

Recommendation Report for Planning Permission

REF NO: BE/139/18/PL

LOCATION: Innovation Centre
Beeding Close
Bersted
PO22 9TS

PROPOSAL: Erection of an industrial building ancillary to existing operations.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Permission is sought for the erection of an industrial building adjacent to Innovation Centre Close. The site is located off Beeding Close, northeast of Southern Cross Trading Estate. The proposed building will be a detached, freestanding building and will not be connected directly to the existing building. It will be used for the manufacturing and storage of electrical lighting products which would involve soldering. The Industrial building would have a B2 general industrial use class and would measure approximately 10.34 metres in width (not including gutter overhang), 15.1 metres in depth and 6.93 metres in height and would have a gross internal floorspace of 150 sqm. Officers have been informed, via email on the 12/11/2019, that the proposed industrial building has already been constructed. Officers have not visited the site since the industrial building was constructed and cannot confirm that it has been built in accordance with the plans.
SITE AREA	0.854 of a hectare
TOPOGRAPHY	Predominantly flat.
TREES	None affected by the proposal.
BOUNDARY TREATMENT	Metal fencing to the boundary along Beeding Close along with chain-link fencing between the application site and the adjoining 'warehouse' currently used by Paul Matthew Transport.
SITE CHARACTERISTICS	The site currently features a building known as Innovation Centre which is used by the applicant for their lighting business, JCC lighting. The site is flat and is surrounded with metal fencing to the boundaries. There is off-road parking serving the applicants lighting business to the front of the site.
CHARACTER OF LOCALITY	The application site is situated within the wider Southern Cross Trading Estate which has an industrial feel and is situated the other side of Shripney Road opposite the Arun retail park. The Arun Retail park features shops and

restaurants such as Next, Home Bargains and Burger King. There is also the Riverside caravan park in close proximity.

The overall character of the area is one of a mix of out of town retail and warehouse style metal buildings featuring a variety of business and uses including B1, B2, B8.

RELEVANT SITE HISTORY

BE/29/82	Approval To Layout Of Industrial Estate And Siting Size And Appearance Of Factory Buildings	ApproveConditionally 07-07-82
BE/11/00/	Approval of reserved matters following BE/31/97 for erection of buildings for General & Special Industrial uses, storage and distribution: Use classes B1-B8.	ApproveConditionally 14-03-00
BE/31/97	Outline Application for the erection of buildings for general and special industrial uses, storage and distribution;- use classes B1-B8.	ApproveConditionally 10-06-97

Planning history noted.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Bersted Parish Council

Bersted Parish Council: No objection.

No letters of neighbour representation have been received.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted.

CONSULTATIONS

Environmental Health

Engineering Services Manager

Engineers (Drainage)

CONSULTATION RESPONSES RECEIVED:

Drainage Engineer: No objection. Originally recommended a condition. However, further data/information

has been submitted by the applicant in order to mitigate the need for a drainage condition:

On the basis of the LiDAR data supplied and the known spot levels of the Southern Water manhole covers, satisfied that the applicant has supplied the information that the previous Drainage Engineer requested.

They confirm that they require no further detail from the applicant.

Environmental Health Officer: No objection. In order to deal with any fumes from the proposed soldering an internal extraction system would be required. They stated that an informative is sufficient rather than a condition.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted and discussed further within the Conclusions section below.

POLICY CONTEXT

Designation applicable to site:

Within Built-up Area

DEVELOPMENT PLAN POLICIES

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

SDSP2	SD SP2 Built-up Area Boundary
DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
QEDM1	QE DM1 Noise Pollution
QEDM2	QE DM2 Light pollution
WDM3	W DM3 Sustainable Urban Drainage Systems
TSP1	T SP1 Transport and Development

[Bersted Neighbourhood Plan 2014 Policy ES1](#) Design of new development

Bersted Neighbourhood Plan 2014 Policy ES2 Surface water management

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.

Bersted has a made Neighbourhood Plan and the relevant policies within it have been taken into account:

ES1 - Design of New Development.

ES2 - Surface water management.

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 would have no materially adverse effect on the visual amenities of the locality or the amenities of the adjoining properties, nor would it have an adverse impact upon the established character of the surrounding 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:

This site lies within the built up area boundary where development is acceptable in principle in accordance with Arun Local Plan Policy SD SP2 and provided it is in accordance with other policies of the Local Plan covering issues of visual amenity/character, residential amenity, highway safety & parking and drainage. Additionally The relevant Policies of the Bersted Neighbourhood Development Plan would also apply.

The key policy considerations in the determination of this application are policies D DM1, D SP1, T SP1, and Q EDM1 of the adopted Arun Local Plan 2011-2031, Policies ES1 and ES2 of the Bersted Neighbourhood Development Plan and the National Planning Policy Framework.

The applicant has stated that the proposed building is to be used for general industrial, B2 use. The wider trading estate features a variety of uses within it and Officers do not consider that, in principle, a B2 would be out of place in an industrial estate subject to the appropriate assessment being given to the impact of the potential for noise and fume generation.

VISUAL AMENITY & CHARACTER:

Policy D DM1 of the Arun Local Plan 2011-2031 requires that the Council have regard to certain aspects including, character, appearance/attractiveness, density and scale, in order that the proposal does not have a detrimental impact on the character of the area.

Furthermore, policy D SP1 "Design" requires that all development proposals should seek to make efficient use of land but reflect the characteristics of the site and local area in their layout, landscaping, density, mix, scale, massing, character, materials, finish and architectural details.

