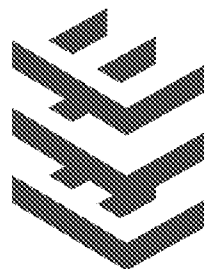


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Planning Statement

The Chalet, Ferring

September 2021



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Project Name: The Chalet, Ferring

Location The Chalet, Littlehampton Road, Ferring,
Worthing, West Sussex, BN12 6PG

Client: Ms Joanna Goodman and Mr Salvatore Aragona

File Reference: P1835

Issue	Date	Author	Checked	Notes
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1. Introduction

- 1.1. This Planning Statement has been produced by **ECE Planning** on the behalf of our client **Ms Joanna Goodman and Mr Salvatore Aragona**, in support of a Full Planning Application at The Chalet in Ferring. The development description for the proposals reads:

‘Development compromising marine workshop and boatyard, martial arts gym (Class E) and storage container compound (Class B8) to replace former glasshouses’.

- 1.2. This statement sets out the relevant background for the determination of the planning application, including a description of the site and its surroundings, the relevant planning history, planning policy, key details of the proposed development and assessment of the relevant planning considerations.
- 1.3. In support of this application, the Statement will examine relevant planning policy and guidance. The proposals have been informed by the National Planning Policy Framework, the National Planning Practice Guidance, the Arun Local Plan, and the Ferring Neighbourhood Plan.
- 1.4. The application for Full Planning Permission is supported by the following documents and drawings:

Planning Application Forms

Planning Statement

Suite of Architectural Drawings including Location and Block Plans

Ecology Report

Drainage Report

2. The Site

- 2.1. The site lies on the north side of the A259, in Ferring and comprises a chalet style dwelling with large areas of former glasshouses, outbuildings and parking.
- 2.2. A number of industrial/commercial uses are situated near the application site, including an office, timber yard, various B8 storage uses and a vehicle depot. Immediately to the east of the site, is an open sports field, including a football pitch and to the north is Highdown Hill.



Figure 1- The Site (Aerial View from Google Maps)

- 2.3. The site is accessed via the private driveway located off the north carriageway of the A259 Littlehampton Road.

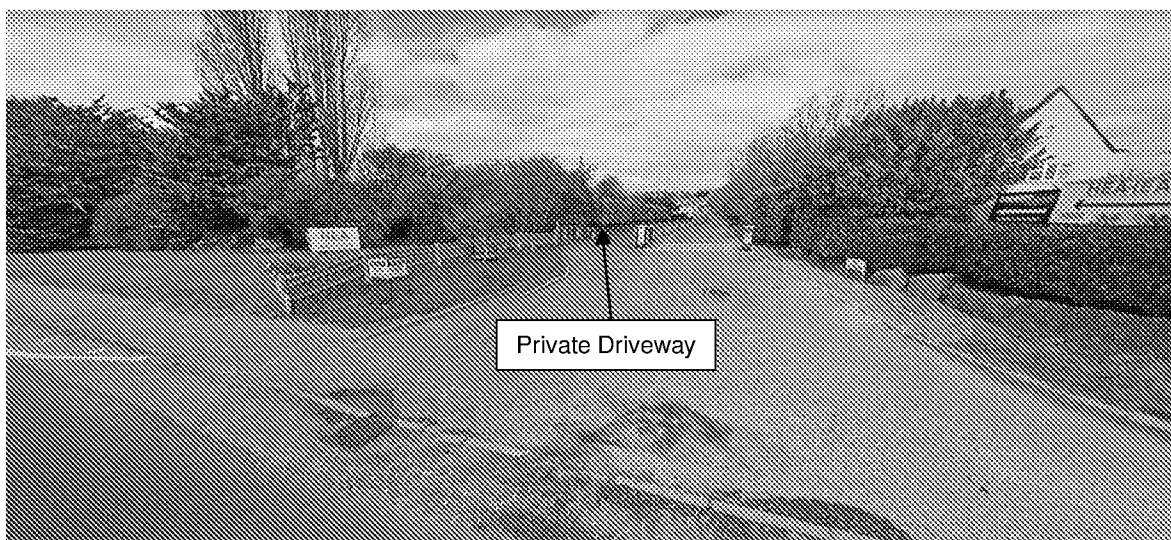


Figure 2- Access to Site

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- 2.4. There are a variety of local services and amenities available along the Littlehampton Road with the built up areas of Goring and West Durrington and Ferring in immediate proximity. A bus stop is located (approx. 100 metres) of the site, which has local bus services running from Arundel all the way to Shoreham-by-sea. Goring-by-Sea train station is (approx. 1.25km) of the site and can be accessed via pedestrian safe footpaths, with a walk time under 15 minutes. The station offers direct links to London Victoria, Brighton and other surrounding areas.
- 2.5. The surrounding area to the north and east, lies the South Downs National Park (SDNP) boundary and to the west is Highdown Vineyard.
- 2.6. In terms of flood risk, the site is situated in Flood Zone 1, as identified by the Government Flood Maps, which means that the land has low probability of flooding.



Figure 3- Government Flood Maps for Planning

3. Planning History

- 3.1. A search of Arun's online planning register of planning applications has been undertaken and the following represents a summary of the most relevant planning history for the site and surrounding area. The following is ordered chronologically with the most recent application being first.

Site Planning History

- 3.2. FG/25/14CLP- Application for a Certificate of Lawfulness for a proposed use as an unrestricted residential unit, The Chalet, Littlehampton Road, Ferring, BN12 6PG. **Approved 20/05/2014.**
- 3.3. PAA/85/17- Demolition of existing glasshouses and cessation of lawful commercial horticultural use, and replacement with B1/B8 Use Buildings, with continued access off Littlehampton Road (A259).
- 3.4. The Pre-Application (PAA/85/17) highlights that the area is within an existing area of development, in which a number of commercial uses are situated. It is therefore considered the development would not have an adverse impact upon the character of the countryside.

Wider Planning History

- 3.5. FG/123/20/PL- Demolition of a polytunnel, storage building & scaffolders' shelters & racking, use of land for Class B8 container self-storage & the siting of 79 No. single-stacked storage containers, part regrading of the ground, new fencing, CCTV & lighting. This site is in CIL Zone 3 (Zero Rated) as other development & is a Departure from the Development Plan, Land at former McIntyre Nursery Littlehampton Road Ferring BN12 6PG. **Allowed at Appeal Ref: APP/C3810/W/21/3269319 20/07/2021.**
- 3.6. FG/74/19/PL- 2 No. commercial B1/B8 use buildings with associated car parking, access & refuse storage This application is a Departure from the Development Plan, Highdown Industrial Park Littlehampton Road Ferring BN12 6PG. **Allowed at Appeal Ref: W/4000626 10/09/2021**
- 3.7. FG/135/19/PL- Demolition of a silo & erection of an office building (B1(a) Business), 6 No. parking spaces for office workers & erection of boundary fencing. Silo at Former McIntyre Nursery Littlehampton Road Ferring BN12 6PG. **Approved 27/05/2020.**
- 3.8. FG/33/18/PL- Demolition of polytunnels, use of land for Class B8 container self-storage & the siting of 42 No. single-stacked storage containers, an office/toilet portable building, new fencing, gates, CCTV, lighting & alterations to the entrance. This application is a Departure from the Development Plan, Land at former McIntyre Nursery Littlehampton Road Ferring BN12 6PG. **Approved 05/10/2018.**
- 3.9. FG/56/18/PL- Change of use & conversion of existing grain silo (Sui Generis) to office space (B1(a) Business) with associated parking, Old Grain Silo Former McIntyre Nursery Littlehampton Road Ferring BN12 6PG. **Approved 12/11/2018.**
- 3.10. FG/59/10/- Change of use from former agricultural nursery to B8 storage and wholesale supply of fencing and associated materials (This application is a Departure from the Development Plan), Land North of McIntyres Nursery Littlehampton Road Ferring BN12 6PG. **Approved 15/09/2010.**

