

Recommendation Report for Planning Permission

REF NO: F/24/21/PL

LOCATION: Wicks Farm, South Yard B
Ford Lane
Ford
BN18 0DF

PROPOSAL: Single span warehouse. This application is a Departure from the Development Plan & is in CIL Zone 2 (Zero Rated) as other development.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Planning permission is sought for the construction of a single span warehouse within Wicks Farm South Yard. The structure would be steel frame with steel sheet cladding, it would be 25m long, 10m wide, 6.5m high to the eaves and 7.6m to the ridge. Access to the site will be through the existing entrance adjoining Ford Lane.
SITE AREA	3000.00 square metres
TOPOGRAPHY	Predominantly flat.
TREES	There are trees outside the site to the west and hedges on the site which could be affected by the development.
BOUNDARY TREATMENT	The boundaries are defined with mature trees and hedges. An earth bund forms the site's most southern boundary.
SITE CHARACTERISTICS	The new industrial building would be within north-western corner of the industrial setting of Wicks Farm South Yard, along Ford Lane. The site is covered by a gravel hardstanding accommodating car parking.
CHARACTER OF LOCALITY	The character of the locality is rural. The site is bounded to the North by Ford Lane and to the South, East and West by agricultural fields. There are three warehouses on the site operating as Keith Langmead Ltd. Boundary Cottages occupy the site immediate east of the boundary where an outbuilding forms a physical site boarder.

RELEVANT SITE HISTORY

F/5/19/PL	Single span warehouse of 450 sq m adjacent to the existing warehouses of 900 sq m.	ApproveConditionally 01-08-19
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The site history is noted.

REPRESENTATIONS

Ford Parish Council: No response.

No letters of representation received.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

DRAINAGE ENGINEERS: The applicant has supplied site investigations and a surface water drainage design, alongside calculations and construction detail drawings. These all meet our requirements for a surface water drainage design and there are no conditions to request.

ENVIRONMENTAL HEALTH: No objection subject to suggested condition.

ADC Ecology: No objection subject to suggested conditions.

WSCC: does not consider that the proposal would have and 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

Designation applicable to site:

Outside built up area boundary;

Within Arun Valley IRZ;

Area of Special Control (Adverts);

Area prone to Groundwater Flooding;

WSCC Mineral Consultation Area - Permitted Waste sites 500m Buffer - Wicks Farm and New Circular Technology Park, Ford.

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
ENVDM5	ENV DM5 Development and biodiversity
QEDM1	QE DM1 Noise Pollution
QESP1	QE SP1 Quality of the Environment

TSP1	T SP1 Transport and Development
WDM1	W DM1 Water supply and quality
WMDM1	WM DM1 Waste Management

Ford Neighbourhood Plan 2019 Policy EE1	Support for business
Ford Neighbourhood Plan 2019 Policy EE10	Quality of Design of commercial buildings
Ford Neighbourhood Plan 2019 Policy EE7	Sustainable Commercial Buildings
Ford Neighbourhood Plan 2019 Policy EH8	Light Pollution
Ford Neighbourhood Plan 2019 Policy GA2	Parking and new development

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD11	Arun Parking Standards 2020
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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.

Ford Neighbourhood Plan (FNP) has been adopted. Within the FNP the application site and the existing depot fall within Strategic Area 1 (SA1). This area is allocated for future housing and other development, including employment floorspace.

The relevant policies of the Ford Neighbourhood Development Plan are referred to in this report.

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 it would have no materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties, nor would it have an adverse impact upon the established character of the surrounding area.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to be weighed in the balance with the Development Plan.

CONCLUSIONS

KEY ISSUES

The key issues are principle, employment sites, design and visual/residential amenity, highways/traffic and natural environment.

PRINCIPLE

The site is outside the built-up area boundary in the countryside where policy C SP1 of the Arun Local Plan and policy apply.

Policy C SP1 of the Arun Local Plan states in criteria a-f the development which is permitted within the countryside. Criterion a. states 'development will be permitted in the countryside where it is for the operational needs of agriculture, horticulture, forestry...' and criterion f. concludes 'development is in accordance with other policies in the Plan which refer to a specific use or type of development'.

