

Recommendation Report for Planning Permission

REF NO: A/24/26/PL

LOCATION: Taxi Office
Angmering Railway Station
Station Road
Angmering
BN16 3RE

PROPOSAL: Installation of new palisade fencing at a height of approximately 2400mm to the perimeter of the site. This application is in CIL Zone 4 (Zero Rated) as other development.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
SITE AREA	206 sqm
TREES	None of any significance affected by the development.
BOUNDARY TREATMENT	Existing low picket fence fronting the station, otherwise 1.8m close boarded fence
SITE CHARACTERISTICS	Commercial area with storage/lock up sheds adjacent to the railway station and its car park.
CHARACTER OF LOCALITY	To the immediate south is the Angmering railway station, to the east is the carpark. Along side the station are various commercial yards and smaller industrial units. Otherwise the area is predominantly residential

RELEVANT SITE HISTORY

A/175/82	Erection Of Prefab Building For Storage Of Building Materials	ApproveConditionally 15-12-82
A/19/69	Taxi Office	ApproveConditionally 20-02-69

Noted.

REPRESENTATIONS

Angmering Parish Council - No objection

- Angmering Parish Council (APC) raises no objection to the erection of the fencing in principle.
- Concern regarding the potential loss of parking spaces currently used by station users and taxis.

- While acknowledging the necessity of the fencing, APC is concerned about the likely duration of its presence prior to the delivery of much needed employment development on site. Requests any permission granted includes a condition limiting the length of time the site may remain enclosed without redevelopment.

1 letter from local resident - No objection
- Contractors already on site working.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATION RESPONSES RECEIVED:

None.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designation applicable to site:
Built-up Area Boundary
Mineral Consultation Area
CIL 4

DEVELOPMENT PLAN POLICIES

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

DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions and alter to exist builds (res and non-res)
QESP1	QE SP1 Quality of the Environment
TDM2	T DM2 Public Parking

[Angmering Neighbourhood Plan 2014 POLICY TM3](#) Parking at Angmering Station

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, The South Inshore & South Offshore Marine Plan 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 it does not harm the character or appearance of the area nor will it negatively impact the parking capacity of the railway station.

Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that

(2) in dealing with an application for planning permission the authority shall have regard to -

(a) the provisions of the development plan, so far as material to the application,

(aza) a post examination draft neighbourhood development plan, so far as material to the application,

(b) any local finance considerations, so far as material to the application, and

(c) any other material considerations.

OTHER MATERIAL CONSIDERATIONS

There are no other material considerations to be weighed in the balance with the Development Plan.

BIODIVERSITY NET GAIN

This application is not liable for Biodiversity Net Gain (BNG) as it is de minimis.

CONCLUSIONS

PRINCIPLE

The site lies within the Built Up Area Boundary where the principle of development is established by Arun Local Plan policy SD SP2.

DESIGN AND CHARACTER

Although the site is within a predominantly residential area, it is accessed via a single private drive and is relatively self contained in character. The site forms part of the wider railway station complex, which has a noticeably more utilitarian and industrial appearance compared to the surrounding residential streets. Within the railway land, a number of older commercial sheds and units are evident, and the station itself is enclosed by security fencing. The station car park is clearly visible upon entering the site.

Historically, the site accommodated small commercial uses, including a double glazing sales office and, more recently, a taxi office. Apart from the taxi office, the site has now been cleared.

Following the demolition of buildings on site, the proposal seeks permission to erect a 2.4m high palisade fence around the now vacant parcel of land. The purpose of the fencing is to prevent anti social behaviour such as fly tipping and vandalism while the site remains unused.

Similar palisade security fencing is present in the immediate area, including along the railway boundary opposite the site, where it restricts access to private operational land associated with the station.

Apart from views up the access road the fence will not be readily visible from the highway as an existing hedge, not under the ownership of the applicant, exists.

In this context, the fencing is appropriate to the character of the site and surroundings. It reflects existing boundary treatments in the vicinity and would not appear incongruous or visually harmful. The proposal accords with Arun Local Plan policies D DM1 and D DM4.

The Parish Council requested a temporary permission or condition be imposed requiring the removal of the fence after a specified period, citing health and safety concerns. This is not considered necessary or justified. No specific health and safety risks have been identified in relation to the fencing. On the contrary, securing a vacant site would reduce the likelihood of unauthorised access, which could otherwise pose a risk to members of the public and result in damage to the land.

Should the site be brought back into active use in the future, the fencing could be removed or altered as required. The presence of the fence would not prevent future development or commercial occupation of the site and would provide an interim safeguard against anti social behaviour.

RESIDENTIAL AMENITY

The fencing would not result in any unacceptable impacts on the residential amenity of neighbouring properties. Given its siting, function and context within the wider station area, the development would not give rise to issues such as overlooking, loss of light, noise or other disturbance.

The proposal is therefore considered acceptable in residential amenity terms and accords with Arun Local Plan policies D DM1 and QE SP1.

PARKING

The Parish Council raised concerns regarding the potential loss of parking spaces associated with station users and taxis. Arun Local Plan policy T DM2 and policy TM3 of the Angmering Neighbourhood Plan seek to protect parking provision adjacent to the station.

The site is adjacent to, but separate from, the station car park and does not form part of the designated public parking area. The proposal does not reduce or alter the level of public car parking provision available at Angmering Station. The land is under private ownership and is prevented from unauthorised parking through the use of temporary barriers.

As the development does not seek to remove or reallocate any public parking spaces, it is considered to comply with Arun Local Plan policy T DM2 and Angmering Neighbourhood Plan policy TM3.

SUMMARY

The proposal accords with the Arun Local Plan and is recommended for approval subject to the following conditions and informatives.

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.

CIL DETAILS

This application is not CIL liable as other development.

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:

1. Location Plan 25-3921-SR-PL-001
2. Block Plan 25-3921-SR-PL-002
3. Proposed Site Plan 25-3921-SR-PL-004-REVA
4. Proposed Palisade Fence Elevation 25-3921-SR-PL-005

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Arun Local Plan policies D DM1 and D DM4.

- 3 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). 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 NPPF.

- 4 Based on the information available, this permission is exempt from the requirement to provide a biodiversity gain plan under Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990. The following exemption applies:

This planning permission is de-minimis as the development does not impact an onsite priority habitat and the development impacts less than 25 square metres of onsite habitat that has a biodiversity value greater than zero and less than then 5 metres in length of onsite linear

habitat.

Reason: In accordance with Schedule 7A of the Town and Country Planning Act 1990 (as amended).