4. The Proposal

- 4.1. The application is for the replacement of extensive areas of former horticultural glasshouses (approximately 2006 m²), associated with the previous use of the site and redevelopment of the site for a mix of uses, namely as a marine workshop/boatyard and martial arts gym and also a separate self storage container compound. The businesses would be run by the applicants who also live at the site in the residential property known as The Chalet.
- 4.2. The marine workshop and gym would require the construction of a new pre-fabricated single storey building of 450 m², a yard area for boat storage and associated parking for at least 10 cars. The building would be subdivided flexibly between the workshop and martial arts gym uses with 3 roller shutter doors and internal WC facilities.
- 4.3. The marine workshop and boatyard would be operated by the applicants who own NS Marine, a well established local marine engineering and boat repair company, previously based at Downsview, Littlehampton Road, BN12 6PW. Part of the building would also be used as a martial arts gym by Worthing Modern Martial Arts Academy, also owned and run by the applicant. These uses fall within Class E of the Use Classes Order.
- 4.4. In terms of size it is worth noting that, the proposed workshop does not relate directly to the level of activity of the business or any noise associated with larger business. The size of the workshop allows boats to sit within a sheltered space to enable the restoration and maintenance in a covered space.
- 4.5. Both businesses NS Marine and Worthing Modern Martial Arts Academy have been running for over 20 years. The business are both well established within the area with a substantial client base.
- 4.6. To the north east of the site, a container storage facility is proposed for self-storage uses (B8). There would be up to 37 containers totalling 546 m², formed in an enclosed compound. There are at least 10 parking spaces provided adjacent to the access road into the storage area.
- 4.7. Vehicle and pedestrian access to the site will be achieved via Littlehampton Road to the south and east of the site. The proposal will include at least 20 car parking spaces overall, comprising 10 for the new building and 10 for the storage compound, which is in line with the Arun District Council Parking Standards and West Sussex County Council (WSCC) Car Parking Standards.
- 4.8. The character of the new building has been designed to respond positively to respect the nearby characteristics of the area which is predominantly commercial and light industrial. The site is well contained and not readily visible from the A259 or surrounding viewpoints due to surrounding screening and existing buildings. The proposed single storey buildings are considered to be well integrated and compliant with the surrounding area in terms of layout, size and mass.
- 4.9. The local environment surrounding the site has been considered in this proposal with the proposed buildings coloured green to compliment wider surroundings although the site is particularly well screened by fencing which will considerably reduce views of any buildings within. The new building and containers have been positioned to the north of the site to reduce any impact on neighbouring residents.
- 4.10. Solar panels will be added to the roof of the workshop building as a source of renewable energy for the site. The solar panels will help run the workshop building and will effectively reduce the costs of running the site. The solar panels will total 232 sqm in size, with 116 sqm on each elevation.

- 4.11. The proposals include family run businesses that would be owned and operated by the applicants within the commercial/industrial areas of the site adjacent to their family home. It is important to the applicants that the residential property is maintained as their family home but that they can accommodate and grow both their existing businesses and the new storage facility. The entire site, including the residential dwelling and outbuildings and the new proposed industrial/commercial areas would be occupied, run and lived in by the applicants and they intend for this to be their home and place of work for the foreseeable future.

5. Policy Overview

5.1. Introduction

- 5.1.1. A key role of the planning system is to regulate the development and use the land in the public interest. At the heart of the planning framework are Statutory Development Plans, which seek to guide the decision making process. Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires, that where the Development Plan contains relevant policies, and application for planning permission shall be determined in accordance with the Development Plan, unless material consideration indicate otherwise.
- 5.1.2. In this case the Development Plan (excluding minerals and waste) for the area, consists of the following:
- The Arun Local Plan 2018;
 - Proposals Map; and
 - Ferring Neighbourhood Plan 2015.
- 5.1.3 The section considers how the proposed redevelopment application complies with relevant National and Local Policy.

5.2. National Planning Policy Framework (NPPF)

- 5.2.1. The NPPF (2021) is a material consideration in the determination of all planning applications. Those relevant parts of the NPPF in the consideration of the Application relate to the requirement for good design, promotion of sustainable transport and the presumption in favour of sustainable development.
- 5.2.2. The role of development in providing sustainable development cannot be underestimated, with the delivery of a new building for marine workshop and martial arts gym use and 37 self storage containers contributing in socio economic terms to the area. This is supported under the provisions of **Paragraph 8** of the NPPF.
- 5.2.3. **Paragraph 11** promotes the presumption in favour of sustainable development, and confirms that development proposals that accord with the development plan are to be approved without delay; and where there are no development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission: unless specific policies in the NPPF indicate otherwise or it would result in an adverse impact which would outweigh the benefits.
- 5.2.4. **Paragraph 84** states Planning Policies and decision should promote sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and through well designed new buildings.
- 5.2.5. **Section 9** promotes the needs for sustainable transport and how this can be delivered through the use of the planning system. **Paragraph 103** states that development should be focused on location which are, or can be made sustainable, through limiting the need to travel and offering more sustainable transport modes.
- 5.2.6. **Paragraph 111** states that development should only be prevented or refused on highways grounds if the development site is deemed to have a impact on highway safety, or could cause a residual cumulative impact on the road network.

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- 5.2.7. In this regard, the proposals seeks to make use of the under-utilised land, providing a small business which will be a valuable contribution to the local economy.
- 5.2.8. **Section 11** encourages the effective use of land and **paragraph 120** states *'planning policies and decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs.*
- 5.2.9. In this regard, the proposals seek to make use of the under-utilised land, providing a small business which will be a valuable contribution to the economy.
- 5.2.10. **Section 12** of the NPPF seeks to demonstrate the Government's commitment to good design in which **Paragraph 130** states *good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.* The proposal has been given full consideration to this requirement of good design within the Framework.
- 5.2.11. In conclusion it is strongly considered that the proposals have considered all the objectives stated in the National Planning Policy Framework.
- 5.3. National Planning Practice Guidance (NPPG)**
- 5.3.1. The National Planning Policy Guidance (NPPG) was published in March 2014 and is updated regularly. The NPPG supplements the overarching objectives of the National Planning Policy Framework. The guidance provided by the NPPG has been fully considered in the creation of the application and proposed plans are seen to be fully compliant with it.
- 5.4. Strategic Planning Policy – Arun Local Plan 2018**
- 5.4.1. The recently adopted Arun Local Plan 2018 sets out the strategic vision, objectives, policies and proposals for the development of the LPA to 2030 and beyond. The following policies in the Local Plan are considered relevant to this application.
- 5.4.2. **Policy C SP1- Countryside** states that outside Built-Up Area Boundaries land will be defined as countryside and will be recognised for its intrinsic character and beauty. Development will be permitted in the countryside where it relates to the diversification of the rural economy and where it is in accordance with the development plan policy.
- 5.4.3. **Policy SD SP3- Gaps Between Settlements** states that development will only be permitted within the gaps if:
- a) It would not undermine the physical and/or visual separation of settlements;
 - b) It would not compromise the integrity of the gap, either individually or cumulatively with other existing or proposed development;
 - c) It cannot be located elsewhere; and
 - d) It maintains the character of the undeveloped coast;
 - e) or, if a subsequent DPD or Neighbourhood Plan deems it appropriate through an allocation.
- 5.4.4. This site is located in a settlement gap between Angmering and Worthing, however the site is a brownfield site and is located in an area which has a variety of commercial and industrial uses. The proposal will therefore not have an adverse affect on the settlement gap between the two settlement boundaries.