Policy D SP1 of the Arun Local Plan requires development to make efficient use of land reflecting the characteristics of the site and local area and policy D DM1 states that a high standard of architectural principles should be demonstrate and new development should have a minimal impact to users and occupiers of nearby properties and land. Policy ECC SP2 expects all new development to be energy efficient.

Policy EMP DM1 seeks to protect and enhance existing employment sites and premises and in part 6. stresses that planning permission will be granted on sites outside the built-up area provided that the proposal demonstrates that it is an appropriate sized extension of an existing employment site, that it would not intensify uses at the site to the detriment of existing public access routes and highways, a high standard of design, that is capable to well served by public transport, access arrangements and parking facilities will be provided in accordance with Council's adopted standards, a sympathetic relationship to the surrounding areas, opportunity to protect key species, a satisfactory relationship with neighbouring uses and crime prevention are incorporated.

Policy EE1 of the Ford Neighbourhood Development Plan states that development proposals to upgrade or extend employment sites will be supported unless the proposal would cause unacceptable harm to the amenities of surrounding properties, landscape or wildlife.

The NPPF under paragraph 84(a) affirms that planning policies and decisions "should support the sustainable growth and expansion of all types of business and enterprise in rural areas..."

Two existing buildings on the site were previously granted change of use to B1/B8 and the third was approved by F/5/19/PL. The warehouse space at South Yard is leased to Redstone Tyres Ltd. and is used for the storage of commercial tyres. Redstone Tyres are short of storage space and have an immediate need for a further space. The warehouse would cover 250 square metres whilst the overall size of the South Yard is 3,000 square metres. Access is achieved via an established wide crossover onto Ford Lane and the placement of the new building would not significantly impact upon the existing 'open yard' style parking and turning arrangements.

The building would be ancillary to this existing use as the applicant requires further storage space. As the existing use and therefore the proposal would fall under criterion d (for the diversification of the rural economy) and f of C SP1 and would demonstrated the requirements of policy EMP DM1(6) of the ALP, policy EE1 of the FNPD and paragraph 84(a) of the NPPF.

DESIGN AND VISUAL AMENITY

Policy D DM1 of the Arun Local Plan requires the Council seek to make the best possible use of the available land by reflecting or improving upon the character of the site and the surrounding area. It requires the Council to consider scale, massing, aspect, siting, layout, density, building materials, landscaping, and design features. It is necessary that development demonstrates a high standard of architectural principles, use of building materials and hard and soft landscaping to reflect the local area.

Policy EE10 of the FNDP advocates that proposals for new or extension or alteration of existing commercial premises must be of high quality design, be energy efficient and designed to be in harmony with the landscape setting and contribute positively to the environment.

Arun Design Guide Supplementary Planning Document (SPD), a material consideration in the determination of applications, was published under consultation until 21 February 2020. Part Q.O1 which deals with Rural Development requires any new development in countryside to respect and enhance the distinctiveness of rural character. Development should also respond to the existing height and footprint of buildings in the area, and may seek to reduce the footprint of larger buildings by breaking structures down into multiple forms.

The structure would respond to the height and size of buildings in the area and would blend into the landscape given its siting, simple design and materials. The building would measure 25m x 15m x 6m (to the eaves) with a shallow gabled pitch roof of 7.6m. The profile roof and wall cladding would be olive green, two galvanised steel roller shutter doors would be on the southern elevation alongside with two flush faced personnel/fire exist doors. Given the building would be of a size and scale that is in keeping with other adjoining industrial buildings in the yard and together with its considerable screening it would not have an adverse impact on the open landscape character of the countryside.

The building accords with policy D DM1 of the Arun Local Plan, policy EE10 of the Ford Neighbourhood Development Plan (FNDP) and the Arun Design Guide.

RESIDENTIAL AMENITY INC NOISE POLLUTION:

The Arun Local Plan policy D DM1 requires the Council have regard to certain aspects when considering development including having minimal impact to users and occupiers of nearby property and land. Policy QE SP1 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 development sits comfortably in an uphill position maintaining a reasonable distance from the surrounding residential properties. Whilst the proposal is for a warehouse in a industrial setting of Wicks Farm South Yard it is not considered that the development would have a larger impact on surrounding residential area than the current use. No openings are on the northern elevation. The proposal would not involve the carrying out of industrial or commercial activities and processes or waste management development. There is more than sufficient separation distance of 60m from the warehouse to the closest residential property to the north (Wicks Farmhouse).

