

MR J SACCO

**PROPOSED NEW STORAGE
FACILITIES FOR EXISTING
PERMITTED SCAFFOLD YARD
AND FIREWOOD YARD (RELATED
TO LANDSCAPING
CONTRACTORS) AT THE FORMER
McINTYRE NURSERY,
LITTLEHAMPTON ROAD,
FERRING**

**PLANNING, DESIGN AND ACCESS
STATEMENT**

OCTOBER 2014

JAC/MG/10321

Contents

1	INTRODUCTION	3
1.1	Overview.....	3
1.2	Site and Surroundings	3
1.3	Planning History.....	4
2	DEVELOPMENT PROPOSALS.....	6
3	PLANNING POLICY FRAMEWORK	7
3.2	Arun District Local Plan 2003.....	7
3.3	Other Material Planning Considerations	9
4	KEY PLANNING CONSIDERATIONS	10
4.1	Introduction	10
4.2	Previous Reasons for Refusal	10
4.3	The Principle of Development	11
4.4	Visual Impact.....	11
4.5	Need for Development.....	12
5	DESIGN AND ACCESS STATEMENT	13
5.1	Use and Amount.....	13
5.2	Appearance and Scale	13
5.3	Layout.....	13
5.4	Parking	13
5.5	Access.....	13
6	CONCLUSIONS	14

1 Introduction

1.1 Overview

- 1.1.1 This report has been prepared in order to accompany a resubmission planning application for the erection of new storage facilities at the former McIntyre Nursery, Littlehampton Road, Ferring, West Sussex.
- 1.1.2 This report examines the site and surroundings, the planning history, and the reasons for the previous refusal, before considering the policy framework and planning issues relevant to the application proposal. It also covers issues relating to design and access, and is considered to be in accordance with Circular 01/06 which provides direction on these issues.

1.2 Site and Surroundings

- 1.2.1 The former McIntyre Nursery is located to the north of the A259 Littlehampton Road near to Ferring in West Sussex. Access to the site is achieved via an access road from Littlehampton Road.
- 1.2.2 The application site comprises 3no. long polytunnels running in an east/west direction, a small portacabin and a small amount of open land currently being utilised to store wood and equipment for a landscape contractors yard, for a fire-wood yard and scaffolding yard.



Above: Aerial Photograph of the Application Site (Courtesy of Google Earth)

- 1.2.3 The site is bordered to the north, east and south by other commercial property and to the west boundary by well-established vegetation. The site borders a fencing contractors and sales yard to the north and east with a good boundary screen beyond this to the north.
- 1.2.4 The former McIntyre Nursery is situated away from any adjoining residential property. The site originally had permission for use as a nursery, however, this use ceased approximately seven to eight years ago. Since that time the majority of the Appellant's land ownership has gained consent for commercial use, including a large fencing contractors yard and adjoining land now includes PHS; a company who specialise in workplace supplies, such as washroom facilities, water coolers, plant hire, etc.
- 1.2.5 The Applicant owns the access road and retains the freehold of the site from which the fencing contractor operates.

1.3 Planning History

- 1.3.1 The planning history for the site is as follows:
- (1) FG/93/93 granted with conditions 31 January 1993 - 2 No. multi-span greenhouses clad in polythene.
 - (2) FG/124/94 granted with conditions 16 February 1995 - 2No. small polytunnels.
 - (3) FG/1/97 granted with conditions 18 February 1997 - Horticultural pack house.
 - (4) FG/80/00 Refused 05 December 2000- Appeal allowed 04 April 2001 - Proposed agricultural chalet bungalow & garage.
 - (5) FG/129/00 Refused 03 April 2001 - Demolish existing offices and provide replacement offices for McIntyre's Nursery.
 - (6) FG/119/01/BR Rejected 04 January 2002 - Demolish existing offices and provide replacement offices for McIntyre's Nursery.
 - (7) FG/121/01/BR Granted with conditions 31 December 2001 - Proposed agricultural chalet bungalow & garage.
 - (8) FG/5/02/BR Granted with conditions 28 February 2002 - Demolish existing offices and provide replacement offices for McIntyre's Nursery.
 - (9) FG/29/02 Withdrawn 04 August 2003 - Proposed traditional mock windmill with visitor centre/shop and eight car parking spaces.
 - (10) FG/160/05 Granted with conditions 15 March 2006 - Change of use of redundant horticultural packhouse to B1/B8 (Business/Storage/Distribution) use.
 - (11) FG/98/08 Refused 01 September 2008 - Change of use from agricultural to equestrian, erection of stable building, sand school and ancillary works.

