

Recommendation Report for Planning Permission**REF NO:** **BE/145/12/****LOCATION:** Ametek Solartron Metrology
1 Steyning Way
Bognor Regis**PROPOSAL:** Proposed siting of a Portakabin for a 12 month period.**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	The application seeks consent for the siting of a portacabin for 12 months.
SITE AREA	Approximately 0.89 ha
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Low chainlink fence to front boundary.
SITE CHARACTERISTICS	Detached modern industrial unit and offices faced in brown profile metal cladding with flat roof and red roller shutters. Part brick elevations at ground floor level.
CHARACTER OF LOCALITY	Industrial estate of modern industrial units with parking.

RELEVANT SITE HISTORY

BE/15/94	Renewal of unimplemented planning permission BE/138/90 for extension to existing factory/office building with associated car parking.	Refused 05-10-1994 Appeal: Withdrawn 04 01 1996
BE/35/95	Renewal of unimplemented outline consent BE/138/90 for extension to existing factory/office building with associated car parking.	Approve Conditionaly 15-11-1995
BE/38/96	Variance of Condition No.3 imposed under BE/35/95 to read- The building authorised by this planning permission shall only be implemented and first occupied by Solartron Metrology Ltd.	Approve Conditionaly 20-08-1996

BE/49/99/	Development of the land without complying with Conditions 1 & 2 as set out on BE/38/96 to vary the period for the submission of Reserved Matters and when the development shall be begun.	Refused 20-05-2002
BE/18/69	Change of use of land from agricultural to industrial purposes	Approve Conditionally 02-05-1969
BE/62/68	Use of land for industrial development	Withdrawn 13-08-1969
BE/56/69	Change of use from agricultural to industrial use	Withdrawn 26-09-1969
BE/64/69	Change of use from agricultural to industrial	Approve Conditionally 09-05-1973
BE/11/74	Light industrial and warehouse	Approve Conditionally 23-05-1974
BE/63/78	Erection of dry batch plant with offices	Withdrawn 30-05-1979
BE/29/82	Approval to layout of industrial estate and siting size and appearance of factory buildings	Approve Conditionally 07-07-1982
BE/86/83	New factory unit with office accommodation for Sangamo Transducers	Approve Conditionally 14-09-1983

REPRESENTATIONS**Representations received:**

Bersted Parish Council

No objection.

Comments on Representations received:

Comments noted.

CONSULTATIONS**Consultations responses received:**

None

Comments on Consultation responses:

None

POLICY CONTEXT

Designation applicable to site:

Within built-up area boundary

Permitted development restriction

DEVELOPMENT PLAN POLICIES

Arun District Local Plan: [GEN7](#) The Form of New Development
[GEN2](#) Built-up Area Boundary

PLANNING POLICY GUIDANCE

NPPF National Planning Policy Framework

POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to the impact on visual amenity.

The Development Plan consists of the Arun District Local Plan 2003 and the South East Plan adopted in 2009.

It should be noted that the Arun District Local Plan was adopted in 2003 and the South East Plan in 2009.

In accordance with paragraphs 214 of the NPPF, the South East Plan is afforded full weight as part of the development plan. Footnote 41 (page 49) states the Governments clear policy intention to revoke regional strategies.

Paragraph 214 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight but, because it predates 2004, a reduced weight. The weight afforded to the policies with Local Plan policies can be assessed according to their level of consistency of the various policies with the National Planning Policy Framework. It should be noted that the NPPF states that weight is given to individual policies and not to the plan as a whole.

The emerging local plan has recently been approved by the Council and is therefore a material consideration in the determination of this planning application. Whilst it has not been formally adopted due weight has been given to its policies in terms of the decision making process at this stage.¿

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 residential 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

The site is located within the built-up area boundary where the principle of new development is acceptable.

DESIGN AND VISUAL

The proposal is for the erection of a detached portacabin for a temporary 12 month period and is to be used as an additional training room. The building is in situ and the application is therefore retrospective. The building is sited on a hardstanding immediately to the south of the main industrial unit. It measures 2.3 metres in height, 8.6 metres wide and 3.17 metres in depth. The building is pre-fabricated with a flat roof, painted grey.

In terms of the building's visual impact, it is sited adjacent to the main industrial unit on a hardstanding in a carpark. It is visually subordinate to the main industrial unit and has a limited visual impact as viewed from the south and west along Beeding Close and Steyning Way, owing to its design, size and scale. The design is in keeping with the other industrial units in the estate.

RESIDENTIAL AMENITY

The site is located in an industrial estate and there are no neighbouring residential properties in the immediate vicinity. The development therefore has no adverse impact on residential amenity.

PARKING

The development results in the loss of two off street parking spaces in the carpark from 85 to 83. There is sufficient on street parking in the vicinity and this level of development is not considered to have an adverse impact on highway safety through displaced parking.

SUMMARY

It is therefore recommended that consent is granted, subject to a condition restricting the development to 12 months.

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 to 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 (Neutral) 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).

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 The development hereby approved shall be carried out in accordance with the following approved plans: drawing SM/PL/01 Proposed Location and Block Plans, drawing BR00028 Specification Drawing, received 4 October 2012.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN7 of the Arun District Local Plan.

- 2 The building and works hereby permitted shall be removed and the land restored to its former condition, or to a condition to be agreed in writing by the Local Planning Authority, on or before the expiration of the period ending on 4 October 2013.

Reasons: It is considered reasonable to allow a development for a limited period and to enable the Local Planning Authority to review the development granted by this permission, to comply with policy GEN7 of the Arun District Local Plan.

- 3 **INFORMATIVE:** Summary of Reasons for Grant Article 31 Development Management Procedure Order 2010

SUMMARY

This planning permission is granted because it complies with the policies listed below in that the development would not cause any material adverse effect on visual or residential amenity on the surrounding area and its character and there are no material considerations to indicate otherwise.

RELEVANT POLICIES

LOCAL PLAN: GEN7, GEN2, GEN12

NATIONAL POLICIES: National Planning Policy Framework (2012)

This is only a summary of reasons for granting to comply with Article 31 and full reasons appear in the Officer report.

- 4 **INFORMATIVE:** Statement pursuant to Article 31 of the Town and Country Planning (Development Management Procedure)(England) (Amendment No. 2) Order 2012. 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.