

Recommendation Report for Planning Permission

REF NO: BE/93/19/PL

LOCATION: Land adjacent to 6 Beeding Close
Bognor Regis
PO22 9TS

PROPOSAL: Application for retrospective planning permission for the construction of a steel frame storage building.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The newly constructed storage building is located between Units 5 and 6 on the Southern Cross Trading Estate, and it is accessed off Beeding Close. The storage building is regular shaped to a ridge height of 5.9 metres, and 12.0 metre wide by 20.0 metres deep. The building is steel framed and it is clad in dark green coloured cladding, with a pitched roof with rooflights, dark green personnel doors and grey coloured vehicle shutter doors to the front and rear elevations.
SITE AREA	0.2ha.
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	The industrial units, yards and associated parking areas at Units 5 and 6 on Beeding Close are enclosed by galvanised steel palisade security fencing. The rear of the site, backing onto the Oldlands Farm site, is bounded by a 12 feet high hedge and palisade security fencing.
SITE CHARACTERISTICS	The site was formerly used for the external storage of refrigeration units and parts, and the need for a storage building was clearly evident. The site is located between Units 5 and 6 at Beeding Close, both of which are occupied by the applicant - Polestar Cooling. The site faces onto the staff and visitor car park, and it is located at the eastern end of Beeding Close.
CHARACTER OF LOCALITY	Part of an existing, well established industrial estate - the Southern Cross Trading Estate - which is located to the east of Shripney Road, in Bersted. There are large buildings occupied by Travis Perkins and Ametek Solartron, respectively, to the west of the site, which are accessed off Steyning Way. The Oldlands Farm strategic employment site is located immediately north of the application site.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Bersted Parish Council
No objection.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted.

CONSULTATIONS

Engineering Services Manager
Engineers (Drainage)
WSCC Strategic Planning
Environmental Health

CONSULTATION RESPONSES RECEIVED:

LOCAL HIGHWAY AUTHORITY:
No objection.

ADC DRAINAGE ENGINEERS:
No comment.

ENVIRONMENTAL HEALTH:
No objection.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted

POLICY CONTEXT

Designation applicable to site:
Within the Built-up Area Boundary (BUAB) and in an established industrial estate - the Southern Cross Trading Estate - in the Local Plan.

DEVELOPMENT PLAN POLICIES

[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
QEDM1	QE DM1 Noise Pollution
QEDM2	QE DM2 Light pollution
QESP1	QE SP1 Quality of the Environment
SDSP2	SD SP2 Built-up Area Boundary
TSP1	T SP1 Transport and Development
WDM2	W DM2 Flood Risk

[Bersted Neighbourhood Plan 2014 Policy EE1](#)

Bersted Neighbourhood Plan 2014 Policy ES1

Bersted Neighbourhood Plan 2014 Policy ES2

Business expansion

Design of new development

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.

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 NP), 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 NP 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 and Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton; Ford.

The Bersted Neighbourhood Plan was made on 5th November 2014 and relevant policies have been taken account of 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 newly constructed storage building is located in an existing industrial estate, the Southern Cross Trading Estate, within the built-up area boundary (BUAB); and it is considered to comply with relevant Development Plan policies.

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 Policy SD SP2 of the Local Plan 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 in the Bersted Neighbourhood Plan (NP) would also apply. The key policy considerations in the determination of this application are Policies D DM1, D SP1, EMP DM1, T SP1, and QE DM1 of the Local Plan and Policies ES1, ES2 and EE1 of the Bersted NP and the National Planning Policy Framework.

Policy EMP DM1 of the Local Plan says that:

The Council will seek to protect and enhance existing employment sites and premises in order to maintain a supply of good quality commercial sites and premises to meet the needs of businesses and the local economy. The Council will promote and support positive measures to upgrade existing employment areas through supporting appropriate proposals for development / re-development of employment floor-space, upgrading or modernisation of existing premises and / or proposals which make more efficient use of under-use employment sites and premises. (Policy EMP DM1 (1.a)).

The newly constructed storage building is required to store solar powered vaccine refrigerators, which would contribute towards immunisation programmes and improved health services in the developing world. The provision of this new storage building would enable the existing adjacent buildings (Units 5 and 6 Beeding Close) to be used to increase production capacity of specialist solar refrigeration equipment. The site of the newly constructed storage building was previously an area of hardstanding, used for external storage. The storage building has an internal floor area of 240 square metres. The storage building is ancillary to the existing business operated by Polestar Cooling at Units 5 and 6 Beeding Close.

It is considered that the new building enhances the existing employment premises by providing internal storage space, thereby maintaining a supply of good quality commercial sites and premises to meet the needs of Polestar Cooling, both for the internal storage of refrigeration units and to enable space to be provided for production purpose inside the adjacent buildings, Units 5 and 6 at Beeding Close. It is considered that the newly constructed storage building comprises an upgrade to a small part of the Southern Cross Trading Estate through the re-development of an area of external hardstanding and it provides a more efficient use of an under-used area of land between two industrial units, Units 5 and 6 on Beeding Close, in accordance with Policy EMP DM1 (1.a) of the Local Plan.