- (12) FG/76/09 Refused 07 August 2009 - Continuation of use of polytunnels for storage of motor vehicles.
- (13) FG/59/10 Granted with conditions 15 September 2010 - Change of use from former agricultural nursery to B8 storage and wholesale supply of fencing and associated materials.
- (14) FG/42/12 Refused 26 July 2012 - Use of polytunnels for storage.
- (15) FG/108/14/PL Refused 7 October 2014 - Proposed new storage facilities for existing permitted scaffold yard & firewood yard (related to landscaping contractors) to replace structures to be demolished.

1.3.2 This application follows the refusal of a previous application for a similar development. The reasons for refusal are set out below:

- (1) The site lies in a rural area and the proposed structures, without submission of satisfactory justification for their need or size in this location, conflict with policies GEN2 and GEN3 of the Arun District Local Plan and policies SDSP1, SDSP2 and SDSP3 of the Emerging Local Plan which seek to protect the countryside, safeguard agricultural land and ensure that the amount of land taken for development is kept to a minimum, consistent with the provision of high quality and adequate space within the built environment and to resist the consolidation of linear or sporadic development.
- (2) The proposed structures would be obtrusive in the landscape and harmful to the visual quality in conflict with policy GEN7 of the Arun District Local Plan and policies DSP1 and DDM1 of the Emerging Local Plan.

1.3.3 It is the case that this application seeks to address the previous reasons for refusal by reducing the height of the proposed structures to a maximum of 3m. An Inspector for the Secretary of State noted that storage on the site could be carried out to a maximum of 3m in height. It is the case, therefore, that the proposed structures will comply with Inspectors findings, ensuring that no storage will occur above 3m in height.

1.3.4 It is noted that the commercial uses that are taking place from the site were previously granted at appeal, and the site is not now agricultural land. It is also not now accurate to describe the uses of the site as somewhat 'sporadic'. The use now take place within a large scale commercial site, contained by well-defined boundaries.

2 Development Proposals

- 2.1.1 The Inspector extended the time allowance for the removal of the existing scaffold shelters present on site. It was acknowledged that the structures have an important function in keeping equipment and materials safe from the elements. However, it is acknowledged that the current structures are of rather rudimentary appearance and an improved design would ensure that the shelters are of a higher quality and reduced visual impact.
- 2.1.2 It is the case that this application proposes the demolition of the existing structures and the erection of three separate structures for the storage of scaffolding and logs/gardening materials.
- 2.1.3 The scaffolding store will measure approximately 6m deep by 5.5m in width with a mono-pitched roof to a maximum height of 3m sloping to 2.8m.
- 2.1.4 The garden/log store will measure approximately 7.5m deep by 7.5m wide with a mono-pitched roof to a maximum height of 3m sloping to 2.8m.
- 2.1.5 The second log store will measure approximately 6m deep by 3.5m wide with a mono-pitched roof to a maximum height of 3m sloping to 2.8m.
- 2.1.6 All of the structures will have a lightweight profiled sheeting roof with profile metal elevations, to ensure that the structures reduce the effects of the weather on materials stored within them.

