

Recommendation Report for Planning Permission

REF NO: F/19/26/PL

LOCATION: Unit A Rudford Industrial Estate
Ford Road
Ford
BN18 0BD

PROPOSAL: Installation of a temporary building to provide additional storage space. This application is in CIL Zone 2 (Zero Rated) as other development.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
SITE AREA	1.5 hectares.
SITE CHARACTERISTICS	Industrial estate, comprising of various sized industrial units. Unit A operates under B2 (General Industrial) and B8 (Storage and Distribution) Use Classes.
CHARACTER OF LOCALITY	Industrial estate with dwellings to the south, agricultural fields to the west, Ford Open Prison and St Marys Church to the west and a waste site to the north.

RELEVANT SITE HISTORY

F/14/23/PL	Erection of a temporary building (minimum of 1 year) to provide additional storage space. This application is in CIL Zone 2 (Zero Rated) as other development.	ApproveConditionally 29-11-23
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F/14/23/PL - This application granted temporary planning permission for three years for the construction of a temporary building within the front of the site.

REPRESENTATIONS

None.

COMMENTS ON REPRESENTATIONS RECEIVED:

None.

CONSULTATIONS**CONSULTATION RESPONSES RECEIVED:**

Drainage Engineers - No objection:

- The proposal would not materially affect drainage on or around the site and in accordance with NPPF Paragraph 182 the development does not require a sustainable drainage system.

WSSC Highways - No objection:

- No visibility, parking, access, or increase in traffic movement concerns.
- Do not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Built-up Area Boundary

Article 4 Land

Mineral and Waste Consultation Area

DEVELOPMENT PLAN POLICIES

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

SDSP2	SD SP2 Built-up Area Boundary
DSP1	D SP1 Design
DDM1	D DM1 Aspects of form and design quality
QESP1	QE SP1 Quality of the Environment
TSP1	T SP1 Transport and Development
EMPDM1	EMP DM1 Employment Land: Development Management
ENVDM5	ENV DM5 Development and biodiversity
WDM3	W DM3 Sustainable Urban Drainage Systems

[Ford Neighbourhood Plan 2019 Policy BUA1](#)

Built Up Area (BUA) boundary

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

SUPPLEMENTARY POLICY GUIDANCE:

SPD13	Arun District Design Guide (SPD) January 2021
SPD11	Arun Parking Standards 2020

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans, The South Inshore & South Offshore Marine Plan 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.

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 complies with relevant Development Plan policies in that it would have no unacceptable impact on the character of the area nor residential amenity and would enhance the existing employment use of the site.

Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that

(2) in dealing with an application for planning permission the authority shall have regard to -

- (a) the provisions of the development plan, so far as material to the application,
- (aza) a post examination draft neighbourhood development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations.

OTHER MATERIAL CONSIDERATIONS

There are no other material considerations to be weighed in the balance with the Development Plan.

CONCLUSIONS

PRINCIPLE

The site is located within the Built-up Area Boundary where the principle of development is acceptable in accordance with Arun Local Plan (ALP) policy SD SP2 and Ford Neighbourhood Plan (FNP) Policy BUA1, subject to the consideration of other relevant Development Plan policies.

FNP Policy EE1 supports proposals to upgrade or extend existing employment buildings unless the proposal would cause unacceptable harm to the amenities of surrounding properties, landscape and wildlife.

ALP policy EMP DM1 promotes and supports positive measures to upgrade existing employment areas through development/re-development of employment floorspace, upgrading or modernisation of existing premises and/or proposals which make more efficient use of under-used employment sites and premises.

The principle of development here is established, subject to considerations below regarding other matters such as design, impact on neighbours, transport and parking, and biodiversity.

DESIGN AND VISUAL AMENITY

The proposal is a utilitarian commercial-style building consisting of a white twin-layer insulated PVC roof cover with goosewing grey 40mm composite panels to the walls. It is large, but comparable in form and scale to the surrounding commercial buildings. It is virtually identical, albeit smaller, than an existing structure on site that was approved under F/14/23/PL and sits immediately south of the proposal.