VISUAL AMENITY & CHARACTER

Policy D DM1 of the Local Plan 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 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.

Policy ES1 of the Bersted NP requires "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 its location".

Policy EE1 of the Bersted NP says "proposals to upgrade or extend existing employment sites will be supported provided that the impact on the amenities of surrounding properties is acceptable."

Permission is sought for the storage building which has been constructed between Units 5 and 6 at

Beeding Close. It is considered that the storage building is of a size, scale, massing and finish that is seen throughout the Southern Cross Trading Estate. As such it is considered that the storage building fits well within the context of the site and the wider industrial estate.

It is considered that the design and appearance of the storage building does not adversely affect the appearance of the adjacent industrial buildings at Units 5 and 6 on Beeding Close. The front and rear elevations of the storage building are considered to be of a high quality in accordance with Policy D DM1 of the Local Plan and Policy ES1 of the Bersted NP, reflecting and mirroring the high quality appearance of the industrial units on Beeding Close. The setting back of the storage building from the adjacent industrial building at Unit 5 and Unit 6 Beeding Close, introduces depth to the facade, in accordance with Policy ES1 of the Bersted NP.

As such, it is considered that the storage building is acceptable and it complies with Policies D DM1 and D SP1 of the Local Plan and Policies ES1 and EE1 of the Bersted NP.

NEIGHBOUR AMENITY

The storage building is set back 31.4 metres from the boundary fence fronting onto Beeding Close. Having regard to the orientation of the storage building and the adjacent industrial units, the storage building along with the aforementioned separation distance; it is considered that that the newly constructed storage building would not have a detrimental impact on neighbouring industrial amenity with regard to overlooking, overshadowing, overbearing impact and loss of light/sunlight.

The Council's Environmental Health Officer has raised no objection. The proposed building is set within an industrial estate and would be set over 300 metres from the Rowan Way Caravan Park. As such, it is considered that the storage building would not lead to a level of noise which would have a detrimental impact of the users of the Caravan Park. Should noise become an issue this could be dealt with under the appropriate environmental health noise legislation. The site is located within an existing industrial estate comprising of commercial/industrial units. There is considered to be no adverse impact on the visual amenities of the locality or the amenities of neighbouring properties.

Therefore, it is considered that the new storage building does not have a detrimental impact with regards to noise on adjacent properties. In addition, no external lighting is proposed, therefore, it is considered that light spill would not be an issue.

As such, it is considered that the storage building complies with Policies D DM1, QE DM1 and QE DM2 of the Local Plan, in terms of neighbouring amenity.

HIGHWAY SAFETY AND PARKING

The storage building is for use by the existing tenants operating out of the site and it reduces the requirements for vehicle movements associated with having to use off-site storage. The new storage building substantially reduces vehicle movements associated with an alternative for an off-site storage space.

The storage building is a single storey infill and there is a large hardstanding/parking area in front of the industrial units. No car parking spaces have been lost through the construction of the storage building. As such, the construction of the storage building has complied with Policy T SP1 of the Local Plan in terms of car parking provision.

SURFACE WATER DRAINAGE

The NPPF requires that development does not give rise to an unacceptable risk of flooding detrimental to human health or property. Policy ES2 of the Bersted NP says "new development should aim to reduce the overall level of flood risk in the area. Surface water management measures will be required for

development proposals to ensure that the risk of flooding both on-site and downstream is not significantly increased."

The site is located in Flood Zone 1. As the site is smaller than 1.0 hectare and not affected by other sources of flooding, no flood risk assessment was required to be submitted. It is considered that the development complies with Policy ES2 of the Bersted NP.

FOUL WATER DRAINAGE

There is no foul sewage from the new storage building.

SUMMARY

The newly constructed storage building is considered to be acceptable and in accordance with Policy D DM1, Policy D SP1, Policy EMP DM1, Policy QE DM1 and Policy QE DM2 of the Local Plan and Policy ES1, Policy ES2 and Policy EE1 of the Bersted NP. It is recommended that, having regard to the above assessment, that planning permission 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 retained in accordance with the following approved plans:

Drawing No. Figure 1 Rev. A - Site Location Map
Drawing No. Figure 2 Rev. B - Planning Application Map
Drawing No. Figure 003 Version B - Block Plan

Drawing No. SCN1311/01 Rev. A - Base Plan
Drawing No. SCN1311/02 Rev. A - Roof Plan
Drawing No. SCN1311/03 Rev. A - Gable Elevations
Drawing No. SCN1311/04 Rev. A - Front and Back Elevations
Drawing No. SCN1311/05 Rev. A - Cross Section
Drawing No. SCN1311/08 Rev. A - Plan Showing Base Layout

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 B8 storage building hereby granted shall only be used in connection with the existing Polestar Cooling Ltd business at the adjacent buildings at Units 5 and 6, Beeding Close.

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

- 3 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.