3 Planning Policy Framework

- 3.1.1 Under the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004 applications for planning permission are required to be determined in accordance with the provisions of the development plan in force unless material considerations indicate otherwise. The Development Plan is The Arun District Local Plan 2003; material considerations for the case come in the form of the Arun District Draft Local Plan 2013-2028, and the National Planning Policy Framework.

3.2 Arun District Local Plan 2003

- 3.2.1 Policy **GEN1** requires that all development must take full account of the need to protect the environment so that present-day demands do not compromise the ability of future generations to meet their own needs or enjoy a high quality environment. All development must reflect the need to safeguard and improve the quality of life of residents, conserve energy resources and protect and, where possible, enhance the Plan area's essential character and environmental assets.
- 3.2.2 Policy **GEN2** confirms that development or redevelopment will be permitted within the built-up area boundaries, subject to the other policies in the plan. Outside the built-up area boundaries, development or redevelopment will not be permitted unless it is consistent with other Local Plan policies.
- 3.2.3 Policy **GEN3** states that outside the Built-Up Area, the countryside will be safeguarded for its own sake. Development will not be permitted unless:
- (i) it meets the operational needs of agriculture, forestry, the extraction of minerals or the deposit of waste; or
 - (ii) for quiet, informal recreation; or
 - (iii) for the diversification of the rural economy; or
 - (iv) for essential road schemes; or
 - (v) it is in accordance with a policy in Sections 2 and 3 of the plan referring to a specific use or type of development.
- 3.2.4 Permission will not be given for the extension of isolated groups of buildings or the consolidation of linear or sporadic development unless the proposal accords with criteria (i) to (iii) or (v).
- 3.2.5 Policy **GEN7** states that planning permission will only be granted for schemes displaying high quality design and layout. Development will be permitted provided it:
- (i) makes efficient use of land or buildings;

- (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;
 - (iii) promotes sustainable development, including the effective use and conservation of energy and reducing the need to travel, particularly by private car;
 - (iv) does not have an unacceptable adverse impact on adjoining occupiers, land, uses or property and, where relevant, facilitates the development of adjoining sites;
 - (v) takes account of any unacceptable adverse impacts that may arise from adjoining land uses or property;
 - (vi) retains significant open or wooded areas which, in their own right, make a material contribution to the local environment;
 - (vii) allows for the safe movement of pedestrians and vehicles, giving priority to pedestrians;
 - (viii) provides for vehicle parking in accordance with Policy GEN12 and open space in accordance with Policy GEN20.
- 3.2.6 In all cases, the District Council will expect a high standard of design and layout and all applicants will be encouraged to improve the visual amenities of the particular locality in scale, external appearance, hard and soft landscaping and materials.
- 3.2.7 Policy **DEV8** states that planning permission may be granted to local firms, currently located within the District, proposing development on sites outside the built-up area, provided that the applicant can demonstrate:-
- (i) that no acceptable alternative can be identified within existing permitted or allocated floorspace or within or through redevelopment of existing commercial premises; and
- 3.2.8 That the proposal:
- (i) exhibits a high standard of design and layout;
 - (ii) relates sympathetically to the surrounding built or natural environment;
 - (iii) includes suitable landscaping and floorscaping provision where appropriate;
 - (iv) displays a satisfactory relationship with neighbouring uses in order that the amenities of nearby residents in particular are protected; and

3.3 Other Material Planning Considerations

Arun District Local Plan Draft Publication Document 2014

- 3.3.1 Policy **SP1** states that when considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will work proactively with applicants to jointly find solutions which mean that proposals can be approved wherever possible and to secure development that will contribute to the social, economic and environmental conditions.
- 3.3.2 Policy **D SP1** states that all development proposals should be of good quality and demonstrate a high standard of design.