Permission is sought for the erection of a metal frame and metal clad building which would be used for general industrial B2 uses. It is considered that the proposal would be of a size, scale, massing and finish that is seen throughout the industrial estate the site is within. As such it is considered that the proposed building would fit well within the context of the site and the wider industrial estate.

As such, it is considered that the proposal would comply with Policies D DM1, DSP1 of the Arun District Local Plan and ES1 of the Bersted Neighbourhood Development Plan.

NEIGHBOUR AMENITY:

While the proposed building would be set closer to the units opposite (G1-G6) it would be set in by approximately 18.2 metres. Having regard to the orientation the proposed building along with the aforementioned separation distance, it is considered that that the proposal would not have a detrimental impact on neighbour amenity with regard to overlooking, overshadowing, overbearing impact and loss of light/sunlight.

With regard to noise officers note that the applicant proposes to carry out minor modifications to existing JCC finished products. The applicant states that this would include assembly work using sourced components completed on standard height work benches. The applicant has confirmed, via email on the 24/9/19, that they only have 1 station for soldering and that they only have 1 soldering gun. Additionally they have confirmed that the soldering gun is used about 4-8 hours per week It s stated that soldering would be carried out within a controlled area of the proposed building and would include the use of fume extraction. They also state that no heavy machinery would be used and no manufacturing of parts would take place.

The applicant has stated that they intend to carry out the aforementioned processes between the hours of 8:00 - 18:00 hours Monday-Friday and 8:00 - 14:00 hours on Saturday. They do not proposes any processes would be carried out on Sunday or Bank Holidays.

The Council's Environmental Health Officer has been consulted and does not object. Following previous discussions with them and further discussion on the 07/11/2019 they note that an internal extraction system would be required in order to clean the air of the fumes generated by the soldering station and that an informative should be applied to any grant of planning permission to inform the applicant of this.

The proposed building is set within an industrial estate and would be set over 300 metres from the nearest residential properties and the nearby caravan park. As such, it is considered that the proposal would not lead to a level of noise which would have a detrimental impact of the users of the caravan park or occupiers of the aforementioned residential dwellings. Should noise become an issue this could be dealt with under the appropriate environmental health noise legislation.

Therefore it is considered that the proposal would not have a detrimental impact with regards to noise or fumes from the soldering process.

No external lighting is proposed therefore it is considered that light spill would not be an issue.

As such, it is considered that the proposal would comply with Policies D DM1, Q EDM1 and Q EDM2 of the Arun District Local Plan.

PARKING AND HIGHWAY SAFETY:

The proposed B2 building would have a floor area of 156.39 sqm, which would equate to a requirement of 3.9 (4) parking spaces. The additional B2 building would be ancilliary to the existing business JCC Lighting Products Ltd at the building known as Innovation Centre. Currently there are 56 parking spaces (as stated on the submitted application form) as stated on the submitted application form. Having regard to the current West Sussex Parking Standards it is considered that there would be sufficient parking to serve the additional 3.9 (4) spaces required by the proposed development. Even if there was a shortfall as a result of the required additional parking spaces, Officers do not consider that a shortfall of 4 additional spaces would warrant refusal of the application.

As such, the proposal would comply with Policy T SP1 of the Arun District Local Plan.

DRAINAGE:

The Drainage Engineer has commented on this application and they do not object. They consider that on the basis of the LiDAR data supplied and the known spot levels of the Southern Water manhole covers, they are satisfied that the applicant has supplied the information that the previous Drainage Engineer requested. They confirm that they require no further detail from the applicant. They note that the outcome is not desirable but that they are prepared to accept the limitations of the site in this case.

As such, it is considered that the proposal would comply with Policy W DM3 of the Arun District Local Plan and ES2 of the Bersted Neighbourhood Development Plan.

SUMMARY:

It is recommended that, having regard to the above assessment, the planning application is granted subject to appropriate and reasonable 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 approved shall be carried out in accordance with the following approved plans

Location Plan drawing no. 1MO38-MHA-FS-00-DR-A-01-001 revision P1

Proposed Site Plan and Plans and elevations drawing no. 1MO38-MHA-XX-XX-DR-A-00-001
Revision P1

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 The B2 building hereby granted shall only be used in connection with the existing JCC Lighting Products Ltd business at the adjacent building known as Innovation Centre, Beeding Close, PO22 9TS.

Reason: To protect the visual and neighbour amenity of the area in accordance with Policy D DM1 of the Arun Local Plan.

- 3 The use hereby permitted shall not be operated on Sundays or Public Holidays or at any time otherwise than between the hours of 0800 to 1800 on Monday to Saturday.

Reason: To safeguard the amenities of neighbouring properties in accordance with policy D DM1 and Q EDM1 of the Arun District Local Plan.

- 4 The development hereby approved shall be carried out in accordance with the following approved documents:

Flood Risk Assessment and Surface Water Drainage Strategy by UNDA May 2019 ref: 888684-150219-MTP-Bersted

Addendum Report 1.0 to 88684-MTP-Bersted-290519-v1. ref: 088684-MTP-Bersted-291019-Addendum-v1.0

The works identified in the above documents shall be carried out within one year from the date of this approval and once carried out written notification shall be provided to the Local Planning Authority within one month of the works having been carried out.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 and D DM3 of the Arun Local Plan.

- 5 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.

- 6 INFORMATIVE: The applicant should be reminded that a suitable internal ventilation system is required in order to suitably extract fumes from the soldering that is to take place within the building hereby granted.