

Recommendation Report for Planning Permission

REF NO: BE/91/18/PL

LOCATION: Rolls-Royce Motor Cars Technology and Logistics Centre
Oldlands Farm
Bersted

PROPOSAL: Temporary logistics building & ancillary development including service area

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks temporary planning permission for the erection of a logistics building & ancillary development including service area until the end of 2023 in association with the existing commercial use.
SITE AREA	Approximately 1.43 hectares.
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	The service yard is enclosed by 2m high palisade fencing.
SITE CHARACTERISTICS	The development site is situated within the built up area boundary and is an existing hardstanding operated as a service yard in association with the two large industrial buildings currently occupied by Rolls-Royce.
CHARACTER OF LOCALITY	The character of the locality is largely undeveloped. However, the application falls within the Oldlands Farm employment allocation which is identified as providing 48,6160 sqm of B1/B2/B8 floor space.

RELEVANT SITE HISTORY

AL/44/18/RES	Application for all reserved matters following outline consent AL/58/15/OUT (Hybrid Application) for up to 20,453 sqm of B2 general industrial floorspace together with B8 warehousing & distribution floorspace (as amended by subsequent Variation of Conditions 11, 12 & 37).	ApproveConditionally 13-12-18
BE/114/17/PL	Variation of conditions 4-quantum of floorspace, 43-number of non food bulky goods units & 47-sale of goods imposed under BE/61/13/ (outline).	ApproveConditionally 14-02-18

BE/4/17/RES	Approval of reserved matters following outline consent BE/61/13/ (Hybrid application Part 2) for appearance, landscaping, layout & scale together with the discharge of condition 5 for indicative masterplan & 6 for parameter plan & design code.	ApproveConditionally 21-03-17
AL/58/15/OUT	Hybrid Application 1: Full planning application for earth works to facilitate flood compensation area & 2-Outline application (all matters reserved) for up to 20,453 sq m of B2 General Industrial Floorspace together with B8 warehousing & distribution floorspace.	App Cond with S106 20-04-16
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 from the development plan. This application also lies within the parish of Aldingbourne	ApproveConditionally 28-08-14
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, B2and B8, with associated works and landscaping.	ApproveConditionally 19-03-14

No comments.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Bersted Parish Council

No objection.

COMMENTS ON REPRESENTATIONS RECEIVED:

No comments.

CONSULTATIONS

WSCC Strategic Planning

Environment Agency

Surface Water Drainage Team

Southern Water Planning
Economic Regeneration
Engineers (Drainage)
Engineering Services Manager
Environmental Health

CONSULTATION RESPONSES RECEIVED:

ECONOMIC DEVELOPMENT:

Economic Development has considered this application and are pleased to support it.

WSSC FLOOD RISK MANAGEMENT:

Due to the size of this development and the low surface water flood risk of the site, we have no comments to submit for this proposal.

ADC DRAINAGE ENGINEERS:

Comments received 13th September 2018

The application is supported by a flood risk assessment. This details that the proposed development is to be cited on an area of hardstanding which is already positively drained by a surface water network and therefore will not increase flood risk. However, the details approved by ADC relating to surface water drainage under BE/124/14/DOC show the area of proposed development to not be part of the surface water drainage scheme. The approved drawings state "Future developable area not included in hydraulic calculations (separate network required for extensions)". Therefore, full details of the proposed surface water drainage scheme will need to be provided to ensure the development does not increase flood risk elsewhere.

Please apply ENGD2B, ENGD5A, ENGD4A and ENGD6A.

Comments received 9th January 2019:

- The plan provided demonstrates how close the structure is to access chambers of the existing surface water drainage network. With the proposed structure overlaps the circle which denotes the location of the flow control chamber.
- Without as built drawings it is not possible to be certain that the proposed structure will not sit directly over access points to the surface water drainage network. This is important due to maintenance requirements. Flow control chambers, attenuation tanks, separators and French drains all require regular maintenance and will require maintenance during the period of the temporary use of the proposed building.
- There are likely to be further inspection points and vents on the attenuation tank. The proposed structure is to be located directly on top of the attenuation tanks. Without assurances as to the loadings imposed from the proposed structure we cannot be confident that damage will not occur to the tank.
- Conditioning these requirements for further detail could result in a planning application being approved with a significant risk that conditions will never be able to be discharged. Without as built survey, wording detailing how maintenance will be carried out and structural drawings is not possible to assess if development in this location is appropriate.

Comments received 5th March 2019:

- As built survey to be completed and submitted.

Comments received 11th June 2019:

- As built surveys show structure will be erected above two manholes and only 1m away from a third which is a flow control chamber which will require maintenance. It is unclear how these manholes will be

maintained and further detail should be provided. The structure is also located over the tank and I am unsure how they will not impose undue loading upon it.

SOUTHERN WATER:

No objection. General comments provided in relation to the management and maintenance of SUDS.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted. In response to the comments from the Council's Drainage Engineers, dated 13th September 2018, it should be noted that further details provided by the applicant have demonstrated that the area is served by the existing surface water drainage system and as such the proposed conditions are not deemed necessary.

POLICY CONTEXT

Designation applicable to site:

Within build up area boundary.