National Planning Policy Framework (2012)

- 3.3.3 The National Planning Policy Framework came into immediate effect on 28th March 2012 and as such supersedes previous national guidance in the form of Planning Policy Statements and Guidance. Due to the age of the Local Plan (2003) policies it must be considered in the context of the NPPF. Where they are not consistent with the more positive stance contained within 'The Framework' they should be afforded limited weight.
- 3.3.4 The overarching principle of the NPPF is a clear presumption in favour of sustainable development. In terms of determining applications this means approving development proposals that accord with the development plan without delay and granting permission in cases where the development plan is absent or out of date providing the development is in accordance with the policies contained within the NPPF (Para 14).
- 3.3.5 Paragraph 7 sets out the three roles of the planning system; an economic role, an environmental role and a social role. Under the social role the NPPF states that the new framework sets to support 'strong, vibrant and healthy communities by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being.'

Building a Strong, Competitive Economy

- 3.3.6 Section 1 of the NPPF sets out the Government's overarching aspirations for the economy. It states that the Government is committed to securing economic growth in order to create jobs and prosperity. To help achieve economic growth, local planning authorities should plan proactively to meet the development needs of business and support an economy fit for the 21st century.
- 3.3.7 Investment in business should not be over-burdened by the combined requirements of planning policy expectations. Planning policies should recognise and seek to address potential barriers to investment, including a poor environment or any lack of infrastructure, services or housing.

4 Key Planning Considerations

4.1 Introduction

4.1.1 It is necessary to consider whether the application proposal accords with the statutory Development Plan and, if not, whether any material considerations indicate that planning permission should nevertheless be granted. It is also necessary to demonstrate that the application, as proposed, has addressed the reasons for refusal of the previous application.

4.1.2 The starting point for consideration of this application is the reasons for refusal set out in the Council's decision notice, issued on 16 September 2014. It is the case that other issues in relation to whether the proposal accords with the development plan are then considered. Therefore, it is necessary to consider the following issues:

- (1) Previous Reasons for Refusal;
- (2) The Principle of Development;
- (3) Visual Impact; and
- (4) The need for the development

4.2 Previous Reasons for Refusal

4.2.1 The reasons for refusal set out in the previous decision notice are highlighted below:

- (1) The site lies in a rural area and the proposed structures, without submission of satisfactory justification for their need or size in this location, conflict with policies GEN2 and GEN3 of the Arun District Local Plan and policies SDSP1, SDSP2 and SDSP3 of the Emerging Local Plan which seek to protect the countryside, safeguard agricultural land and ensure that the amount of land taken for development is kept to a minimum, consistent with the provision of high quality and adequate space within the built environment and to resist the consolidation of linear or sporadic development.
- (2) The proposed structures would be obtrusive in the landscape and harmful to the visual quality in conflict with policy GEN7 of the Arun District Local Plan and policies DSP1 and DDM1 of the Emerging Local Plan.

4.2.2 It is first of all important to make clear that the application site does not comprise agricultural land. It is a permanent, permitted, mixed use site. Similarly, the structures do not represent sporadic development. They are structures within a large permitted and/or lawful commercial site which contains a significant number of structures.

4.2.3 It is noted that concern was raised through the previous application about the height of the proposed structures and their justification for being on site.

- 4.2.4 It is the case that the use of the mixed commercial use of the site for storage of landscape gardening equipment/log stores and scaffolding was accepted by the Inspector and is now operating under a planning permission, granted at appeal. The Case Officer, in their delegated report, noted that the structures proposed in the previous application help improve the appearance of the site. It is held, therefore, that the proposed structures would be preferable to the open storage of scaffolding, contractors equipment and firewood on site. The proposed structures would ensure that the storage of materials on site would largely occur within the proposed structures and not across the whole site. The proposed structures would therefore contribute to preserving the openness of the countryside.
- 4.2.5 The application has, however, now reduced the height of the proposed structures subsequent to the concerns raised by the Council. The proposed structures will now be a maximum of 3m in height, which accords with the Inspectors findings, which stated that open storage on the site could not occur above 3m.
- 4.2.6 Lastly, although it is acknowledged that the storage of scaffolding could take place without a shelter it is the case that if this equipment was stored externally, the appearance of the site would suffer as a direct result. Furthermore, the internal storage of the materials and equipment on site will ensure that they are protected from weathering, ensuring that their lifespan is improved. The firewood stored on site must have a dry storage place, as this is essential to operation of the business. As to other equipment a small store is required to keep equipment dry.

