

Recommendation Report for Planning Permission

REF NO: CM/15/20/PL

LOCATION: Land at Northwood Farm
Yapton Road

PROPOSAL: Variation of condition 2 (plans condition) imposed under CM/6/18/PL to vary location plan, site plan & elevations & elevations & floor plan.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

This application relates only to the changes to the plans condition (2) to include alterations to some of the equipment on the site layout plan,

The use of the site in terms of scale and operational hours, will not change from the approved scheme.

The key elements of the proposed equipment in terms of dimensions are:

- Two Cement Silos - each at 14.8m high and 2.9m diameter
- Aggregate Hopper/Storage Units - 5.32m high
- Mixing Unit -9.1m high
- Water Storage Unit - 5m high (5m diameter)
- Portacabin - 3m high (3m x 10m)

The equipment is now sited closer to the northern boundary of the site which is adjacent to the access road.

The reason for the changes are that the company implementing the permission has altered and they require a different configuration of the plant to the previous applicant. It is only through the commissioning of the plant and the applicant's experience that the detailed configuration could be finalised. The system provides full enclosure of the mixer and screen, which is an improvement on the existing permission.

Comparison

- The feed hopper and conveyor have been removed.
- Batching unit is reduced in height from 6.18m to 5.25m.
- Second conveyor reduced in height by 1m to 7m.
- Mixing Unit reduced in height by 0.5m.
- Additional Silo.
- Cement Silo has an increase in height of 1m and a reduction in volume from 3.06m to 2.9m.
- No change to the water tank, aggregate bays and portacabin.
- There is a new drying bay and wedge pitch not previously

	approved.
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Various fences and hedging.
SITE CHARACTERISTICS	The site is on the former concrete runway which runs in a south west to north east orientation. From the south western end, the runway curves around to the north, before returning to Yapton Road.
	Agricultural barn to south. The land to the east of the application site is used as a lorry park. East of the lorry park, is Ford Air Rifle Range.
CHARACTER OF LOCALITY	Predominantly rural

RELEVANT SITE HISTORY

CM/6/18/PL	Change of use to develop a concrete batching plant, with associated infrastructure, site offices & parking	ApproveConditionally 12-07-18
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REPRESENTATIONS

Climping Parish Council
No Objection.

COMMENTS ON REPRESENTATIONS RECEIVED:

None

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Environmental Health
No Comment

County Highways - No Objection

No changes are proposed to the access arrangements. The proposed parking has been amended but no concerns would be raised with the revised layout. 6 spaces are proposed and should be laid out to provide 2.4 by 4.8 metres parking spaces.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designation applicable to site:
Outside Built Up Area Boundary

DEVELOPMENT PLAN POLICIES

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

QEDM1	QE DM1 Noise Pollution
QEDM2	QE DM2 Light pollution
QEDM3	QE DM3 Air Pollution
QESP1	QE SP1 Quality of the Environment
DSP1	D SP1 Design
DDM1	D DM1 Aspects of form and design quality
TSP1	T SP1 Transport and Development

[Clymington Neighbourhood Plan 2015 Policy CPN11](#) Quality of Design

Clymington Neighbourhood Plan 2015 Policy CPN14 Traffic and the Environment

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

The relevant policies of the Clymington Neighbourhood Plan have been taken into account in the consideration of this application.

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 there would be no adverse impact on visual or residential amenity or the character of the 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 lies outside the built up area boundary of the Local Plan where the principle of a concrete batching plant providing employment opportunities in this location is acceptable and in this particular case has already been approved under reference CM/6/18/PL. This application only relates to the position of approved equipment within the site and changes to the equipment. Other matters relating to the permission remain unaltered and are approved.

The NPPF states that minerals are essential to support sustainable economic growth. It also requires local planning authorities to safeguard existing, planned and potential sites for concrete batching.

The original planning application set out the need for the development. This was a detailed assessment and that position has not changed. There remains a need for a concrete batching plant in the district, which will be met by this facility.

VISUAL AMENITY AND DESIGN

One of the main considerations in respect of this application is the impact on the landscape resulting from the change in position of the structures. They would not be significantly more visible in the landscape as a result of the proposed changes. The visual impact would be limited from views across the site and the change in position is negligible when the development and its setting next to other structures is considered.

The original application set out that the silos would be similar to agricultural grain storage silos. The proposed changes which include an additional silo and slight increase in height do not alter this position. The mixer silo and water tank will also be similar in appearance to farm storage silos. Low level fixtures such as the welfare facility, ramp, aggregate bays, parking and HGVs would not be visible due to the existing screening. Condition 8 of the planning consent requires a landscaping scheme to be submitted and approved.

The proposal would therefore accord with policies D DM1 and DSP 1.

RESIDENTIAL AMENITY

The change in position of the equipment does not impact on residential amenity any more than that originally approved when it was determined that the proposal would not have a detrimental impact on the amenity of occupiers of adjoining residential units with regard to noise and dust in accordance with policy D DM1 and these were controlled by condition.

Local Plan policy QE DM3 relates to air pollution. The proposed changed layout will not have a significant adverse impact on air quality. The layout provides improvements through more enclosed components. Condition 3 requires a report to be submitted and approved which assesses the potential Air Quality impacts from the site and provides mitigation measures in necessary. This will need to be completed and implemented prior to development commencement.

With regard to policy QE DM1 a noise assessment was provided to support the original application. The Environmental Health officers had no objection in principle subject to the imposition of conditions relating to hours of operation. The hours will not change as a result of this application. The enclosure of the process equipment will result in noise reduction and there will be no change to the throughput or vehicle usage at the site.

In terms of the difference in the configuration, this application removes the initial feed hopper and open

conveyor. Instead, the aggregate hopper will be directly loaded by a loading shovel. Once in the hopper units, the materials will be extracted by an enclosed conveyor into the batching unit. This is a more efficient method to transfer aggregates. The proposal will have one conveyor belt which will be fully enclosed.

In this respect the proposal would accord with policies D DM1, QE DM3 and QE DM1 of Arun Local Plan.

HIGHWAY SAFETY

The information submitted with the original application satisfactorily demonstrated that use of the site could be undertaken without adversely impacting on highway safety (CM/8/16/PL). This application proposes no change to the parking or main access arrangements. The proposed changes to the operational layout will not have any effect on traffic or highway matters. The layout provides parking as per the approved scheme. These spaces will be delineated and retained for their designated purpose. The separate exit and entry point will have no adverse impact on highway safety.

CONCLUSION

There will be no change to the throughput, scale, operational hours or HGV movements and the approved equipment now benefits from incorporation of more modern components such as enclosed conveyor belts. Overall the scale and nature of the proposed changes results in a development which is not substantially different from the one which has been approved. The application is therefore recommended for approval 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 approved shall be carried out in accordance with the following approved plans:

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Location Plan - KEN-YAP-APP-01A

Proposed Site Layout Planning Review 8975/210 P3

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 INFORMATIVE: This permission relates to the variation of condition 2 of planning permission CM/6/18/PL only. The applicant is advised and reminded that the planning conditions attached to the original planning permission number CM/6/18//PL remain in force and must be complied with. This decision only relates to the variation of Conditions 2 of that planning permission.
- 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.