

Recommendation Report for Planning Permission

REF NO:	A/121/20/PL
LOCATION:	The Vinery Arundel Road Poling BN18 9PY
PROPOSAL:	Variation of condition 2-plans condition following A/177/19/PL for revised 'Proposed Site Layout Plan-Block Plan, Proposed Ground Floor Plan, Proposed First Floor Plan, Proposed Elevation Sheet 1, Proposed Elevation Sheet 2, Drainage Layout, Birds Eye View, Perspective View Looking North East and Perspective View Looking West.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The development approved under A/177/19/PL has not been implemented. This application seeks the following amendments: 1. Re-positioning building 1m to the east to provide a little more space for the existing trees on the boundary. 2. Reduction in length of the building by 3m to ensure that the existing temporary tunnel buildings on the site can be retained while construction works on the new building take place. 3. Increase in width of building by 3m. The overall floorspace has therefore increased from 1663 m2 to 1674 m2. 4. Rearrangement of car parking at the eastern side of the building, providing additional amenity space to the south of the building. 5. Simplification of the south and east elevations.
SITE AREA	0.4 hectares.
TOPOGRAPHY	The land within the site is generally flat and level and lies approximately 1.3m lower than the existing industrial site. Surrounding topography is generally flat which affords views to properties to Poling Street to the west, Decoy Wood to the east and south towards Manor Farm and the Black Ditch.
TREES	There are a number of existing trees on the site. An established tree belt of leylandii tree to the west provide effective screening of the site.
BOUNDARY TREATMENT	Northern boundary of the site comprises The Vinery Commercial Industrial Estate. Eastern boundary of the site comprises a low lying hedge and existing industrial buildings which form part of the wider Vinery Industrial Estate. The southern boundary comprises open fields.
SITE CHARACTERISTICS	The application site comprises 2 no. former tunnels on part of The Vinery Industrial Estate. The application site also

CHARACTER OF LOCALITY

comprises part field, immediately to the south of the existing industrial buildings. The wider site is location adjacent to the A27. The site is well landscaped through existing vegetation which namely comprises leylandii planting to along the west.

The site is rural in character with open agricultural land being found to the south, east and west. The application site relates well to the adjacent Vinery commercial estate which has a variety of businesses operating from it.

To the north-east of the site (and to the east of the Vinery) there are a number of terraced dwellings running north-south called "Lillian Terrace" which are delineated from the rural character of the application site by a clear boundary.

RELEVANT SITE HISTORY

A/177/19/PL	New building for storage or distribution, light industrial & office (Class B1/B8) & associated parking. This application is a Departure from the Development Plan & may affect a Public Right of Way.	ApproveConditionally 16-04-20
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REPRESENTATIONS

None

COMMENTS ON REPRESENTATIONS RECEIVED:

None

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Environmental Health - No comment

COMMENTS ON CONSULTATION RESPONSES:

- None

POLICY CONTEXT

Designation applicable to site:

- Outside of Built-Up Area Boundary
- Horticultural Local Development Order
- Area of Special Advertisement Control

DEVELOPMENT PLAN POLICIES

[Arun Local Plan 2011 - 2031:](#)

DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
EMPDM1	EMP DM1 Employment Land: Development Management
QEDM1	QE DM1 Noise Pollution
QEDM2	QE DM2 Light pollution
QESP1	QE SP1 Quality of the Environment
TSP1	T SP1 Transport and Development

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD11	Arun Parking Standards 2020
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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.

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 the design and visual amenity would accord with the character of the area, no impacts upon highways, transport and parking would result, trees and landscaping would be enhanced, no impacts upon drainage would result and ecological improvements would result.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are/are no other material considerations to be weighed in the balance with the Development Plan.

CONCLUSIONS

PRINCIPLE

The application proposes alterations to an earlier approval for the erection of a new B1/B8 building for the occupation by an existing business currently located in the Vinery Industrial Estate.

Policy EMP DM1(6) of the Arun Local Plan supports development on sites outside the built-up area subject to compliance with a number of criteria.