4.3 The Principle of Development

- 4.3.1 As previously set out, the operations and buildings currently present on site were the subject of a planning appeal (Ref: APP/C3810/C/12/2184306). The appeal was allowed in relation to the operations from the site, namely the storage of motor vehicles, scaffolding yard and fire-wood yard.
- 4.3.2 However, the Inspector noted that the existing scaffolding structures appear ramshackle and therefore the Applicant was granted an extension of time to allow for an application to be made for replacement shelters which are of a higher quality and reduced visual impact.
- 4.3.3 It is the case, that planning policy remains largely silent on the issue of shelters for storage of materials. However, the acceptability of other storage facilities at the site has been established through existing development on site.
- 4.3.4 It is the case that the application would see the removal of existing scaffolding structures and the erection of higher quality shelters for the storage of scaffolding, garden/log storage and related materials, and as shelter for those working on site.

4.4 Visual Impact

- 4.4.1 The visual impact of the proposal on the wider countryside is important to consider given the locality of the site within the rural fringe.

- 4.4.2 The removal of existing scaffolding shelters on site will ensure that current structures which appear as 'ramshackle' are removed. The proposed new shelters have been designed to be sympathetic to the rural environment in which they will be located, whilst also ensuring that the site will remain tidy.
- 4.4.3 The shelters will be orientated in such a way that the lowest section of the building is generally presented to the wider rural area. The use of timber will also reduce the visual impact of the structures.

4.5 Need for Development

- 4.5.1 The application has been informed by the requirements of the existing businesses on site to store their equipment and materials.
- 4.5.2 It is the case that should suitable shelters not be supplied on site, materials and equipment would be stored in the open which would have a detrimental visual impact on the surrounding countryside.

5 Design and Access Statement

5.1 Use and Amount

- 5.1.1 The application relates to the removal of existing scaffolding structures on site and the erection of 3no. shelters for the storage of scaffolding, fencing/logs and associated equipment. As the proposed shelters will replace existing structures, the use and amount of development is appropriate.

5.2 Appearance and Scale

- 5.2.1 The proposed shelters will be constructed of timber with a lightweight profiled sheeting roof. The appearance of the proposed shelters will be more sympathetic to their rural location. As previously set out, the structures will have a maximum height of 3m which will enable the storage of materials on site, ensuring that the site remains tidy and not visually intrusive on the surrounding countryside. The size of the shelters has been informed by the need to store various materials and equipment which can be bulky. It is the case that the proposed shelters are suitable to their rural location and of a scale suitable for the needs of existing occupiers.

5.3 Layout

- 5.3.1 The proposed shelters will be located to the west of the site in the existing locations of the scaffold shelters (please see drawing no. DHA/10321/12 – Proposed Site Layout).

5.4 Parking

- 5.4.1 Parking at the site will remain as existing.

5.5 Access

- 5.5.1 Access to the site will remain as existing.

6 Conclusions

- 6.1.1 The application proposes the demolition of existing scaffolding structures on site and the erection of 3no. shelters to provide storage for materials and equipment.
- 6.1.2 It has been demonstrated that local planning policy in terms of the erection of shelters for the storage of equipment and materials remains largely silent, although it has been submitted that that proposed shelters will have a much reduced impact upon their locality over existing structures and indeed over materials simply being stored in the open.
- 6.1.3 The structures have been designed to be sympathetic to their locality whilst providing adequate storage and shelter for existing occupiers.
- 6.1.4 For all of the above reasons, it is respectfully requested that the application be approved.