

Recommendation Report for Planning Permission

REF NO: F/1/26/PL

LOCATION: Hangar 2
Ford Airfield Industrial Estate
Ford
BN18 0XL

PROPOSAL: Replacement of existing cladding, installation of new roller shutter doors, roof alterations including increase in eaves height and alterations to fenestration. This application is in CIL Zone 2 (Zero Rated) as other development.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
SITE CHARACTERISTICS	The site comprises an industrial unit finished with metal cladding.
CHARACTER OF LOCALITY	The unit forms part of a group of three industrial units within an area of hardstanding.

RELEVANT SITE HISTORY

F/11/13/CLP	Application for certificate of lawfulness for a proposed use of Former Ford Blockworks Hangar No. 2 for use Class B2 (General Industrial)	PP Not Required 20-09-13
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Planning history noted.

REPRESENTATIONS

Ford Parish Council - No response received.

No responses were received from nearby occupiers.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted.

CONSULTATIONS**CONSULTATION RESPONSES RECEIVED:**

WEST SUSSEX MINERALS AND WASTE - No objection:
- Use of the site has the potential to impact neighbouring waste sites.

- Extant legal agreements (as part of WSCC/096/13/F and WSCC/027/18/F Waste Consents) require vehicular access to the Circular Technology Park (CTP) only via the access to the southeast corner of the site, and prescribe the hours, routing and maximum number of HGVs entering/exiting the CTP as a whole (i.e. inclusive of Hangar 2, the subject of the current application).
- The proposed development could facilitate re-establishment/intensification of B2 uses on the site. This could prejudice the full delivery and operation of permitted waste management facilities and/or the future development of a strategic allocation site identified in the Waste Local Plan (WLP) (Site north of Wastewater Treatment Works, Ford), and conflict with WLP Policies W2 and W10.
- However, it is accepted that Hangar 2 is separate/excluded from the red line boundary of the adjacent, part implemented, waste development (within the wider CTP), and benefits from a Certificate of Lawfulness (granted by the LPA in September 2013 (F/11/13/CLP)) for general industrial purposes (Use Class B2). As this proposal largely seeks permission for changes to the external appearance of Hangar 2, WSCC do not consider an objection on waste safeguarding grounds would be warranted.
- The applicant's attention should be drawn to extant controls over HGV movements to from the entire CTP site and be advised to ensure appropriate mechanisms are in place to ensure total HGV numbers are recorded, and specified HGV routing adhered to. The applicant is advised to directly consult the operators of nearby waste management sites as identified above (and which share a private access onto Ford Road) to establish, discuss, and minimise any potential areas of conflict with safeguarded waste facilities (including during construction).
- The proposed development could facilitate the re-establishment/intensification of B2 uses on the site and thus have the potential to prejudice existing and future waste management facilities in conflict with WLP policies W2 and W10. However, noting an extant permission provides for general industrial use of the hangar, and that the proposed development largely seeks changes to the external appearance of the building, no objection is raised on waste safeguarding grounds.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designation applicable to site:
Built Up Area Boundary
Area of Special Control (Adverts)
Allocated Waste Site
CIL Zone 2

DEVELOPMENT PLAN POLICIES

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

DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions and alter to exist builds (res and non-res)
WMDM1	WM DM1 Waste Management

[West Sussex Waste Local Plan 2014:](#)

West Sussex Waste W2 Safeguarding Waste Management Sites
West Sussex Waste Policy W10 Strategic Waste Allocations

[Ford Neighbourhood Plan 2024-2041 Policy EE1](#)

Support for business

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, 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 is considered to comply with relevant Development Plan policies in that the proposals do not harm the character or visual amenity of the area, or result in development which would prevent or prejudice the operation of the neighbouring waste sites.

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 an existing industrial unit, its use for general industrial purposes within use class B2 was confirmed as lawful under a Certificate of Lawfulness granted in 2013 (F/11/13/CLP). The application seeks permission for external alterations, including raising the eaves, replacing the existing cladding and installation of a new roller shutter. These alterations do not result in any extension to the existing building, or any additional floor space. The application relates to external alteration to an existing building, and is acceptable in principle, subject to compliance with the relevant development plan policies.

CHARACTER AND VISUAL AMENITY

The site is a single storey building which is finished with corrugated metal sheeting. The building is

located within a group of industrial buildings, which are situated at the end of a long access road. The buildings are situated away from residential properties and would not be easily visible from the public realm, although some views of the building would be gained from the footpath to the rear. The proposal seeks to replace the roof of the building, and raise the eaves height from 8.7m to 12.1m. The new roof will be finished with metal cladding which will reflect the existing building. The proposed increase in eaves height will not detrimentally impact the visual amenity of the structure or the wider area. The proposed replacement cladding would be very similar to the existing finish, and would not harm the appearance of the building.

The proposed roller shutters would be situated on the west and east elevations, and would have a height of approx. 7.2m. The use of the tall doors reflects the fact that the internal mezzanine level will be removed as part of the proposed refurbishment, and the proposed doors are in keeping with the use as an industrial unit.

The proposals will not result in harm to the character or visual amenity of the building or the wider site, and are in accordance with ALP policies D DM1 and D DM4.

NEIGHBOURING RESIDENTIAL AMENITY

The site is located away from residential properties and would not impact residential amenity.

ALLOCATED WASTE SITE

The unit is located within an allocated waste site known as a Circular Technology Park (CTP), and West Sussex County Council have been consulted on the application as the Minerals and Waste Planning Authority for this area. Their response indicates concerns that the use of the unit for industrial purposes may impact the existing waste facility in this location, as a result of legal agreements which prescribe the hours, routing and maximum number of HGVs entering/exiting the CTP as a whole, inclusive of Hangar 2. However their response notes that as this proposal relates only to external alterations to the building, an objection to the application would not be justified in this instance. The applicant is advised to consider their response and its recommendations before the development commences.

The proposal does not harm the operation of existing or allocated waste sites, and complies with WLP policies W2 and W10 and ALP policy WM DM1.

SUMMARY

The proposal is in accordance with the relevant development plan policies and is 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) 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

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
- Land Ownership Area (Location Plan) DG/ES/FOR/H2/01
- Block Plan DG/ES/FOR/H2/01
- Existing and Proposed Floor Plans DS/ES/FOR/H2/11
- Existing and Proposed Elevations DG/ES/FOR/H2/02
- Existing and Proposed Roof Plan DG/ES/FOR/H2/03
- Proposed Floor Plan DG/ES/FOR/H2/04

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Arun Local Plan policy D DM1 and Waste Local Plan policy W2.

- 3 Based on the information available, this permission is exempt from the requirement to provide a biodiversity gain plan under Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990. The following exemption applies:

This planning permission is de-minimis as the development does not impact an onsite priority habitat and the development impacts less than 25 square metres of onsite habitat that has a biodiversity value greater than zero and less than then 5 metres in length of onsite linear habitat.

Reason: In accordance with Schedule 7A of the Town and Country Planning Act 1990 (as amended).

- 4 **INFORMATIVE:** Legal agreements are in place which restrict and control HGV access to the site. The applicant is advised to familiarise themselves with extant controls over HGV movements to ensure compliance and to directly consult the operators of nearby waste management sites. Further detail of this can be found in the West Sussex County Council Minerals and Waste Planning consultation response to this application.

- 5 **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.