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- 5.4.5. **Policy LAN DM1- Protection of Landscape character** states development throughout the plan area should respect the particular characteristics and natural features of the relevant landscape character areas and seek, wherever possible, to reinforce or repair the character of those areas. The historic character and development pattern of settlements within the District should be respected, taking into account their distinct identity and setting.
- 5.4.6. **Policy EMP DM1- Employment Land: Development Management** states planning permission will be granted on sites outside the built-up area, provided that the proposal demonstrates:
- a) That it is an appropriate sized extension of an existing employment site, or no acceptable alternative can be identified within existing permitted or allocated sites, or within or through redevelopment of existing commercial premises;
 - b) That it would not intensify uses at the site to the detriment of existing public access routes and highways;
 - c) A high standard of design, layout and landscaping appropriate to the context;
 - d) That it is capable of being well served by public transport or otherwise is readily accessible by means other than by private car to a significant residential workforce if employment intensive uses are proposed;
 - e) Access arrangements and parking facilities will be provided in accordance with the Council's adopted standards;
 - f) A sympathetic relationship to the surrounding areas that shows consideration of the landscape, habitat, built and historic environment contexts, the opportunities to deliver on-site habitats and protect key species
 - g) A satisfactory relationship with neighbouring uses in order that the amenities of nearby residents, in particular, are protected; and
 - h) Where appropriate, crime prevention measures are incorporated.
- 5.4.7. **Policy ECC DM1- Renewable energy** states the council will support renewable energy development subject to the criteria in this Policy. Schemes will be expected to contribute to the social, economic and environmental development and overall regeneration of the District.
- 5.4.8. The proposed development will implement the use of solar panels on site. The roof of the new building will have solar panels added to the building to utilise renewable energy on site, providing environmental benefits and helping to minimise energy consumption on site.
- 5.4.9. **Policy D SP1- Design** states 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.
- 5.4.10. **Policy D DM1- Aspects of form and design quality** further supports the **Policy D SP1** stated above. The policy lays out the criteria in which the council will consider before determining an application.

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- 5.4.11. **Policy HOR DM10 Horticulture** states that redevelopment of under-used, redundant or derelict glasshouses, polytunnels or packhouses will be supported provided that The redundancy of the structure or building to the owner and the horticultural or agricultural industry is proven by the applicant to the satisfaction of the Council and all proposed works include full details of new landscaping, screening and of any trees or vegetation or structures to be retained on the site.
- 5.4.12. The horticulture use has long ceased and the glasshouses have not been in use since 2010. A letter is attached at Appendix A from the previous site owners which evidences this point.
- 5.4.13. Additionally, the current owners have tried to rent out the greenhouse space but have found that even in a fully restored condition, the greenhouses didn't receive any enquires to justify restoring the glasshouses. The space was advertised locally and nationally but no relevant enquires were ever made.
- 5.4.14. **Policy T SP1 Transport and Development** ensures the development strengthens Arun's economic base, reduces congestion, works to tackle climate change and promotes healthy lifestyles.
- 5.4.15. **Policy ENV SP1- Natural Environment** states Arun District Council will encourage and promote the preservation, restoration and enhancement of biodiversity and the natural environment through the development process and particularly through policies for the protection of both designated and non-designated sites.
- 5.4.16. **Policy ENV DM5- Development and biodiversity** states where there is evidence of a protected species on a proposed development site, planning applications shall include a detailed survey of the subject species, with details of measures to be incorporated into the development scheme to avoid loss of the species.
- 5.4.17. **Policy W SP1- Water** states Arun District Council will encourage water efficiency measures in order to protect the District's water resources and enhance the quality of the water environment which supports a range of habitats and ecosystems.
- 5.4.18. **Policy W DM1- Water Supply and Quality** also covers details about sustainable drainage systems in terms of the size of the development.
- 5.4.19. **Policy QE SP1 Quality of the Environment** states the Council requires that all development contributes positively to the quality of the environment and will ensure that development does not have a significantly negative impact upon residential amenity, the natural environment or upon leisure and recreational activities enjoyed by residents and visitors to the District.
- 5.4.20. **Policy QE DM1 Noise Pollution** states to safeguard the continued use of existing industrial and commercial uses and to protect amenity, noise sensitive development should not normally be permitted where:
- a) High levels of noise will continue throughout the night, especially during the hours when people are normally sleeping.
 - b) There is a likelihood of complaints about noise from industrial development.
- 5.4.21. **Policy QE DM2- Light Pollution** states Planning permission for proposals which involve outdoor lighting must be accompanied by a lighting scheme prepared according to the latest national design guidance and relevant British Standards publications. Outdoor lighting schemes will be considered against the following criteria:

- a) No adverse impact on neighbouring uses or the wider landscape, particularly with regard the South Downs International Dark Sky Reserve designation;
- b) Light levels being the minimum required for security and working purposes;
- c) Minimising the potential glare and spillage; and
- d) The degree to which outdoor lighting can be powered by on-site renewable sources.

5.5. Other Relevant Development Policies- Ferring Neighbourhood Plan 2015

- 5.5.1. The Ferring Neighbourhood Plan was made on the 14th January 2015 and forms part of the Statutory Development Plan for part of this District. The following represents the most relevant Planning Policies, which have been undertaken into consideration as part of this planning application.
- 5.5.2. **Policy 1A: Spatial Plan for the Parish** relates to proposals for development located outside of the built up area boundary that do not accord with the development plan policies in respect of the control of the development in the countryside will be resisted.
- 5.5.3. **Policy 7: Land North of Littlehampton Road, encouragement of existing rural business**, the Neighbourhood Plan will support:
 - a) Any development shall minimise visual impacts on the surrounding countryside
 - b) All new buildings are located as part of the existing clusters of buildings to ensure existing patterns of development are maintained and to avoid significant incursions into open countryside, wherever possible unless details show an improved siting
 - c) Suitable measures are proposed to improve the setting and / or screening of the development within its wider setting of the National Park
 - d) Where appropriate, proposals shall be accompanied by drawings or other images showing impact of the proposed new development from key vantage points in the surrounding open countryside
 - e) Development will permitted in exceptional circumstances for example, if it is essential to meet utility infrastructure needs and no alternative site is available.

