of development that is covered by another policy. In this case the key policy is HOR DM1.

The Arun Horticultural Development Local Development Order permits the development only within the boundaries as identified on the LDO area plans.

The developments permitted by the Order shall comprise works to;
(I) renew, replace or extend existing areas of glasshouses or polytunnels;
(ii) upgrade areas of polytunnels to glasshouses;
(iii) renew, replace, or extend existing packhouse and distribution buildings;
(iv) construct water storage reservoirs and/or;
(v) provide engineered operational surfaces or access routes (including parked areas) and plant/structures external to any proposed glasshouse, polytunnel or packhouse where these are essential to the proper functioning of the proposed glasshouse, polytunnel or packhouse and/or comply with development parameters or condition set out in the Order.

In order to assess the suitability of the development, the proposal must comply with relevant criteria within LDO tables 1-6. Only development proposals that comply with the relevant parameters are permitted under the terms of the LDO.

The proposed works include the demolition of 3 existing polythene covered glasshouses , 1 glass greenhouse and a packing shed. In replacement, a new packing shed and polytunnel (sales display area) will be constructed. The proposed packhouse will be 9.5m in height with eaves of 5.5m and will have a width of 64m and a depth of 30m. The polytunnel will be of a maximum 4.2m in height with a width of 63m and a depth of 36m with a staggered design as it runs along the boundary at the north east. Whilst the development is large, the proposed gross total floor space will be 4125 m2 which is half of that which currently exists.

The buildings will be situated to the southern end of the site and a sunken loading dock for the distribution of goods and an office block will also be constructed to the north of the proposed buildings. The office block will comprise of a two storey building with access to a kitchen, toilets, open plan offices and a large meeting area. The office block will also have a green roof terrace which improves its visual integration to the surrounding environment.
Following the removal of 2 existing glasshouses to the north west of the site, a concrete hard standing will be formed to replace this and the existing road finish. There will be 2 additional water storage tanks situated to the north of the existing pump house which is located to the southern corner of the site. The water storage tanks will be of the same size as the one in existence albeit around 0.5m smaller in height. Site access will remain as existing.

Whilst the works involve a significant change of the site, the proposals comply with the relevant criteria as stated within the Order.

SUMMARY
The proposed development complies with the relevant criteria and is permitted by the LDO subject to the approval of relevant 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 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 completed before the expiration of three years of the submission of a Development Commencement Notice.
Reasons: In the interests of amenity and of the environment of the development and to accord with economic objective of the LDO.

2 The development hereby approved shall be carried out in accordance with the following approved plans
- Proposed Water Storage Tanks - 18-08-GD-217-09
- Proposed Site Layout - 18-07-GD-02A-DA
- Proposed Packhouse, Main floor and Mezzanine Floor - 18-07-GD-217-04A-DA
- Proposed Packhouse Elevations - 18-07-GD-217-05A-DA
- Proposed Polytunnel Plan Layout - 18-07-GD-217-06A-DA
- Proposed Polytunnel Elevations - 18-07-GD-217-07A-DA (v2)
- Proposed Office Block Plans and Elevations - 18-07-GD-217-08A-DA

- Location Plan
- Proposed Site Layout including Tree Protection - 18-10-GD-217-02B
- Arboricultural Statement, from Grove Design UK, dated 5th October 2018

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy DDM1 of the Arun Local Plan.

3 No development shall begin until a lighting scheme has been submitted to and approved in writing by the Local Planning Authority. Thereafter all lighting shall be installed and operated in accordance with approved details before development is brought into use. External lighting in association with this development shall comply with the Institution of Lighting Engineers Guidance Notes for the Reduction of Obtrusive Light (GN01:2011) and to take account of guidance issued by the Bat Conservation Trust.
Reasons: In the interests of amenity landscape and protected species in accordance with policies QE DM2, QE SP1, ENV DM5, and HORDM1 of the Arun Local Plan.