The new industrial building would not give rise to any unacceptably adverse impacts on the amenity of neighbouring properties and would comply with policies D DM1 and QE DM1 of the ALP.

HIGHWAYS, TRANSPORT AND PARKING

Policy T SP1 of the Arun Local Plan requires appropriate parking in line with WSCC Guidance (now

superseded by Arun District Council guidance).

Paragraph 110 (NPPF) states it should be ensured safe and suitable access to the site can be achieved for all users. Paragraph 111 (NPPF) states development should only be refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Parking Standards Supplementary Planning Document, (Jan 2020) for a B8 use (storage) requires 1 parking space per 100sqm as such 2 parking spaces for the proposed development are required.

Parking Standards require that all new houses with a driveway and garage will provide active EV charging points (in accordance with current ADC Vehicle Infrastructure Study (2017)). All other development will need to provide EV charging points in 20% of parking spaces from the date of adoption of this SPD. This approach reflects that taken by the WSCC GPND and responds to the Government's declaration of a 'Climate Emergency' and future regulations on decarbonising the transport sector.

It is proposed to utilise an existing vehicular access through to Ford Lane. The applicant in their Design and Access Statement suggests the storage building is required to support existing activity on site, this itself would limit the quantum of trips generated. Two parking spaces are proposed which would satisfy the requirements of ADC Parking Standards. Development would increase the number of employees by 1 resulting in 6 full time employees.

WSCC does not consider that the proposal would have and an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the NPPF (paragraph 111), and that there are no transport grounds to resist the proposal.

Taking into account the above, the development provides for the transport demands created in accordance with paragraphs 110 and 111 of the NPPF, Policy T SP1 of the Arun Local Plan and according Arun District Council Parking Standards.

NATURAL ENVIRONMENT

Arun Local Plan policy ENV SP1 states Arun District Council encourages and promotes 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. The Council will ensure, policy ENV DM1, that the intrinsic features of particular interest are safeguard or enhanced.

Paragraph 174 of NPPF (2021) requires planning policies and decisions to contribute to and enhance the natural and local environment by: minimising impacts on biodiversity and providing net gains in biodiversity where possible. This paragraph calls for the establishment of coherent ecological networks that are more resilient to current and future pressures.

The Arun Valley qualifies under the Birds Directive as an Special Protection Area (SPA) by supporting populations of overwintering Bewick's Swan, waterfowl, seven wetland invertebrate species and four nationally scarce plant species.

The site falls in impact risk zone (IRZ) of Arun Valley. A Preliminary Ecological Appraisal (PEA) was submitted to determine the ecological constraints on the site. The PEA concludes the site is not considered to support potential for the qualifying species of Arun Valley Ramsar, SAC and SPA, including the Bewick's Swan and the site is not considered to be functionally linked to Arun Valley Ramsar, SAC and SPA. Given the scale and the distance between the site and the designated area it is

highly unlikely that the proposals would have any significant negative impacts on any of the protected areas located near the site. All buildings/trees on site were considered to support 'negligible' roosting bat potential, and no further bat roosting surveys are required. A sensitive lighting scheme will be conditioned with a special consideration on the boundary tree lines, and enhancements for bats have also been recommended within submitted PEA.

CDC's Environment Officer does not object to the development subject to conditions. The development complies with requirements of ALP policies ENV SP1 and ENV DM1.

BIODIVERSITY

Policy ENV DM5 of the Local Plan requires development schemes shall seek to achieve a net gain in biodiversity and protect habitats on site. They shall incorporate elements of biodiversity including green walls, roofs, bat and bird boxes as well as landscape features minimising adverse impacts on existing habitats (whether designated or not)."

The site has been under long term commercial use. There are no known protected species of native flora or fauna on the site. The opportunity to increase biodiversity and mitigation measures will be secured via conditions.