6. Planning Appraisal

6.1. Introduction

6.1.1. The principle issues in relation to this proposal are as follows:

Principle of Development

Design, Form and Appearance

Access, Transport and Parking

Landscape

Ecology

Renewable Energy

6.2. Principle of Development

6.2.1. The proposal seeks to replace the extensive area of glasshouses with a new building for use as a marine workshop and boatyard and martial arts gym (Class E) and also provide 37 new storage containers on site. The proposal will compliment the existing commercial uses situated to the land north of the application site.

6.2.2. The site lies outside the built up area boundary, however it is situated within an area of existing development activity. The proposal will not have an impact on the settlement gap, and will make use of brownfield land whilst not undermining the surrounding character of the local landscape.

6.2.3. **Policy 7- Land North of Littlehampton Road, encouragement of existing rural business** of the Ferring Neighbourhood Plan relates to the encouragement of existing rural business. It supports rural business development on land north of Littlehampton Road, subject to it not impacting the wider landscape. The proposed site is located within this area, and will provide provision of employment space and investment into the local area.

6.2.4. **Policy SD SP3** applies in relation to the surrounding context and having regard to the uses around the site, it is considered that the proposal would not intrude the countryside, nor would it erode the separation between settlements.

6.2.5. The proposal would not undermine the separation of settlements and would not compromise the gap between Angmering and Worthing, being a redevelopment replacing existing glasshouses at single storey level. The proposed development would be located in the existing location of the glasshouse, albeit the floor area will be significantly reduced through the proposed development.

6.2.6. The Planning Inspector, in allowing the nearby Highdown Farm Appeal (W/4000626) at Appendix B, clearly found that the development of the site, which is within 30m of the application site, was acceptable in principle commenting that,

- 6.2.7. *"5. The strip of existing commercial uses is largely self-contained due to its location within a wider pattern of development and physical features. On one side is a strip of residential dwellings and playing fields, on the other sits Highdown vineyard, and to the north is the SDNP. The proposal would be located within the existing footprint of the site, and therefore would not undermine the visual or physical separation of the settlements. The location within an existing cluster of commercial uses would avoid any encroachment into the open countryside. As such I am satisfied that the proposal would retain the break as existing between the settlements, and would not have a material effect on inter-visibility or intra-visibility between Angmering and Worthing.*
- 6.2.8. *6. Whilst I am not convinced that the existing uses would represent an 'industrial park', they are nonetheless in situ and clearly functioning on a commercial basis. The appeal site and its use are associated with the Appellant and an existing business. I have limited evidence to suggest that the appeal site is the only suitable location for the development, however due to its links to the existing business I am satisfied that the proposal would be best suited in this contained location as opposed to spreading the commercial use through-out the area and therefore this would be an efficient use of the site. The proposal would not have a material effect on the coast due to its location.*
- 6.2.9. *7. Accordingly, I find that the proposal would retain the identity of the gap between Angmering and Worthing, and would comply with the criteria set out in Policy SD SP3 of the Local Plan in respect of ensuring the gap as identified is protected to prevent coalescence and retains its separate identity.*
- 6.2.10. *8. The Ferring Neighbourhood Plan (FGNP) is clear in policy 7 that any proposals for a change of use from an established agricultural, horticultural or equine use or any other unrelated uses will be resisted. Whilst the site historically formed part of a horticultural unit it is clear that the wider site has been split and used for commercial purposes for some time, these businesses include a timber merchants yard and some storage and distribution, part of which is already located on the site. As such I am satisfied that the proposal would not conflict with Policy 7 of the FGNP."*
- 6.2.11. The proposal is therefore considered to be acceptable in principle according to the National Planning Policy Framework and the Development Plan.

6.3. Design, Form and Appearance

- 6.3.1. With the regards to design approach, the proposal has been designed carefully in terms of layout, scale, mass, height and appearance with reference to the immediate context and surrounding commercial and industrial nature of the area. The workshop building is single storey and commensurate in height to the surrounding buildings.
- 6.3.2. The proposed new building is similar in appearance and materials and is designed to sit in harmony with neighbouring buildings to prevent any overlooking of neighbouring properties and amenity spaces. It is located in the north west of the site and will be only partially visible from outside of the site. The storage containers will be screened by the boundary fence and only partially visible from beyond the site.
- 6.3.3. The proposed appearance of the scheme is therefore designed to respond to the existing rural setting, while providing industrial and commercial use. The materials will be in keeping with the site area and therefore be sympathetically fitting into the surrounding area and character of the site.

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6.4. Access, Transport and Parking

- 6.4.1. The proposed development will be accessed to the south east of the site, off the existing access route through the private driveway to the residential dwelling 'The Chalet'. The proposed storage area has been oriented to allow continuation of the existing approach while implementing a one way system around the proposed site. Employee and visitor parking is proposed along the east boundary for the storage containers. The area has allowed enough turning space for visitors and employees in which they will exit through the same access route. The marine workshop has 10 car parking spaces and adequate yard space to accommodate the boats under repair.
- 6.4.2. The proposal will provide a minimum of 20 car park spaces, entirely appropriate with the Arun District Council Parking Standards. The proposal is also in close walking distance to the existing bus stop and train station, which means employees and visitors will not be dependant on travel by car. There is ample space within the site to facilitate cycle parking.
- 6.4.3. Access into the development site will be gated at the entrance and exit of the site, ensuring the maximum level of security for the storage units and the new workshop and martial arts gym.

6.5 Sustainability

- 6.6.1 The site is situated outside the built up area boundary and is (approx. 170m) from the nearest bus stop. The site is also located (approx. 1.25km) from Goring-by-sea Train Station which is less than a 15 minute walk away.
- 6.6.2 The proposed bus stop is situated within a acceptable distance for commuting, however the train station is situated beyond the desirable commuting distance as specified within the Highway Technicians 'Guidelines for Proving Journeys on Foot'.
- 6.6.3 Additionally, the proposed development will also provide social sustainable benefits through local employment opportunities. Therefore it is considered the proposal will make a positive contribution to the local area which is supported by the development plan policy.

6.6 Landscape

- 6.6.1 The proposed site is not within a landscape designation, however the adjacent land North of Littlehampton Road is bounded by the SDNP to the east and north. At present, the site comprises brownfield land which was previously used for horticultural use.
- 6.6.2 The introduction of new built form and storage containers would decrease the area of physical structures on site. The visual impact would be limited because the new structures would replace the existing, within the confines of the site. New structures would be surrounded by other commercial uses and buildings including a timber yard, various B8 storage and a vehicle depot in the former Highdown Farm Estate.
- 6.6.2 Surrounding commercial buildings and existing fencing will be restrict views from the surrounding area. There is a extensive tree and hedge screening along the eastern boundary of the industrial area which borders the national park, meaning that there are no views into or out of the site to the designated landscape. Therefore it is considered the proposed development would not have an adverse impact upon the character of the surrounding landscape.
- 6.6.3 The recent Appeal at former McIntyre Nursery (Ref: APP/C3810/W/21/3269319 and attached at Appendix C) which is immediately adjacent to this application site is highly pertinent in terms of landscape impact with the Planning Inspector finding that;

