

Recommendation Report for Planning Permission

REF NO: F/13/19/PL

LOCATION: Ford Lane Business Park
Ford Lane
Ford
BN18 0UZ

PROPOSAL: New workshop building and redevelopment of existing building and site with new portal frame structure above existing building footprint.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

The proposal is for the extension and renovation of an existing boat construction factory and is designed to be completed in 3 phases:

Phase 1) To remove 6.9 metres in length of the existing 3.7 metre high industrial shed and to construct a 3 metre long link tunnel and new workshop building to the rear of the site 18.6 metres by 12 metres in area and 6.1 metres in height on existing hardstanding.

In addition it is proposed to infill a 1.5/2 metre wide approx. 14 metre slope from the existing hardstanding to the boundary on part of the northern boundary of the site by using a 80 cm high retaining wall and to construct a 2.2 metre palisade fence around the workshop areas behind the front elevation of the building creating a secure and locked workshop and yard space.

Phase 2) - To rebuild the front office/showroom and reception area at ground floor level creating a new front elevation and deliveries door & steps to the side elevation.

Phase 3) To replace the remaining part of the existing industrial shed with an industrial shed to match the Phase 1 new building in height (6.1 metres to ridge) and appearance and to create a suite of first floor offices above the existing office and show room from Phase 2.

SITE AREA

3230 sq.m.

TOPOGRAPHY

There is a gentle slope from the front of the site to the rear of approximately 1.5 metres.

TREES

None affected by the proposed development.

BOUNDARY TREATMENT

2.5 metre metal gates to the front of the main building. Hedging and a 1.8 metre wire and concrete post fence to the side of the site. A 2.5 metre palisade fence and tree/hedging

SITE CHARACTERISTICS	belt to the rear boundary of the site with agricultural land.
	The site is an industrial shed used for the manufacture of boats with associated offices/ external storage areas and vehicle manouvering areas on site.
CHARACTER OF LOCALITY	The application site is located on a dedicated industrial estate on Ford Lane with agricultural fields to the rear of the industrial estate beyond high hedging/tree field borders such that the industrial estate is not visible within the wider landscape. There are no residential properties within 180 metres of the site.

RELEVANT SITE HISTORY

F/16/92	Erection of perimeter fencing and gates	ApproveConditionally 18-05-92
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None relevant to the current application.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Ford Parish Council
No objection - Proposal complaint with current Neighbourhood Plan.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

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

CONSULTATION RESPONSES RECEIVED:

ADC Economic Development - Support

ADC Environmental Health - No objection subject to conditions

ADC Surface Water Drainage - No objection subject to conditions.

Southern Water - No objection subject to Informatives

COMMENTS ON CONSULTATION RESPONSES:

The proposal is for the extension in incremental stages of an existing factory rather than the wholesale redevelopment of the site. The development would only require localised pad bases for a new portal framed structure retaining the existing hard surfaces rather than a wholesale redevelopment of the site pad based therefore pre-commencement conditions in relation to contaminated land, construction management are considered overly onerous and unnecessary. A contaminated land condition relating to discovery of any new contaminants in the construction process would remain in the event of planning approval.

The proposal is located on a long established existing industrial estate well separated from residential properties such that conditions relating to lighting and hours of operation for demolition of construction are not considered necessary.

The additional hard surfaced areas to be created as a result of the scheme are less than 1% of the overall site and no additional areas of non permeable hardstanding and/or roofspace will be created as a result of the application. It is considered that a pre-commencement condition relating to surface water drainage is considered onerous and unnecessary given the existing non permeable hard surfacing and roofs on site.

POLICY CONTEXT

Designation applicable to site:

ADOPTED LOC PLN

OUTS BUILT AREA

CLASS C ROAD

RIGHT OF WAY

DEVELOPMENT PLAN POLICIES

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

CSP1	C SP1 Countryside
DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
EMPDM1	EMP DM1 Employment Land: Development Management
QEDM2	QE DM2 Light pollution
QESP1	QE SP1 Quality of the Environment

[Ford Neighbourhood Plan 2019 Policy EE1](#)

Support for business

Ford Neighbourhood Plan 2019 Policy EE10

Quality of Design of commercial buildings

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

POLICY COMMENTARY

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

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area.

Policies EE1 and EE10 of the Ford Neighbourhood Plan are considered relevant to this application.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is considered to comply with relevant Development Plan policies in that the development proposed is of a small scale extending an existing commercial building on an existing commercial site which would accord with policy EMP DM1 Employment Land: Development Management which states that the Council will seek to protect existing employment site outside the built up area boundary and as a result would not be contrary to policy C SP1 countryside of the Arun Local Plan.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

PRINCIPLE

The application site is located within the Parish of Ford and as such the development plan in the determination of this application will consist of the Arun Local Plan (ALP) 2011 - 2031 and the Ford Neighbourhood Plan (FNP) .

Arun Local Plan (2011-2031):

The key policy considerations in the determination of this application are considered to be C SP1 of the Arun Local Plan (ALP) 2011 - 2031.

Commercial development is resisted outside of built up area boundaries (BUAB) under policy C SP1 countryside unless the proposal accords with other policies with the plan which refer to specific types of use or development.

