

Recommendation Report for Planning Permission

REF NO: A/158/19/PL

LOCATION: 43 The Vinery
Arundel Road
Poling
BN18 9PY

PROPOSAL: Open sided lean-to covered storage yard.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The flat roofed structure comprises profile metal sheeting supported on timber posts It would be 7m by 6m with a height of 3m.
SITE AREA	0.31 Hectares
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Site is enclosed by 2m high galvanised metal palisade fencing. Cupressus type hedging to West to approx. 4m and evergreen hedging to North to a similar height.
SITE CHARACTERISTICS	Concreted compound area currently used for bottled gas storage with shed and portacabin within area. Vehicles are currently parked in area of proposal
CHARACTER OF LOCALITY	The overall site area which the application site is located within is in employment use and is occupied by a range of units. Employment development extends to the south of the application site. To the east of the site are 4 terraces of two-storey dwellings.
	To the north of the site is the A27 Trunk Road and to the south and west of the site there are open fields.

RELEVANT SITE HISTORY

PO/4/06/	Use of land for the storage of bottled gas, erection of security fencing, locating portcabin on site. (Revised application following PO/1/06/) Dual Parish with A/182/06/	ApproveConditionally 31-01-07
A/141/06/	Use of the land for the storage of bottled gas, erection of security fencing, locating the portacabin on site (Dual	Withdrawn 20-10-06

Parish with PO/1/06/)

A/154/17/PL	Erection of industrial building (Unit 35b) for B1 (Business)/B8 (Storage or Distribution) purposes, relocation of existing site managers office & workshop. This application is a Departure from the Development Plan.	ApproveConditionally 20-12-17
A/5/15/PL	New industrial building (Unit 35b) for B1 -Business/B8 - Storage or Distribution purposes. Relocation of existing site managers offices.	ApproveConditionally 29-04-15

The site as a whole has a history planning permission which as established a transition from horticulture (mushroom farm) to employment use for the site in general. There have been a number of planning permissions since 2005 which have contributed to the further establishment of the wider site as an employment area.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

None

COMMENTS ON REPRESENTATIONS RECEIVED:

None

CONSULTATIONS

Environmental Health

CONSULTATION RESPONSES RECEIVED:

Environmental Health - No Objection

Conditions requested including limiting hours of construction activity, submission of a Construction Management Plan, breaking up of ground, contamination and no external lighting.

COMMENTS ON CONSULTATION RESPONSES:

Given the scale of the structure and that the area is hard surfaced already it is not considered that the addition of a covered area would warrant imposition of the conditions requested by environmental health. The use of the site is restricted by the condition imposed on the original approval PO/4/06.

POLICY CONTEXT

Designation applicable to site:
Outside Built Up Area

Adjoins/Access from A27 Trunk Road

DEVELOPMENT PLAN POLICIES

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

DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
DSP1	D SP1 Design
SDSP2	SD SP2 Built-up Area Boundary
CSP1	C SP1 Countryside
EMPDM1	EMP DM1 Employment Land: Development Management

[Angmering Neighbourhood Plan 2014 POLICY ER2](#) Local Employment

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.

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

Poling does not have a Made Neighbourhood Plan and the relevant policy of Angmering Neighbourhood Plan has been considered.

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 there would be no materially adverse effect on visual or residential amenity or the character of the area..

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in

accordance with the Development Plan and/or legislative background.

CONCLUSIONS

PRINCIPLE

Whilst the site is located outside the built up area boundary it is within an area which is an established employment site and the development would not result in incursion into open countryside. The structure would be located within the existing enclosed compound.

Policy EMP DM1 of Arun Local Plan seeks to enhance employment sites and premises. Part 6 of the policy refers to economic growth outside the built up area boundary. The proposal would accord with the requirements of this policy as set out below:

criteria a - The development is appropriately sized, being relatively small in relation to the size of the compound as a whole

criteria b - It doesn't intensify the use of the site, it encloses a section of the site within the compound

criteria c - The design is appropriate since it has a low profile and is appropriate to a rural setting,

criteria d - The site is easily accessed by publ transport

criteria e - Access and parking are existing and remain unaltered.

criteria f - It is sympathetic to the surrounding area and shows in terms of its design and impact on habitat and landscape and has no adverse impact on residential amenity given its location adjacent to existing structures within the site (criteria g).

The proposal is considered to accord with this policy and the provisions of the NPPF.

VISUAL IMPACT

The proposed unit is of limited height and scale and is significantly screened by boundary planting and other buildings to the north, south east and west and the visual impact is therefore very limited. The structure would not be readily visible from outside the compound. The proposed building will be read against the backdrop of the existing development at the site and is not considered to result in a visually intrusive or unduly dominant built form. The proposed development is therefore considered to be consistent with policy.

IMPACT ON AMENITY

The main receptors in terms of amenity impact are the dwellings to the east and west, but they are a significant distance away and are screened from the proposed enclosed storage yard by tree screening and other structures. Activities associated with the structure, including noise, would not result in detriment to amenity and covering part of the compound area could result in a reduction of noise level generated. The site as a whole is covered by condition 4 of the original planning permission PO/4/06 which states

."No deliveries, collections, machinery, vehicles or plant shall be undertaken or operated on the site except between the hours of:-

7.00am and 6.00pm on Mondays to Fridays inclusive,

7.00am and 1.00pm on Saturdays,

not at any time on Sundays or Public Holidays.

Reason: In the interests of residential amenity in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan."

Since this condition would also apply to the proposal it is not considered necessary to control the hours

of operation further,

HIGHWAYS AND PARKING

The access serving the site would remain unaltered and adequate car parking would be available within the site..

CONCLUSION

It is recommended that planning permission be granted with 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:
675-DPA01 Existing Location Plan
675-DPA 04 Existing & Proposed Floor Plans
675 -DPA 02 Existing Site Plan
675 -DPA 03 Proposed Site Plan
675- DPA 05 Existing & Proposed Elevations

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 **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.