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- 6.6.4 *"6. Policy C SP1 of the Arun Local Plan recognises the countryside for its intrinsic character and beauty, and Policy SD SP3 protects the generally open and undeveloped gap between settlements. Both support limited forms of development where they are appropriate to the countryside, and would not undermine the physical or visual separation between settlements, either individually or cumulatively. Policy EMP DM1 supports the retention and enhancement of existing employment sites. It also supports the grant of planning permission on employment sites outside built-up areas provided that a number of criteria are met, including that it would be an appropriate sized extension of an existing employment site and/or redevelopment of existing commercial premises, and would have a sympathetic relationship to the surrounding area.*
- 6.6.5 *7. The proposal would redevelop an existing site in mixed commercial use and be an extension of the existing container storage use on adjoining land. The introduction of storage containers would increase the number of physical structures on the site. However, the visual impact would be limited because the containers would replace existing structures including a storage building, a polytunnel and scaffolding racks. They would also be surrounded by other commercial uses and buildings including the adjacent container storage use, a car repair yard and a fencing and landscaping supplies yard. The only side on which the containers would be seen from outside the cluster of commercial uses would be along the western boundary, but this would be screened to a large degree from external view by existing trees and hedgerows on adjoining land. The boundary would also be fenced to further screen the site from view.*
- 6.6.6 *8. Having regard to the existing commercial use of the site, the existing structures which are to be replaced, and the contained nature of the land surrounded as it is on three sides by other commercial uses, I consider that the proposed storage use would not intrude into the countryside, nor would it physically or visually erode the sense of separation between neighbouring settlements. The storage containers themselves would be no higher than the existing structures on the site, or on land adjoining. The potential for stacking containers higher than a single layer could be controlled by condition.*
- 6.6.7 *9. I conclude that the proposed redevelopment of the site for container storage use is supported by Policy EMP DM1. Criterion (f) of Policy C SP1 allows for development in the countryside where it is in accordance with other policies in the Plan which refer to a specific use or type of development. As the proposal is supported by Policy EMP DM1 and does not harm the character or appearance of the countryside I conclude that it would therefore accord with Policy C SP1 of the Arun Local Plan."*
- 6.6.8 The proposal is therefore in accordance with the Development Plan and the provisions of the NPPF.

6.7 Ecology

- 6.7.1 A Preliminary Ecological Assessment (PEA) has been carried out and there was no note of bat activity recorded at the residential dwelling, 'The Chalet' or the application site. The scheme therefore contains no potential for biodiversity, and therefore has no ecological value.

6.8 Operation

- 6.8.1 The proposed businesses within the site will be run by the applicants who already successfully operate NS Marine (marine engineering business) and Worthing Modern Martial Arts Academy. It is important to the applicants that the residential property is maintained as their family home but that they can accommodate and grow both their existing businesses and the new storage facility. The entire site, including the residential dwelling and outbuildings and the new proposed industrial/commercial areas would be occupied, run and lived in by the applicants and they intend for this to be their home and place of work for the foreseeable future.

ECE Planning

NS Marine Workshop and Boatyard

- 6.8.2 The applicant has independently run NS Marine since 2001 and has periodically or indirectly employed additional people including marine engineers, upholsterers, carpenters, apprentices and yard staff. It is a small family business that the applicants intend to grow to employ at least 5 members of staff over time. The proposed hours of operation/use would be between 08:00 - 20:00 Monday to Sunday. In terms of operation as a small light industrial business that is operated by the applicant there will be limited noise or disturbance. It is notable that nearby developments (B1/B8 development at Highdown Farm (Appendix B) and B8 container storage at Land at former McIntyre Nursery (Appendix C) within the site area have been approved without the requirement for detailed noise surveys or controls via planning condition.
- 6.8.3 The workshop and yard have at least 10 parking spaces although there is adequate space to provide more plus the use of a large area of yard for boat storage and manoeuvring. It is important for the applicant to retain some flexibility in the use of this space to meet the on-going demands of the business. The workshop building would as previously stated be subdivided to include the martial arts gym.

Worthing Modern Martial Arts Academy

- 6.8.4 The applicant has also run the martial arts gym operation for many years and would continue to do independently. The membership is around 20 members at present although potential exists to increase to 50 members or more. The current activities are carried out in evenings (18:00 - 21:00) and on weekends and is a quiet non-intensive use. The proposed hours of use are 06:00 - 22:00 Monday to Sunday.

Self Storage Facility

- 6.8.5 The site would be managed by the applicants although potential exists for a receptionist/manager should the business grow. It is intended that the storage use be carried on between 06:00 - 22:00 from Monday to Sunday, in common with neighbouring facilities where the public expect to be able to access the storage units outside of normal working hours and at weekends. The recent Appeal attached at Appendix C included no restriction on hours of use for the allowed storage container scheme.
- 6.8.6 In terms of parking and access, as family run businesses these would be controlled by the applicants in terms of the secure operation of the site to visitors and clients via the main entrance gates. The parking is split between the Class E and the B8 areas of the site but with flexibility between these uses for both parking areas to be used by visiting clients of either facility. Furthermore, the martial arts gym would be frequented outside of normal working hours of the marine workshop and the parking spaces therefore would be used flexibly and shared during evenings and weekends.

6.9 Renewable Energy

- 6.9.1 It is proposed to implement use of solar panels on the roof of the new workshop and martial arts building. The site looks to provide a total energy performance of 22698kWh per year, maximising the opportunity to utilise renewable energy by using the workshop roof which would have little visual impact on the surrounding area.

7. Conclusions

- 7.1. This Planning Statement has been prepared by ECE Planning on the behalf of our clients, Joanna Goodman and Salvatore Aragona, in support of the proposed development for the '*Development compromising marine workshop and boatyard, martial arts gym (Class E) and storage container compound (Class B8) to replace former glasshouses*'.
- 7.2. The proposals include family run businesses that would be owned and operated by the applicants within the commercial/industrial areas of the site adjacent to their family home. It is important to the applicants that the residential property is maintained as their family home but that they can accommodate and grow both their existing businesses and the new storage facility. The entire site, including the residential dwelling and outbuildings and the new proposed industrial/commercial areas would be occupied, run and lived in by the applicants and they intend for this to be their home and place of work for the foreseeable future.
- 7.3. The design of the proposed development including layout, form and scale has been fully informed to be in-keeping with the surrounding area of the site. Respect of landscape impact can be delivered without harm to the existing landscape character, visual amenity or the visual separation of the settlement gap. The proposal is not considered to have any adverse impacts on the surrounding neighbouring properties and privacy will be retained through the existing fenced boundary. The scheme also proposes solar panels to help utilise renewable energy sources.
- 7.4. The proposal is considered to be acceptable in principle, addressing all the requirements laid out in the Arun Local Plan and Ferring Neighbourhood Plan. The development will provide a good quality commercial and industrial space and a family home for the future of the applicants.
- 7.5. The Council is therefore respectfully requested to grant full planning permission for this development.