4 No development shall take place until a scheme for surface water drainage for the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall:
(i) Be carried out in accordance with LDO design guide
(ii) Specify the range of measures used to manage surface water run off including Sustainable Urban Drainage (SUDs) systems
(iii) Ensure safe access and egress from and to the site
(iv) Set out pollution prevention measures including measures used to reduce the potential for pollutants reaching ground, surface water bodies or surface water drainage system.
(v) Include how the scheme shall be maintained and managed

Reasons: To prevent flooding by ensuring the satisfactory storage of disposal of surface water from the site in accordance with policies WDM2, WDM3, ECCSP1 and HORDM1 of the Arun Local Plan.

5 No development shall begin until samples of the materials to be used (in accordance with the LDO design guide) have been submitted and approved in writing by the Local Planning Authority.
Reasons: In the interests of protecting the character and appearance of the local landscape and achieving good design in accordance with policies D SP1, DDM1 and LANDM1 of the Arun Local Plan.

6 No development of more than 1000m2 gross floor space or with a plot area of more than 1 hectare shall take place including any works or demolition, until a construction method statement has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall be adhered to throughout the construction period.
The statement shall provide for:
(i) Vehicle parking facilities for construction workers, other site operatives and visitors
(ii) Loading or unloading of plant and materials
(iii) Storage of plant and materials used in constructing the development
(iv) The erection and maintenance of security hoarding.
(v) Wheel washing facilities
(vi) Measures to control the emission of dust and dirt during construction
(vii) A scheme for recycling/disposing of waste resulting from demolition and construction work.
(viii) Noise impact and control (taking account of BS 5228:2009 code of practice for noise and vibration control on construction and open sites.
(ix) Installation and maintenance of security and hoarding /fencing.
(x) Hours of operation: No demolition and construction works shall take place outside the hours of 08.00 to 18.30 hours Monday- Friday and 08.00-13.30 hours on Saturday. There will

be no construction on Sundays or Bank holidays unless agreed in writing with the Local Planning Authority
(xi) A construction traffic management plan

Reasons: In the interests of protecting the amenity of local residents and businesses and in accordance with DDM1 of the Arun Local Plan.

7 All activity shall be carried out in strict accordance with Arboricultural Statement, from Grove Design UK, dated 5th October 2018 and Proposed Site Layout 'B' including Tree Protection Plan, from Grove Design Uk, dwg.no. 18-10-GD-217-02B, October 2018.'
Reasons: To comply with BS5837 and to ensure that retained trees are afforded due respect and appropriate levels of protection such that their ongoing health and vitality is not compromised and they can continue to enhance the landscape and amenity of the area in accordance with DDM1 of the Arun Local Plan.

8 Any glasshouse structures and/or polytunnels and/or packhouses deemed redundant for horticultural/agricultural purposes on the development site are to be removed along with any waste or contaminated materials.
Reasons: In the interests of amenity and of the environment of the development in accordance with HORDM1 of the Arun Local Plan.

9 INFORMATIVE:Construction Traffic Management Plan (CTMP)
Contact: WSCC Tel:01243 642105 Email: Highways@westsussex.gov.uk
Website: www.westsussex.gov.uk/roads-travel/information-for-developers/. The plan shall provide details as appropriate but not necessarily be restricted to the following matters.:
I) The anticipated number, frequency and types of vehicles used during enabling works,
ii) The method of access and routing of vehicles during enabling works, signed appropriately to the necessary standards/requirements.
(iii) the parking of vehicles by site operatives and visitors.
(iv) the loading and unloading of plant, material and waste.
(v) the storage of plant and materials used during the enabling works.
(vi) the provision of wheel washing facilities and other works required to mitigate the impact of the enabling works upon the public highway (including the provision of temporary Traffic Regulation Orders), details of and approval of any road closures needed during construction.
(vii) Details of appropriate signing, to accord with the necessary standards/requirements, for pedestrians during construction works, including any footpath diversions.
(viii) Traffic management needed during construction
(ix) measures to control the emission of dust and dirt,
(x) details of lighting and security,
(xi) hoarding/scaffolding if required.
(xii) to inspect and maintain all signing, barriers
(xiii) Contact details of the Project Manager and Site Supervisor responsible for on-site works to be provided.
(xvi) Layout of site structures, roads, site storage, compounds, pedestrian routes etc.
(xvii) Local residents and businesses being kept informed of significant deliveries and liaised with through the project. A contact address is to be provided to which all issue should be directed in the first instance. A record will be kept of these issues and their subsequent resolution.
(xix) Any temporary access arrangements to be agreed with and approved by WSCC
(xx) Details of times for construction traffic and delivery vehicles, which must be outside network peak and school peak hours.
Note- This list is NOT exhaustive but is intended to provide the kind of contents expected of a CTMP.

