

Recommendation Report for Planning Permission

REF NO:	BE/39/21/PL
LOCATION:	Shripney Trade Park, Unit 2 & 3 Shripney Road Bersted PO22 9GH
PROPOSAL:	Insertion of 6 No. high-level vents on the north-east, south-west & north-west elevations of existing Unit 2, provision of obscure film, security bars to existing windows & 2 No. collapsible security bollards to front of building. This site is in CIL Zone 4 (Zero Rated) as other development.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The description above reflects the description of the proposal on the application form, but there are no changes to the north-west elevation of the building. The north-west elevation is part of a separate unit (Unit 1). The application proposes the installation of 6 No. high-level vents on the north-east, south-east and south-west elevations of the unit (Units 2 & 3), the replacement of two existing glazed doors with security fire doors and key pad, the replacement of two windows with brickwork, the fixing of obscure film and security bars to the remaining windows, and the installation of two collapsible steel security bollards in front of the existing roller shutter door. The works are required to enable the building to accommodate high-speed servers and facilitate its use as a data storage centre by a full-fibre broadband provider.
SITE AREA	434.60 sq.m
BOUNDARY TREATMENT	There is an existing 2.4m high steel palisade fence on the north-eastern boundary of the site, adjacent to the unit. Elsewhere, the site is open to the forecourt parking area that serves Shripney Trade Park.
SITE CHARACTERISTICS	Shripney Trade Park is located on the south-east side of the A29 Shripney Road, Bognor Regis. It comprises six business units and a car wash facility. The business units are accommodated in two buildings. Units 1-3 occupy an L-shaped building at the front of the site, while units 4-6 occupy a rectangular building at the rear. Access to Shripney Trade Park is directly from the (inward bound) carriageway of the A29 Shripney Road. Access to each of the business units is obtained from a block-paved

forecourt within the site.

Units 2 & 3 comprise a single unit. The unit's principal elevation faces the centre of the site and the car wash opposite, rather than the main road and the public realm.

CHARACTER OF LOCALITY

The character of the locality is predominantly commercial. There is a large Sainsbury's foodstore immediately to the north-east. To the south-west there are more business units and a car showroom. On the opposite side of the dual carriageway, there is a large Tesco foodstore, a holiday caravan park and a retail park.

RELEVANT SITE HISTORY

BE/63/04/	B1& B8 Units (Light industry, Offices, Storage & Warehouse) and Car Wash	ApproveConditionally 25-08-04
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The site has no recent planning history.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Bersted Parish Council - No Objection

Environmental Health Officer - No objection subject to the use of a condition that limits construction activities to specified hours.

COMMENTS ON CONSULTATION RESPONSES:

The consultation responses are noted and are considered in the Conclusions section of this report.

POLICY CONTEXT

Designation applicable to site:

The site lies within the built-up area boundary for Bognor Regis, but is not designated for a specific purpose on the Policies Map of the Arun Local Local Plan 2011-2031.

DEVELOPMENT PLAN POLICIES

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

EMPSP1	EMP SP1 Strategic Economic Growth
EMPDM1	EMP DM1 Employment Land: Development Management
DDM1	D DM1 Aspects of form and design quality
QEDM1	QE DM1 Noise Pollution

[Bersted Neighbourhood Plan 2014 Policy EE1](#)

Business expansion

Bersted Neighbourhood Plan 2014 Policy EE6

Communications infrastructure

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

The Bersted Neighbourhood Plan was made in November 2014. Relevant Bersted Neighbourhood Plan policies have been taken into account and are addressed in the Conclusions section of this report.

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 will lead to the upgrading of existing employment premises to meet the needs of business, support the provision of advanced ICT infrastructure and have no adverse effects on the amenities of the locality.

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

Policies EMP SP1 and EMP DM1 of the Arun Local Plan 2011-2031 seek to protect and enhance existing employment premises to meet the needs of businesses. They also support the provision of advanced ICT infrastructure. Similarly, policies EE1 and EE6 of the Bersted Neighbourhood Plan support proposals to upgrade existing employment sites and for higher quality communications infrastructure. The proposed development is therefore acceptable in principle.

The main issue to be considered in this case is the effect of the development on the amenities of the area.

Policy D DM1 of the Local Plan contains a list of design criteria that the Council will use to assess development proposals. The list includes character, appearance, impact and crime prevention. The character of the area has been described above as predominantly commercial and the proposed development is consistent with that character. The lower part of the external walls of the building comprises brickwork. The upper part is clad with metal panels. The neighbouring supermarket building is also clad with metal panels and has ventilation louvres on the elevation that faces the application site.

The proposed vents and replacement brickwork would not lead to any significant change in the external appearance of the building or have any detrimental impact on the character and appearance of the surrounding area. The proposed security doors, obscure film, security bars and collapsible steel bollards are all understood to be required in the interest of crime prevention. The submitted elevations show none of the window security bars being visible from outside the building.

Policy QE DM1 of the Local Plan seeks to ensure that residents will not be adversely affected by noise. As there are no dwellings in the immediate vicinity of the site, residents will not be adversely affected by noise from the works required to carry out the proposed alterations. Nevertheless, there is a holiday caravan park on the opposite side of the A29 and it would prudent to impose a condition, as recommended by the Environmental Health Officer, to protect the amenities of staff and visitors to that site in particular.

It is concluded that, subject to the imposition of suitably worded conditions, the proposed development would have no adverse impact upon the amenities of the locality.

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 permitted shall be carried out in accordance with the following

approved plans:

Site Location Plans - P1808-172-PL-001-B

Proposed Site Plan - P1808-172-PL-005-B

Proposed Site Elevations 1/2 - P1808-172-PL-006-B

Proposed Site Elevations 2/2 - P1808-172-PL-007-B

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 2011-2031.

- 3 The materials and finishes of the louvres and the replacement brickwork hereby permitted shall match in colour and texture those of the existing building.

Reason: In the interests of amenity and the environment in accordance with policy D DM1 of the Arun Local Plan 2011-2031.

- 4 No demolition/construction activities shall take place other than from 08:00 hours until 18:00 hours Monday to Friday and from 08:00 hours until 13:00 hours on Saturday, with no such work on Sunday or Bank/Public Holidays.

Reason: To protect the amenity of local residents in accordance with Policy QE DM1 of the Arun Local Plan 2011-2031.