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**The Chalet, Hillview Nursery,
Littlehampton Road,
Ferring,
West Sussex.
BN12 6PG**

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We purchased the nursery and house in 1977 (approximately 1 acre in all). There is an agricultural tie on the house as it was originally built as a farm manager's cottage, for the McIntyre's farm and landscaping business. We were permitted to buy, under the conditions laid down by the council planners, as we intended to continue to grow in the greenhouses, although we knew, even then, that the nursery was never going to generate enough income to become our main source of income. It was, therefore, agreed that one of us should work no more than 20 hours in any other occupation, thus making the nursery their main occupation. Mr Jenkins continued to be employed by British Telecom and Mrs Jenkins continuing to work part time at a local hospital to comply with the planning regulations.

The greenhouses, which were virtually derelict at the time of purchase, were over the next few years duly replaced with more modern and efficient greenhouses and we grew vegetables, all year round, selling to local green grocers and market wholesalers. As we were complying with planning regulations we were allowed to pay reduced council rates as applicable at that time to agricultural dwellings. Over time this rating system ended, the poll tax was introduced and the reduced rate for agricultural property ceased. When the poll tax was replaced by the council tax we were duly assessed and placed in the same rateable band as similar houses, of the same size, in the area with no reduction for the fact that the house was tied and that we did not have comparable amenities.

Over the years we have continued to comply with planning regulations and although we are now both well beyond retirement age and no longer enjoy the health and stamina we had in the past, we still try to keep to the requirements stated. However, over time the greenhouses have deteriorated, in spite of regular maintenance and are now considered obsolete and we are no longer able to obtain the parts needed to replace any that are damaged, as happened during the latest storms.

W *

The Chalet cont./....

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The years too have taken their toll on the outlets that were once available to us. So each year we have to subsidise the nursery from our pensions to an ever-greater extent. The local market that used to house 15 wholesaler stalls has now been reduced to just one remaining stallholder. Small, local independent greengrocers have all but disappeared. In both instances due to the change in shopping habits and the influx of the huge superstores, which buy direct from big growers who can supply the vast quantities they require. Just this week yet another small retail outlet has been lost for this very reason.

Selling up and moving on, however, is not an option open to us due to the agricultural tie, we know from experience that banks and building societies are unwilling to lend money to on a tied property, and if they were minded to do so, the average agricultural workers wage is far too low for the borrower to be considered a viable proposition, even if the nursery could support itself, which it can't as we well know. Finding a buyer who is in sufficient funds to buy our property outright at the price the council has deemed it is worth (i.e. it's rating band) amongst the agricultural/forestry community would be next to impossible

So, faced with being unable to get the parts to repair our greenhouses, loss of outlets to sell our produce to, increasing age and ill health coupled with the fact that as old age pensioners we are having to subsidise the nursery from our pensions and therefore are experiencing financial hardship, unable to sell our property, as the agricultural tie means it is virtually un-mortgageable and thus beyond the reach of those most able to fulfil the criteria for living here, and that, due to the conditions which now exist, we can no longer claim to be living in the middle of a horticultural site but in an area that has become increasingly industrialised, we are requesting that the planners will kindly see fit to lift the agricultural tie on this premise, so that it is no longer such a millstone around our necks.



Appeal Decision

Site visit made on 1 July 2020

by J Ayres BA Hons, Solicitor

an Inspector appointed by the Secretary of State

Decision date: 10 September 2020

Appeal Ref: W/4000626

Highdown Industrial Park, Littlehampton Road, Ferring BN12 6PG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr M Jones against the decision of Arun District Council.
 - The application Ref FG/74/19/PL, dated 24 June 2019, was refused by notice dated 10 October 2019.
 - The development proposed is described in the application form as "provision of two commercial B1/B8 use buildings with associated car parking, access and refuse storage on land at Highdown Farm, Littlehampton Road, Ferring".
-

Decision

1. The appeal is allowed and planning permission is granted for provision of two commercial B1/B8 use buildings with associated car parking, access and refuse storage on land at Highdown Farm, Littlehampton Road, Ferring at Highdown Industrial Park, Littlehampton Road, Ferring BN12 6PG in accordance with the terms of the application, Ref FG/74/19/PL, dated 24 June 2019, subject to the conditions in the attached schedule.

Main Issues

2. The main issues are;
 - (i) Whether the site is in a suitable location having regard to local and national planning policies; and
 - (ii) the effect of the proposal on the character and appearance of the area, having regard to its proximity to the South Downs National Park (SDNP) and Highdown Conservation Area (CA).

Reasons

Location

3. The appeal site is located within a strip of commercial uses stretching north from Littlehampton Road and is bordered to the north and south by commercial uses which include storage, distribution, and offices along with a fencing contractor's yard. The site is beyond the Built up Area Boundary (BUAB) and falls within the Angmering to Worthing Gap which separates the two settlements.
4. Policy SD SP3 of the Arun Local Plan 2018 (the Local Plan) seeks to protect the generally open and undeveloped nature of the gap to prevent coalescence of

the two settlements and retain their separate identity. The supporting text to the policy emphasises that its function is to guide the growth of towns and villages within the District.

5. The strip of existing commercial uses is largely self-contained due to its location within a wider pattern of development and physical features. On one side is a strip of residential dwellings and playing fields, on the other sits Highdown vineyard, and to the north is the SDNP. The proposal would be located within the existing footprint of the site, and therefore would not undermine the visual or physical separation of the settlements. The location within an existing cluster of commercial uses would avoid any encroachment into the open countryside. As such I am satisfied that the proposal would retain the break as existing between the settlements, and would not have a material effect on inter-visibility or intra-visibility between Angmering and Worthing.
6. Whilst I am not convinced that the existing uses would represent an 'industrial park', they are nonetheless in situ and clearly functioning on a commercial basis. The appeal site and its use are associated with the Appellant and an existing business. I have limited evidence to suggest that the appeal site is the only suitable location for the development, however due to its links to the existing business I am satisfied that the proposal would be best suited in this contained location as opposed to spreading the commercial use through-out the area and therefore this would be an efficient use of the site. The proposal would not have a material effect on the coast due to its location.
7. Accordingly, I find that the proposal would retain the identity of the gap between Angmering and Worthing, and would comply with the criteria set out in Policy SD SP3 of the Local Plan in respect of ensuring the gap as identified is protected to prevent coalescence and retains its separate identity.
8. The Ferring Neighbourhood Plan (FGNP) is clear in policy 7 that any proposals for a change of use from an established agricultural, horticultural or equine use or any other unrelated uses will be resisted. Whilst the site historically formed part of a horticultural unit it is clear that the wider site has been split and used for commercial purposes for some time, these businesses include a timber merchants yard and some storage and distribution, part of which is already located on the site. As such I am satisfied that the proposal would not conflict with Policy 7 of the FGNP.

Character and appearance

9. The proposed buildings would be commensurate in height to the surrounding commercial buildings. The materials present in the area generally comprise a varied mixture of corrugated metal, cladding panels, brickwork and polycarbonate, with design incorporating barrel, pitched and flat roofs. The proposed shallow pitched corrugated metal roofs would reflect the existing materials and the proposal would sit comfortably within its immediate setting.
10. There are a significant number of existing mature trees along the boundaries of the site to the east, west and north with further additional planting still establishing itself to the north. This would provide substantial screening when viewing the appeal site from the north, east and west. In addition, the proposal would include additional boundary planting along the west and southern boundaries within the site itself and a collection of soft landscaping elements

that would soften the commercial nature of the development. I am satisfied that these measures, in addition to the fact that the site is located within an established cluster of buildings, would create a comfortable development that would not result in harm to the setting of the SDNP.