While the structure is described as temporary, this pertains to the nature of the structure and its mechanism for construction, rather than a proposed temporary timeframe. The structure is less versatile

than a traditional building, but having viewed the structure approved under F/14/23/PL, it is clear that the integrity and durability of this type of structure is greater than may be expected. The building approved under F/14/23/PL was approved for a limited time, three years, but it is apparent that these structures can likely persist significantly longer than three years without significant wear or loss of visual condition due to weathering.

In considering an extended temporary period condition, it has ultimately been concluded that one is not necessary. Noting the simple construction and deconstruction methodology and lack of permanent fixings/foundations, the proposed structure could be erected or removed in line with the requirements of the occupier, present or future. Should the structure fall into a state of disrepair that was unacceptable, a Section 215 notice under the Town and Country Planning Act 1990 could be considered, but the site is an industrial state with a weathered and utilitarian nature. It is not an area of high visual amenity, and if the structure began to fail in providing suitable shelter for product, its repair, removal or replacement, would not likely be an onerous process due to the nature of the structure.

Given the general and non-specialised storage use of the building, while FNP policy EE10 suggests that commercial buildings should be energy efficient, the structure being thermally/energy efficient is not necessary or reasonable.

The proposed structure would not be out of character with the wider commercial use of the site or its buildings and is in accordance with ALP policies D SP1 and D DM1, and FNP policy EE10.

NEIGHBOURING RESIDENTIAL AMENITY

The site falls within an existing commercial site and is surrounded by commercial/industrial uses. The nearest residential property is over 200m away and there would be no unacceptable noise impacts as a result.

The proposal is in accordance with ALP policies QE SP1 and D DM1.

PARKING

The site currently provides approximately 29 car parking spaces along its eastern boundary and around five cycle spaces within a sheltered facility, as observed in 2024. There are 34 existing employees, and the site benefits from extensive impermeable surfacing beyond the building footprint. Vehicles are able to park flexibly across the site where this does not conflict with operational requirements, and the current or any future occupier could utilise additional hardstanding to create further dedicated parking if necessary.

The proposed development will not prejudice existing parking provisions. The footprint of the new building is currently used for external product storage; the development would enable products to be stored and stacked internally, likely reducing external storage and freeing up additional space on site. Although the proposal would typically require five parking spaces in line with the Arun Parking Standards, it would generate only two additional employees, equating to an actual need of just two spaces, which can be accommodated within the site.

WSCC Highways have raised no objection on transport or parking grounds.

Overall, the proposal would result in minimal change to parking demand. As the site forms part of an enclosed industrial estate, any limited overspill parking could be accommodated elsewhere without impact on the wider highway network. The development is in accordance with ALP policy T SP1.

DRAINAGE

The ADC Drainage Engineers have identified that the development would cover an existing, drained impermeable area and that the roof would be discharged to the same drainage system. The proposal

would not, therefore, materially affect drainage on or around the site and in accordance with NPPF Paragraph 182, the development does not require a sustainable drainage system.

The proposal is in accordance with ALP policy W DM3.

BIODIVERSITY

The proposal is exempt from statutory biodiversity net gain under the de-minimis exemption.

The site is not located within any nationally or locally designated habitats, and as an industrial site, there is limited ecology to be found. The proposal will not impact ecology on or off site, and while ALP policy ENV DM5 requires proposals to achieve a biodiversity net gain on site, there is limited scope for any ecological enhancement features that would make any meaningful contribution to biodiversity.

While the proposal is in conflict with ALP policy ENV DM5, there is no ecological harm identified or any missed opportunities for enhancement that would be significant. This is not reason to refuse the development.

SUMMARY

While the proposal is in conflict with relevant parking standards, this does not result in unacceptable harms for the reasons outlined within this report, and the proposal is in accordance with relevant Development Plan policies and recommended for approval subject to the following conditions and informatives.

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), Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for refusal of permission in this case interferes with applicant's right to respect for their private and family life and their home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of neighbours). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for refusal 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.

CIL DETAILS

This application is not CIL liable.

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:

- Location Plan UPRN: 100062238853.
- Block Plan TQRQM26040150547173.
- Smart Space Drawing Details SS-691-IG, Rev A.
- Smart Space Drawing Details V1.

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

- 3 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). 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 NPPF.