Policy ER2 of the Angmering Neighbourhood Development Plan also accords with the underlying intent of Policy EMP DM1 of the ALP. Accordance with the (a)-(h) criteria is detailed in the following sections of this assessment. The Development Plan is supportive of development of this nature and the principle of the development has previously been approved.

DESIGN & VISUAL AMENITY

Policy D SP1 of the Arun Local Plan requires all development proposals to make efficient use of land but reflect the characteristics of the site and local area in their layout, landscaping, scale, massing, character, materials, finish and architectural details. Policy D DM1 of the Arun Local Plan sets out a 15 point criteria against which the design of development should be assessed against.

Policy HD4 of the Angmering Neighbourhood Development Plan requires the use of materials to be harmonious with the immediate surrounding area. Policy HD5 of the Angmering Neighbourhood Development Plan requires built form to be in keeping with its surroundings and pay particular attention to integration with both the character of nearby development as well as its landscape setting.

The 2 storey building with dual pitched roof finished in kingspan greenrock RAL 60003 metal cladding panels has already been approved and the minor elevational changes and increase in width and reduction in length of the building by 3m would not materially alter its visual impact which has been found to be acceptable. The proposed roofing comprises kingspan goosewing grey RAL 080 70 05 metal cladding panels; though their appearance would not have any wider visibility in the area owing to the pitch of the roof.

The southern and eastern elevation feature a larger extent of glazing, in comparison to other elevations on the building and this would be emphasised through the use of a feature oriel style window. This glazing would provide relief and a focal point in what would otherwise comprise a utilitarian style building and this element has previously been approved

The proposed footprint of the building approved was substantial; but was not at odds with similar buildings within the immediate locality. The change in footprint of the building layout and slight increase in area would not materially increase its impact which is acceptable.

On the basis of the above, the development would accord with the character of the wider area by virtue of its location, scale, mass, layout, landscaping, character, materials, finish and architectural details. Therefore, the development would accord with policies D SP1, D DM1 and EMP DM1(a) and (c) of the Arun Local Plan and Policies HD4 and HD5 of the Angmering Neighbourhood Development Plan.

HIGHWAY, TRANSPORT AND PARKING

Policy T SP1(f) of the Arun Local Plan supports development which explains how the development has been designed to accommodate the efficient delivery of goods and supplies, creates safe and secure layouts for traffic and incorporate facilities for charging electric and plug-in hybrid vehicles.

Policy HD8 of the Angmering Neighbourhood Development Plan supports the WSCC parking standards and encourages all new development to follow them. Policy TM1 of the Angmering Neighbourhood Development Plan requires proposals for new development shall demonstrate that adequate and satisfactory provision has been made to mitigate the impact of the traffic generated both during development and on completion.

Access to the site is unaltered and has already been approved. The area of the building has increased by 11m squared over the approved footprint.

Arun District Council Supplementary Planning Guidance sets out the following requirements for parking standards for B1 and B8 uses, calculated on a floor space basis. Arun DC SPG requires 32 spaces. The proposed parking provision previously approved comprised 35 spaces, this has now increased to 36 spaces and therefore parking provision accords with the ADC guidance.

Conditions relating to vehicle parking and turning on the site were imposed under the original permission.

The development would provide for the transport demands created and would not result in any adverse impact upon the operation of the highway network; in accordance with policy T SP1 and EMPDM1 (b), (d) and (e) of the Arun Local Plan and Policies HD 8 and TM 1 of the Angmering Neighbourhood Development Plan.

TREES AND LANDSCAPING

Policy ENV DM4 of the Arun Local Plan states where there are existing trees on or adjacent to a development site, developers shall be required to provide (d) land and tree surveys, (e) a tree constraints plan and (f) an arboricultural impact assessment to include a tree protection plan and arboricultural method statement. The underlying intent of this policy is to ensure development take a comprehensive view of tree issues at an early stage and works do not have a negative impact on existing trees.