11. The appeal site is located a short distance from the CA and a listed building known as Highdown. I am required under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving a listed building or its setting, and Section 72 of the Act requires that I pay special attention to the desirability of preserving or enhancing the character or appearance of the CA.
12. The listing includes the gardens associated with the house and is grade II*. The house was built circa 1820 and the on the land to the north and west of the house is the first large scale chalk garden. The appeal site is some 200 metres from the CA and the boundary with the listed building, which is accessed via a driveway and not readily visible until the top of the drive is reached. Glimpses of the house are visible from the A259 through the existing trees. Having regard to the existing relationship, the containment of the proposal within the identified boundaries of the site, and the proposed enhancement works for trees and boundary planting, I am satisfied that the proposal would conserve and enhance the setting of the CA and the listed building.
13. I find that the proposal would not be detrimental to the setting of the SDNP or High Down Hill, it would therefore comply with Policy LAN DM1 of the Arun Local Plan which requires that development within the setting of the SDNP must have special regard to the conservation of that setting.
14. The proposal would comply with Policy 7 of the FGNP which requires development to minimise visual impacts on the surrounding countryside, and to include suitable measures to screen the development within its wider setting of the SDNP.

Other Matters

15. I have considered the concerns raised in relation to the safety of the use of the track, the increase in traffic, issues around noise from the proposed use of the site, and the lawfulness of the existing use.
16. I am satisfied that the proposed use would not result in an increase in the level of vehicular movements that would justify dismissing the appeal on the grounds of highway safety relating to the track or increase in traffic generally. There is very limited evidence before me to identify a significant increase in activity that would create a development harmful to the living conditions of nearby occupiers with regards to noise. Issues relating to the lawful use of the site are not before me as part of this appeal and the Council has separate powers to consider lawfulness should that be appropriate.
17. Whilst I have carefully considered the concerns raised they do not individually, or collectively, lead me to conclude that the appeal should be dismissed on those grounds.

Conditions

18. I have considered the suggested conditions in accordance with the Framework and Planning Practice Guidance.

19. In addition to the commencement condition I have specified the plans for certainty. It is necessary to include conditions relating to landscaping and materials to ensure that the development achieves high quality design that respects the character of the area and the setting of the SDNP. Conditions relating to a construction method statement and hours of construction are necessary in the interest of highway safety and the living conditions of nearby residents. Due to the historical use of the site as a horticultural nursery it is necessary to assess the land for possible contaminants. It is necessary to include a condition to ensure that the site is properly drained and does not increase the risk of flooding elsewhere.

Conclusion

20. I have found that the proposal would comply with the development plan when taken as a whole. There are no material considerations that lead me to conclude other than in accordance with the development plan. Accordingly for the reasons above I conclude that the appeal should succeed subject to the conditions as set out in the schedule below.

J Ayres

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Plan - Location Plan 01 C; Proposed Elevations 1 02 A; Proposed Elevations 2 03A.
- 3) The car parking layout indicated on the Site Plan - Location Plan 01 C shall be constructed prior to occupation of the Units and shall be retained for the use of car parking in perpetuity.
- 4) No development above damp proof course (DPC) level shall take place until there has been submitted to, and approved by, the Local Planning Authority, a landscaping scheme including details of hard and soft landscaping and details of existing trees and hedgerows to be retained, together with measures for their protection during the course of the development. The approved details of the landscaping shall be carried out in the first planting and seeding season, following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which, within a period of five years from the completion of development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.
- 5) Development shall not commence, other than works of site survey and investigation, until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The design should follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations, and the recommendations of the SuDS Manual produced by CIRIA. Winter

groundwater monitoring to establish highest annual ground water levels and winter Percolation testing to BRE 365, or similar approved, will be required to support the design of any Infiltration drainage. No building / No part of the extended building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order in perpetuity.

- 6) Development shall not commence, other than works of site survey and investigation, until the following components of a scheme to deal with the risks associated with contamination of the site have been submitted to and approved, in writing, by the Local Planning Authority:
 1. A preliminary risk assessment which has identified: all previous uses potential contaminants associated with those uses a conceptual model of the site indicating sources, pathways and receptors potentially unacceptable risks arising from contamination at the site.
 2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
 3. The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
 4. A verification report providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Note: Any changes to these components, (1) to (4) require the express written consent of the Local Planning Authority.

The scheme shall be implemented as approved above and, prior to commencement of any construction work (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), a Verification Report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of that remediation shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. The report shall also include a 'long-term monitoring and maintenance plan' for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification report, and for the reporting of this in writing to the Local Planning Authority.

- 7) Development shall not commence, other than works of site survey and investigation, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters,

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- the anticipated number, frequency and types of vehicles used during construction,
 - the method of access and routing of vehicles during construction,
 - the parking of vehicles by site operatives and visitors,
 - the loading and unloading of plant, materials and waste,
 - the storage of plant and materials used in construction of the development,
 - the erection and maintenance of security hoarding,
 - the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
 - details of public engagement both prior to and during construction works.
- 8) Hours of operation of the units shall be restricted to between 08:00 to 18:00 hours (Monday to Friday) and 08:00 to 13:00 hours (Saturday) with no work on Sunday or Bank Holidays.
- 9) No development above damp proof course (DPC) level shall take place unless and until a schedule of materials and finishes to be used for external walls and roofs of the proposed buildings have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the buildings.

END OF SCHEDULE



Appeal Decision

Site visit made on 13 July 2021

by **Guy Davies BSc (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 19 July 2021

Appeal Ref: APP/C3810/W/21/3269319

Land at former McIntyre Nursery, Littlehampton Road, Ferring BN12 6PG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Standby Self Storage against the decision of Arun District Council.
 - The application FG/123/20/PL, dated 5 October 2020, was refused by notice dated 4 February 2021.
 - The development proposed is demolition of a polytunnel, storage building and scaffolders' shelters and racking, use of land for Class B8 container self-storage and the siting of 79 single-stacked storage containers, part regrading of the ground, new fencing, CCTV and lighting.
-

Decision

1. The appeal is allowed and planning permission is granted for the demolition of a polytunnel, storage building and scaffolders' shelters and racking, use of land for Class B8 container self-storage and the siting of 79 single-stacked storage containers, part regrading of the ground, new fencing, CCTV and lighting on land at former McIntyre Nursery, Littlehampton Road, Ferring BN12 6PG in accordance with the application FG/123/20/PL, dated 5 October 2020, and the conditions in the attached schedule.

Application for costs

2. An application for costs was made by Standby Self Storage against Arun District Council. This application is the subject of a separate decision.

Main Issue

3. The main issue is the effect of the development on the character and appearance of the countryside, including whether it would erode the gap between Angmering and Worthing.

Reasons

4. The site forms part of a cluster of commercial uses accessed by a private drive from the Littlehampton Road. Although previously used for horticultural use, following an appeal against enforcement action in 2014 it now has a lawful mixed use as an office, scaffolders' yard and a firewood yard, including the stationing of storage containers¹. Permission was granted in 2018 on adjoining

¹ APP/C3810/C/12/2184306

land, also subject of the enforcement notice, for a storage use similar to that now sought on the appeal site². That permission has been implemented.