WATER SUPPLY AND QUALITY

In policy W SP1 (ALP) The Council will support development that is appropriately located, taking account of flood risk and promotes the incorporation of appropriate mitigation measures into new development, particularly Sustainable Drainage Systems that reduces the creation and flow of surface water.

Arun District Council's Drainage Engineers were consulted on the development and assessed the site investigations and surface water drainage design, alongside calculations and construction detail drawings and confirm these meet their requirements for a surface water drainage design no conditions were requested. All surface water drainage must be constructed in accordance with submitted drawings (included within condition 2).

The development complies with those aspects of policies W SP1, W DM1, W DM2 and W DM3 of the Arun Local Plan and policy EH5 of the ANDP.

SUMMARY

Given the size, character, design and position of proposed warehouse it is considered that the proposed development would not have an unacceptable impact upon the amenities of the surrounding area therefore it complies with the development plan and para 11 c of the NPPF. The application is recommended for conditional approval.

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:

Dwg No 002 Rev 02 Proposed Block Plan, Roof Plan, Floor Plan and Elevations;

All surface water drainage must be constructed, prior to first occupation, in accordance with the following drawings:

06_A_Combined Plan and Details (Project 23420)
07_Drainage Strategy - North West - Plan A4 (Project 23420)
08_Drainage Strategy - North West - Details A4 (Project 23420)
09_Drainage Strategy - North West - Details A4 (Project 23420)
10_A_Drainage Strategy - North West - Crate Soakaway Detail A4 (Project 23420)

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policies D DM1, W SP1, W DM1, W DM2 and W DM3 of the Arun Local Plan.

- 3 The use hereby permitted shall not be operated on Sundays or Public Holidays or at any time otherwise than between the hours of 07:00 and 18:00 on Monday to Friday and between 07:00 and 13:00 on Saturdays.

Reason: To safeguard the amenities of the neighbouring properties in accordance with Arun Local Plan policies D DM1 and Q EDM1.

- 4 No external lighting shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage have been submitted to and approved in writing by the Local Planning Authority.

The scheme should comply with the Institution of Lighting Professionals Guidance Notes for the Reduction of Obtrusive Light GN01:2011, Environmental Zone E2 but also minimise potential impacts to any bats using the trees, hedgerows and buildings by avoiding unnecessary artificial light spill through the use of directional light sources and shielding. The lighting approved shall be installed and shall be maintained in accordance with the approved details with no alteration without the prior written approval of the Local Planning Authority.

Reason: In the interests of the amenities of the area, the site biodiversity (particularly in respect of bats) and to minimise unnecessary light spillage outside the development site in accordance with Policies D DM1, ENV SP1 & QE DM2 of the Arun Local Plan.

- 5 The development shall be carried out in accordance with Preliminary Ecological Appraisal submitted with this application.
The following enhancements should be incorporated in to the scheme as described in the PEA (Jan 2022):
- Bat box
 - Bird box

Reason: In accordance with Arun Local Plan policy ENV DM5 and the National Planning Policy Framework.

- 6 Any on site brush piles, compost and debris piles which could provide shelter areas and hibernation potential for hedgehogs must be removed outside of the hibernation period mid-October to mid-March inclusive. The piles must undergo soft demolition. If any small mammals including hedgehogs are found they should be relocated away from the construction area into surrounding suitable habitats.

Reason: To enhance the environment for local wildlife and result in net biodiversity gain, in accordance with the relevant legislation and policy ENV DM5 of the Arun Local Plan.

- 7 Any works to the trees or vegetation clearance on the site should only be undertaken outside of the bird breeding season which takes place between 1st March - 1st October. If works are required within this time an ecologist will need to check the site before any works take place (within 24 hours of any work).

Reason: To enhance the environment for local wildlife and result in net biodiversity gain, in accordance with the relevant legislation and policy ENV DM5 of the Arun Local Plan.

- 8 INFORMATIVE: Badgers and other small mammals - during construction, any trenches deeper than 1.0m, or drainage pipework greater than 200mm diameter, shall be covered or capped overnight to prevent badgers or other mammals becoming trapped. Excavations should be checked each morning for the presence of any mammals or other species. Any hazardous chemicals need to be suitably stored away so animals cannot access them.

- 9 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 identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.