The original application was submitted with a supporting Arboricultural Assessment and Method Statement. This proposal provides more space to the site boundaries and the existing trees. In summary, only a 5m section of the southern tree belt would need to be removed. Therefore, there would be a minimal/negligible impact upon trees and landscaping on the site.

The supporting Arboricultural Assessment and Method Statement highlights a number of tree protection measures to be implemented in accordance with British Standards. Such measures are secured by conditions.

On the basis of the above, the development therefore takes a comprehensive view of tree issues and would not have a negative impact on existing trees. Therefore, the development accords with Policy ENV DM4 and EMP DM1 (f) of the Arun Local Plan.

LANDSCAPE AND VISUAL IMPACT

Policy LAN DM1 of the Arun Local Plan requires development within the setting of the South Downs National Park to have special regard to the conservation of that setting, including views into and out of the Park, and will not be permitted where there would be harmful effects on these considerations.

Policy EH2 of the Angmering Neighbourhood Development Plan requires new development adjoining the South Downs National Park, or that contributes to the setting of the Park, will be supported, provided that it does not adversely affect views into and out of the Park by virtue of its location or design.

Views of the South Downs National Park (to the north of the site) will not be altered by this change in shape of the approved building. Conditions relating to materials, landscaping and tree protection measures and additional screening combined with the proposed boundary planting have been imposed and ensure that views into and out of the South Downs National Park would not be adversely affected; in accordance with Policy LAN DM1 of the Arun Local Plan and Policy EH2 of the Angmering Neighbourhood Development Plan.

RESIDENTIAL AMENITY

The unit is located towards the western part of the site and is not close to residential dwellings located at the entrance to the site. The change in footprint of the building and 11m² increase in the floor area would not materially alter the impact of the development on residential amenity which was previously found to

be acceptable in accordance with policy D DM1 of Arun Local Plan.

DRAINAGE

Policy W SP1 of the Arun Local Plan requires development to make active use of surface water as a design feature. The conditions imposed provide for the water demands created and incorporate appropriate mitigation measures which reduces the creation and flow of surface water and improves water quality; in accordance with Policy W SP1 of the Arun Local Plan.

ECOLOGY

Policy ENV DM5 of the Arun Local Plan makes clear that development schemes shall, in the first instance, seek to achieve a net gain in biodiversity and protect existing habitats on site. It requires that development schemes be appropriately designed to facilitate the emergency of new habitats through the creation of links between habitat areas and open spaces.

The original application was submitted with a supporting Ecological Assessment and measures for protection of bats and reptiles and ecological enhancements are secured by way of condition. On the basis of the above, the development would deliver demonstrable biodiversity net gains across the site and would safeguard protected species and habitats in accordance with Policy ENV DM5 of the Arun Local Plan.

SUMMARY

This application has considered the amendments to the approval for the new building for storage or distribution, light industrial and office uses with associated parking. The assessment has identified that the proposed changes would accord with the policies contained within the Development Plan, subject to the conditions set out below.

There have been no identified material considerations that would require a determination other than in accordance with the policies contained within the Development Plan and therefore planning permission can be approved.

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:
 Location Plan (approved under (A/177/19/PL)
 Tree Protection Plan PRI22693-03 (approved under (A/177/19/PL)
 19011-A-PL-002-RevB (Proposed Site Layout-Block Plan)
 19011-A-PL-003-RevB (Proposed Ground Floor Plan)
 19011-A-PL-004-RevB (Proposed First Floor Plan)
 19011-A-PL-005-RevB (Proposed Elevations Sheet 1)
 19011-A-PL-006-RevB (Proposed Elevations Sheet 2)
 19011-A-PL-007-RevC (Proposed Drainage Layout)
 19011-Birds Eye View
 19011-Perspective View Looking North East
 19011-Perspective View Looking West

 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 **INFORMATIVE:** This permission relates to the variation of condition 2 of planning permission A/177/19/PL only. The applicant is advised and reminded that the planning conditions attached to the original planning permission number A/177/19//PL remain in force and must be complied with. This decision only relates to the variation of Condition 2 of that planning permission.
- 3 **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.