5. The cluster of commercial uses lies in countryside outside any defined settlement boundary, and in a settlement gap between Angmering and Worthing as designated in the Arun Local Plan. There is another commercial operation a field away to the west, and some residential properties to the south, but otherwise the surrounding land is mainly in agricultural or recreational use.
6. Policy C SP1 of the Arun Local Plan recognises the countryside for its intrinsic character and beauty, and Policy SD SP3 protects the generally open and undeveloped gap between settlements. Both support limited forms of development where they are appropriate to the countryside, and would not undermine the physical or visual separation between settlements, either individually or cumulatively. Policy EMP DM1 supports the retention and enhancement of existing employment sites. It also supports the grant of planning permission on employment sites outside built-up areas provided that a number of criteria are met, including that it would be an appropriate sized extension of an existing employment site and/or redevelopment of existing commercial premises, and would have a sympathetic relationship to the surrounding area.
7. The proposal would redevelop an existing site in mixed commercial use and be an extension of the existing container storage use on adjoining land. The introduction of storage containers would increase the number of physical structures on the site. However, the visual impact would be limited because the containers would replace existing structures including a storage building, a polytunnel and scaffolding racks. They would also be surrounded by other commercial uses and buildings including the adjacent container storage use, a car repair yard and a fencing and landscaping supplies yard. The only side on which the containers would be seen from outside the cluster of commercial uses would be along the western boundary, but this would be screened to a large degree from external view by existing trees and hedgerows on adjoining land. The boundary would also be fenced to further screen the site from view.
8. Having regard to the existing commercial use of the site, the existing structures which are to be replaced, and the contained nature of the land surrounded as it is on three sides by other commercial uses, I consider that the proposed storage use would not intrude into the countryside, nor would it physically or visually erode the sense of separation between neighbouring settlements. The storage containers themselves would be no higher than the existing structures on the site, or on land adjoining. The potential for stacking containers higher than a single layer could be controlled by condition.
9. I conclude that the proposed redevelopment of the site for container storage use is supported by Policy EMP DM1. Criterion (f) of Policy C SP1 allows for development in the countryside where it is in accordance with other policies in the Plan which refer to a specific use or type of development. As the proposal is supported by Policy EMP DM1 and does not harm the character or appearance of the countryside I conclude that it would therefore accord with Policy C SP1 of the Arun Local Plan.

² FG/33/18/PL

10. The proposal would not undermine the physical and/or visual separation of settlements and would not compromise the integrity of the gap between Angmering and Worthing, either individually or cumulatively with other existing or proposed development. As the use would be an extension of an existing use on adjacent land it would be impractical to locate it elsewhere. I therefore conclude that it accords with Policy SD SP3 of the Arun Local Plan, which seeks to prevent coalescence and retain the separate identity of neighbouring settlements.
11. The storage containers would be utilitarian in appearance but would be the same as those permitted on the adjacent site and have the advantage of being easy to install and avoid disruption through extended construction activity. I conclude that they would accord with Policy D DM1 of the Arun Local Plan, which relates to form and design quality.
12. Lastly, I conclude the proposal would not conflict with Policy 7 of the Ferring Parish Neighbourhood Plan as it would not result in a change of use from a horticultural use (that already having taken place as a result of the enforcement appeal) and meets the criteria as set out in that policy.

Other Matters

13. The site lies some 130m south of the Highdown Conservation Area, with the listed building known as Highdown even further away. Given these separation distances and intervening screening, I am satisfied that there would be no appreciable impact on the setting of the listed building or the setting of the Conservation Area.
14. My attention has been drawn to an appeal decision³ where a proposal for a dwelling on land north of Littlehampton Road was dismissed on the grounds that it failed countryside and settlement gap policies. This proposal differs from the current appeal in relating to residential rather than commercial development, and therefore not having the support of Policy EMP DM1, being in a different location, and on garden land rather than land with existing commercial use and containing commercial structures. The appeal decision can be distinguished from the current proposal for these reasons, and I therefore give it limited weight.

Conditions

15. I have considered the conditions suggested by the Council against the tests set out in paragraph 55 of the National Planning Policy Framework. I have imposed the conditions which I consider meet those tests, subject to rewording where necessary in the interests of simplicity, consistency and precision. Pre-commencement conditions have been avoided. The conditions imposed have been reordered in accordance with the advice in the Planning Practice Guidance.
16. In addition to the standard time limit, a condition listing the approved plans has been imposed in the interests of certainty. Conditions requiring the installation of fencing, controlling the external colour of the containers, their height, and external lighting are necessary in the interests of the character and appearance of the area. A condition requiring the provision of parking space is necessary for the operation of the use and to help avoid off-site parking

³ APP/C3810/W/20/3255546: White Lodge, Hangleton Lane, Ferring.

causing disruption to neighbouring uses. A condition requiring a fire hydrant or equivalent water storage facility is necessary for the safety of the site and adjacent premises in the event of fire. A construction management plan is necessary to minimise disruption to neighbouring occupants during the construction phase. A condition requiring any surface dressing to be permeable to surface water is necessary in the interests of surface water drainage on the site.

17. Conditions requiring assessment and remediation of ground contamination are unnecessary in this case because no evidence has been advanced that the site suffers from ground contamination, and the proposed storage containers would in any event not be affected or exacerbate any contamination were it present. Details of proposed ground levels are already contained in the approved drawings and do not therefore need to be submitted again. A condition requiring ecological enhancement, while desirable, is not strictly necessary given that the habitat affected by the proposals has been assessed as being of low ecological value.

Conclusion

18. I conclude that the proposal accords with the development plan and that there are no material considerations which indicate a decision contrary to its provisions. Accordingly, I conclude that the appeal should be allowed.

Guy Davies

INSPECTOR

Schedule of conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans:
 - Location Plan 5320-1
 - Proposed Site and Block Plan 5320-2 Rev d
 - Section Lines 5320-3
 - Proposed Timber Fence 5320-4
 - Proposed Containers 5320-5 Rev a
- 3) The containers shall not be used until the external paint colour of the storage containers has been submitted to and approved in writing by the Local Planning Authority. The storage containers shall be painted in the approved colour prior to their use for storage and thereafter retained in the approved colour.
- 4) The containers shall not be used for storage until the car parking spaces shown on drawing 5320-2 Rev C have been laid out. The parking spaces shall thereafter be retained and made available for their designated use.
- 5) The containers shall not be used for storage until details of a fire hydrant or stored water supply have been submitted to and approved in writing by the Local Planning Authority. The approved fire hydrant or stored water supply

shall be installed and thereafter retained prior to use of the storage containers.

- 6) The containers shall not be used for storage until the fence shown on drawings 5320-2 Rev d and 5320-4 has been erected. The fence shall be retained thereafter.
- 7) The storage containers shall not be stacked, stored or otherwise positioned on the site to a height exceeding 2.6 metres measured from ground level.
- 8) The development shall proceed in accordance with the submitted Construction Management Plan dated 5 October 2020.
- 9) All external lighting on the site shall accord with the submitted lighting assessment, dated December 2020 and drawing 5320-2 Rev d, dated 23 December 2020.
- 10) Any surface dressing shall be permeable to surface water, including any sub-base.

*****End of Conditions*****