10 INFORMATIVE: West Sussex Car Parking Standards: Information on the Parking Standards

to meet the discharge of condition 5 set out in' Revised County Parking Standards and Transport Contributions Methodology, Supplementary Planning Guidance ' adopted by West Sussex County Council November 2003.
http://www.westsussex.gov.uk/cs/mis/041103ht2b.pdf

11 INFORMATIVE: European Protected Species Licences:
Attention is drawn to the need to have regard to the requirements of the UK and European legislation related to the protection of certain wild plants and animals. Approval under that legislation will be required and a licence may be necessary if protected species are affected by development. If protected species are discovered, to proceed with the development without seeking advice from Natural England could result in prosecution. For more information: http://www.gov.k/government/organisations/natural-england.

12 INFORMATIVE: Public Rights of Way: No phase of the development shall temporarily or permanently obstruct or alter any part of a public right of way (PRoW). The process for diverting a PRoW whether on a temporary or permanent bases follows a separate application process and advice from West Sussex County Council should be sought beforehand. For more information: http://www.westsussex.gov.uk/land-waste-and-housing/public-paths-and-thecountryside/public-rights-of-way/

13 INFORMATIVE: Trade Effluent: The Water Industry Act 1991 states that any liquid produced wholly or part from any trade or business activity carried out on trade or business premises qualifies as trade effluent and therefore requires consent from Southern Water. Trade effluent should be made to the surface water sewer, this includes vehicle washes. It is the responsibility of landowners and businesses to ensure drains on their site are identified correctly and any trade effluent discharge is not directed to the foul sewer. Any surface water drains on a site receiving contaminated surface water should be directed to a foul sewer and trade effluent consent applied for and obtained.

14 INFORMATIVE: Breeding and Nesting Birds: Legal Protction:Section1(1) of the Wildlife and Countryside Act 1981 (as amended) , makes it an offence to kill, injure or take any wild bird and to intentionally take, damage or destroy the nest of any wild bird while the nest is in use or being built. It is also an offence to take or destroy any wild bird eggs. Bird Species listed under Schedule 1 of the Act receive extra protection. the Act states that it is an offence to intentionally or recklessly disturb any wild bird listed in Schedule 1 while it is nest building, or at or near a nest containing eggs or young or disturb the dependent young of such a bird. Potential nesting sites: It should be assumed that birds will be nesting in trees, scrub reeds or substantial ditch-side vegetation during the core breeding season, unless a survey had shown this not to be the case. In addition, some species are ground nesting. Particular attention should be paid to any building demolition works as this is where some birds preferentially choose to nest.

Site clearance works/demolition/construction: To avoid impact to nesting birds and ensure development is undertaken in accordance with provisions set out in the Wildlife and Countryside Act 1981 (as amended) any vegetation or site clearance works undertaken during the bird nesting season (1st March- 1st September) should only be undertaken once a breeding survey carried out during the nesting season by a suitably qualified person such as a professional ecologist has confirmed the absence of nesting birds and any Schedule 1 bird as set out by the Wildlife and Countryside Act 1981 (as amended). For more information:
http://www.gov.uk/government/organisations/natural-england, and EBR LDO Habitat and Ecological Reports. Summary of evidence, mitigation and conditions required.

15 INFORMATIVE: Oil/Chemical Storage Tanks: Any above ground oil or chemical storage tanks should be sited on an impervious base and surrounded by a liquid tight bund wall. The bunded area should be capable to containing 110% of the volume of the tank (s), and all fill pipes and

sight gauges should be enclosed within its curtilage. No drainage outlet should be provided, and he vent pipes should be directed downward into the bund.