In this case the proposed development accords with policy EMP DM1 Employment Land in that it would protect and enhance an existing employment site, would be an appropriate sized extension of an existing employment site outside of the built up area boundary and would not intensify the use of the site to the degree that there would be significant transport implications in accordance with part 6. of policy EMP DM1.

Ford Neighbourhood Plan Policies EE1 also seeks to support the extension of existing employment

buildings unless they would cause an unacceptable harm to the amenities of surrounding properties, landscape, wildlife and cultural heritage.

The proposed development is therefore considered acceptable in principle.

DESIGN

Arun Local Plan policy D DM1 lists a series of 15 criteria that development must comply with - these include character where the policy states:

'1. Character

Make the best possible use of the available land by reflecting or improving upon the character of the site and the surrounding area, in terms of its scale, massing, aspect, siting, layout, density, building materials (colour, texture), landscaping, and design features.'

Arun Local Plan 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....' The policy requires that development proposals should reflect the characteristics of the local area by amongst other things in terms of its character and design.

Policy EE 10 of the Ford Neighbourhood Plan seeks extensions to achieve a high quality, energy efficient design in harmony with the surrounding landscape setting.

It is also necessary to consider the guidance within the National Planning Policy Framework (NPPF).

Section 12 paragraph 127 states that 'Planning policies and decisions should ensure that developments:

c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities)'.

Paragraph 130 goes on to say that 'Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions,...'

The proposed extension of buildings, additional hard standing and new fences would modernise a somewhat tired and out of date industrial building providing a modern factory suitable for the expansion of the occupants, Orkney Boats.

The scale of the extended buildings as a whole would be larger than existing at 6.1 metres in height rather than 3.7 metres in height however it would not be considered to be out of character with other industrial buildings on and adjacent to the applicants building on the Ford Lane Business Park a number of which are two stories in height.

The site is well screened from neighbouring farm land with a strong landscaped border including trees along the rear boundary of the site.

The proposal is therefore considered to be of an acceptable design in accordance with policy D DM1 and D SP1 of the Arun Local Plan, Policy EE10 of the Ford Neighbourhood Plan and the NPPF.

AMENITY

The application site is located in excess of 180 metres from the nearest residential property and would have a strong landscaped boundary such that it would not impact upon the surrounding landscape. NO additional land would be developed as a result of the scheme. The intensification of use of the industrial unit would not be considered to cause a significant additional loss of residential or other amenity subject to a condition relating to external lighting and in this respect would accord with policies QE DM2 & D DM1 of the Arun Local Plan and policy EE1 of the Ford Neighbourhood Plan.

No other significant issues are considered to be relevant to the consideration of this application

In summary the proposed development is recommended for approval subject to the following conditions:

HUMAN RIGHTS ACT

The Council in making a decision should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as Arun District Council to act in a manner, which is incompatible with the European Convention on Human Rights.

Consideration has been specifically given to Article 8 (right to respect private and family life) and Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for approval of the grant of permission in this case interferes unreasonably with any local residents' right to respect for their private and family life and home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for approval is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

In assessing this proposal the following impacts have been identified upon those people with the following protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation).

The proposal would have a neutral impact on the protected characteristics.

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

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

Proposed Site/Block Plan Dwg.no. 3186_P_20 dated 12.04.2019

Proposed Floor Plans Phase 1 Dwg.no. 3186_P_21 dated 10.04.2019
Proposed Floor Plans Phase 2 Dwg.no. 3186_P_23 dated 10.04.2019
Proposed Floor Plans Phase 3 Completed proposal Dwg.no. 3186_P_25 dated 10.04.2019
Proposed Elevations Phase 1 Dwg.no. 3186_P_22 dated 10.04.2019
Proposed Elevations Phase 2 Dwg.no. 3186_P_24 dated 10.04.2019
Proposed Elevations Phase 3 Completed Proposal Dwg.no. 3186_P_26 dated 10.04.2019

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 of the Arun Local Plan.

- 3 If during development, any visible contaminated or odorous material, (for example, asbestos containing material, stained soil, petrol / diesel / solvent odour, underground tanks or associated pipework) not previously identified, is found to be present at the site, no further development (unless otherwise expressly agreed in writing with the Local Planning Authority) shall be carried out until it has been fully investigated using suitably qualified independent consultant(s). The Local Planning Authority must be informed immediately of the nature and degree of the contamination present and a method statement detailing how the unsuspected contamination shall be dealt with must be prepared and submitted to the Local Planning Authority for approval in writing before being implemented. If no such contaminated material is identified during the development, a statement to this effect must be submitted in writing to the Local Planning Authority.

Reason: To protect the amenity of local residents in accordance with Policy QE DM4 of the Adopted Arun Local Plan 2011-2031

- 4 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure)(England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

- 5 INFORMATIVE:Southern Water
Our initial investigations indicate that there are no public foul and surface water sewers in the area to serve this development. The applicant is advised to examine alternative means of foul sewage disposal.

The applicant is advised to consult the Environment Agency directly regarding the use of a sewerage treatment plant which disposes of effluent to sub-soil irrigation. The owner of the premises will need to maintain the works to ensure its long-term effectiveness.

Due to changes in legislation that came in to force on 1st October 2011 regarding the future ownership of sewers it is possible that a sewer now deemed to be public could be crossing the above property. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site.

For further advice, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119), www.southernwater.co.uk or by

email at developerservices@southernwater.co.uk.