DEVELOPMENT PLAN POLICES

Arun Local Plan 2011 - 2031:

DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
EMPDM1	EMP DM1 Employment Land: Development Management
EMPDM2	EMP DM2 Enterprise Bognor Regis
EMPSP1	EMP SP1 Strategic Economic Growth
EMPSP2	EMP SP2 Economic Growth Areas
EMPSP3	EMP SP3 Strategic Employment Land Allocations
WDM1	W DM1 Water supply and quality
WDM2	W DM2 Flood Risk
WDM3	W DM3 Sustainable Urban Drainage Systems

Bersted Neighbourhood Plan 2014 Policy EE1 Business expansion

Bersted Neighbourhood Plan 2014 Policy ES2 Surface water management

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 Local Plan 2011-2031, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

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 and policies within them will be considered in determining

planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan.

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 (Regulation 14).

The Bersted Neighbourhood Plan has been made and as such it forms part of the development plan in the determination of this application. The relevant policies to the determination of this application are considered to be EE1, ES1 and ES2.

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 application site is situated within the built up area boundary as defined by policy SD SP2 of the Arun Local Plan (2011-2031) where the principle of development is acceptable. The site also falls within the Enterprise Bognor Regis allocation at 'Oldlands Farm' which is allocated for 48,160sqm of B1, B2 and B8 uses. The proposed development is in keeping with the existing employment use of the site and ensures the continuing economic use of the site.

Therefore, it is considered that the principle of development is acceptable subject to accordance with other relevant policies within the Development Plan.

DESIGN AND VISUAL AMENITY

The proposed development will consist of a temporary building measuring approximately 25m in width and 40m in depth with an eaves height of 6m and a maximum ridge height of 10.4m. A canopy is also proposed to the north-east of the temporary building which will measure 10m in width and 40m in depth with an eaves height of 6m.

The proposed structure will be situated between the existing industrial buildings occupied by Rolls-Royce

in close proximity to the southern-most building. By virtue of the proposed structures location and the height of the existing industrial buildings it will not be visible when viewed from the north-east and south-west of the application site. Whilst, views will be possible from the north-west and south-east of the application site it is considered that the proposal by virtue of its design, siting, layout, density, scale and massing does not result in unacceptably adverse harm to the established character of the locality and as such would accord with policy D DM1(1) and (14) of the Arun Local Plan and policy ES1 of the Bersted Neighbourhood Plan.

Drawing no. 'RR-ACM-00-E-DR-A-63000 Rev A' identifies that the proposed building will be constructed from sandwich cladding panels with a metal finish in a colour to match the existing industrial units on site. Therefore, it is considered that the proposed structure in design and finish will appear in keeping with the existing local area in accordance with policy D DM1(2) of the Arun Local Plan.

Policy EE1 of the Bersted Neighbourhood Plan identifies that applications to extend existing employment sites will be supported providing that the impact upon existing neighbouring properties is acceptable. Given the above conclusions it is considered that the proposal accords with policy EE1.

Therefore, the design of the proposed development is considered to be acceptable.

RESIDENTIAL AMENITY

The proposed building by virtue of its location and siting is not considered to give rise to any unacceptably adverse overbearing, overshadowing or overshadowing impacts. Similarly, it is considered that the proposed storage use in association with the existing Rolls-Royce operation will not result in any unacceptably adverse impacts through noise or disturbance to existing industrial uses on the site.

DRAINAGE

The proposed development is situated above the surface water drainage system which serves the existing commercial units. Therefore, additional information was required by the Council's drainage engineers in order to confirm that the development will not result in an adverse impact upon the maintenance and management of the drainage system.

An as built survey has been submitted in support of the application in addition to a 'Surface Water Drainage Report' which has concluded that:

"The risk of blockages due to build-up of deleterious material requiring maintenance is low due to the nature of the collection systems for the surface water.

Inspection access from the surface will be maintained and maintenance access will be allowed by the internal layout of the facility although the likelihood that this becomes necessary is low."

The details requested concerning the loadings of the structure above the tanks has not been provided but it is considered that this detail can be adequately secured via condition, prior to the commencement of development.

Therefore, the proposed development will accord with policies W DM2 and W DM3 of the Arun Local Plan and will not conflict with policy ES2 of the Barnham Neighbourhood Plan.

SUMMARY

The proposed temporary (until the end of 2023) logistics building and ancillary development is deemed to accord with relevant policies within the Arun Local Plan and as such is recommended for approval subject to the below 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 building 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 31st December 2023.

Reasons: In order not to prejudice consideration of future proposals for the area in accordance with policy D DM1 of the Arun Local Plan.

- 2 The development hereby approved shall be carried out in accordance with the following approved plans;

- Site Location Plan - BMW026/001
- Proposed Site Plan - RR-ACM-00-XX-DR-A-60000 Rev B
- Proposed Ground Floor Plan - RR-ACM-00-GF-DR-A-61000 Rev B
- Proposed Elevations - RR-ACM-00-E-DR-A-63000 Rev A
- Proposed Sections - RR-ACM-00-S-DR-A-62000 Rev A
- Roof Plan - RR-ACM-00-RF-DR-A-61001 Rev A

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.

- 3 Prior to the commencement of the development hereby approved structural calculations for the portion of the structure which overlaps with the attenuation tank, as identified on the 'As Built Survey' drawing no. 60579154-SHT-00-0000-C-0003, shall be submitted to and approved

in writing by the Local Planning Authority

Reason: To ensure that the structure will not compromise the operation of the existing surface water drainage system in accordance with policies W SP1 and W DM3 of the Arun Local Plan.

- 4 Access shall be maintained at all times to 'MH S5', 'MH S09' and 'CPS07' (as identified on the 'As Built Survey' drawing no. 60579154-SHT-00-0000-C-0003) for the purposes of management and maintenance of the surface water drainage system.

Reason: To ensure the ongoing management and maintenance of the existing surface water drainage system in accordance with policies W SP1 and W 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.