

Recommendation Report for Planning Permission

REF NO: BE/16/18/PL

LOCATION: Rolls-Royce Technology & Logistics Centre
Newlands Road
Bersted
PO22 9FJ

PROPOSAL: Relocate existing cycle shelters, installation of 1 No. portacabin & 2 No. smoking shelters in a fenced off compound.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposal consists of the following: * Relocation of existing clear covered cycle storage shelter; * New flat roofed security portacabin housing security desk & body scanner - 6.1m long by 3.4m wide by 3m high; * Two new covered smoking shelters each 6m long by 2.45m wide; * New associated hard landscaping; * New linear drainage channel to existing manhole; and * New 2.4m high steel mesh fencing to enclose the portacabin and smoking shelter. The proposal also results in the loss of two existing disabled parking spaces and states that these will be relocated elsewhere although this is not specified.
SITE AREA	233 square metres.
TOPOGRAPHY	Predominantly flat.
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Currently open to the road.
SITE CHARACTERISTICS	Existing frontage to industrial buildings occupied by Rolls Royce. The site is currently occupied in part by hardstanding and in part by a covered cycle shelter which doubles up as a smoking shelter.
CHARACTER OF LOCALITY	Edge of settlement but part of a large site allocated for industrial uses and on which further development is expected.

RELEVANT SITE HISTORY

BE/73/14/PL	Erection of 2 No. detached industrial/distribution units (B1(c)/B2/B8) including access & servicing arrangements, car parking, landscaping & associated flood compensation area. This application is a departure	ApproveConditionally 28-08-14
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from the development plan. This application also lies within the parish of Aldingbourne

BE/61/13/	HYBRID APPLICATION. 1: Full planning application for Access and road and Flood compensation area. 2: Outline application for 33116 sq m of mixed commercial and industrial uses, comprising A1, A3, A5, B1, B2 and B8, with associated works and landscaping.	Approve Conditionally 19-03-14
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Noted.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Bersted Parish Council

"No objection"

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

Engineering Services Manager

Engineers (Drainage)

WSCC Strategic Planning

CONSULTATION RESPONSES RECEIVED:

WSCC HIGHWAYS - No objection. Comment that:

"All access to the site remains as per the existing arrangements. The proposed is not anticipated to increase vehicular activity at the site. The proposed will result in the loss of two disabled parking bays. WSCC advises that 5% of all spaces at places of employment are disabled accessible. I would be minded to ask that the applicant clarify the total parking provision on site to ensure this is still the case."

COMMENTS ON CONSULTATION RESPONSES:

Noted. The application states that the two disabled parking spaces will be relocated elsewhere but does not specify where. A condition can be included to ensure that two replacement bays are provided.

POLICY CONTEXT

Designations applicable to site:

Within Built Up Area Boundary;
 Flood Zone 1;
 Advertisement Special Control Area;
 Archaeological Notification Area;
 Arun Local Plan 2003 Allocations (policy SITE6); and
 Arun Local Plan 2011-2031 Allocation (policy EMP SP2).

DEVELOPMENT PLAN POLICES

Arun District Local Plan (2003):

AREA17	Sites of Archaeological Interest
SITE5	Commercial Allocations
SITE6	Land to the North of Bersted, Bognor Regis and Felpham
GEN2	Built-up Area Boundary
GEN7	The Form of New Development
GEN12	Parking in New Development

Publication Version of the Local Plan (October 2014):

D DM1	Aspects of Form and Design Quality
D SP1	Design
EMP DM1	Employment land:Development Management
EMP SP2	Strategic employment land allocations
HER DM6	Sites of Archaeological Interest
SD SP1	Sustainable Development
SD SP2	Built -Up Area Boundary

<u>Bersted Neighbourhood Plan 2014 Policy EE1</u>	Business expansion
Bersted Neighbourhood Plan 2014 Policy ES1	Design of new development

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun District Local Plan 2003, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

A new local plan is in preparation and is a material consideration when determining Planning Applications. At this stage the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and supporting documents were submitted for independent examination on 30 January 2015.

A number of Main Modifications to the Arun District Local Plan 2011-2031 (Publication Version) October 2014 were approved by the Council on 22nd March 2017 and then subject to public consultation. The hearing sessions into the examination of the Arun Local Plan ended on Thursday 28 September 2017 and the Inspector then wrote to the Council to set out his 'Interim Views following the Hearings'. The plan was then modified further in January 2018 (Modified - Arun Local Plan - January 2018 Consultation) and these were subject to public consultation between 12 January 2018 and 23 February 2018.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

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. Whilst an NDP is under preparation it will afford little weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation (Reg.14).

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

Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation(Reg.14).

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 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 considered to be acceptable in principle subject to other policies in the development plan. Furthermore, the site benefits from being part of allocations in both the adopted Local Plan (under policy SITE6) and in the emerging Local Plan (policy EMP SP2) which set out that development for employment uses and the enhancement of existing employment land will be supported. In addition, policy EE1 of the Bersted Neighbourhood Development Plan sets out support for the upgrading of existing employment sites.

DESIGN & AMENITY:

Arun Local Plan Policy GEN7 states that:

"Development will be permitted provided it:

(ii) demonstrates that it responds positively to the identified characteristics and resources of the site and the area to create attractive places and spaces with the needs of people in mind and respects and enhances local distinctiveness; and

(iv) does not have an unacceptable adverse impact on adjoining occupiers, land, uses or property and, where relevant, facilitates the development of adjoining sites;"

Bersted Neighbourhood Development Plan policy ES1 states that: "New development which would have an effect on the appearance or character of the surrounding area should be of a high quality design and should contribute to local character by creating a sense of place appropriate to it's location."

The proposed development is considered to be functional in design and as such is appropriate to and in character with the existing built nature of this business park location. It is also noted that the proposal will not affect the existing soft landscaping. There are no nearby residential properties therefore no need to consider residential amenity. Therefore, there is no conflict with policies GEN7 and ES1.

PARKING:

The proposal will result in the loss of two existing disabled parking spaces. However, the applicant has agreed to a planning condition which seeks to ensure that replacement disabled bays are provided. There would therefore be no net loss of parking. Meanwhile, the provision of dedicated smoking shelters will mean that the existing covered cycle store can be used solely for cycles (as it is currently also used as an informal smoking shelter).

RECOMMENDATION:

It is not considered that the proposal results in any harm to amenity or to the amount of car parking at the site and it is recommended that it be approved subject to 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:

Dwg. 1091-10 "Proposed Site Plans"; and
Dwg. 1091-05 Rev A "Proposed Security Airlock Layout (Larger Scale)".

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.

- 3 No part of the development shall be first brought into use until such time as plans have been submitted to and approved by the local planning authority to show the provision of two replacement disabled parking spaces elsewhere within the site area in the ownership of the applicant. The two replacement disabled spaces shall thereafter be permanently retained.

Reason: To ensure that there is no net loss of disabled parking spaces and in accordance with Arun Local Plan policy GEN12 and the National Planning Policy Framework.

- 4 **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.