

Recommendation Report for Planning Permission

REF NO: F/2/20/PL

LOCATION: Land Adjacent Station Cottages
Ford Road
Ford
BN18 0BH

PROPOSAL: Change the use of 1/2 the site area to a hard standing storage area (resubmission following F/9/19/PL).

SITE AND SURROUNDINGS	
DESCRIPTION OF APPLICATION	The proposal is to change the use of approx. 0.856 hectares of open field to hard standing to be used for the open storage of boats, caravans, farm equipment and single height metal containers. The site would be enclosed by a 2 metre high metal palisade fence. with a 1.5 metre mound set inside it along the front boundary and along the rear southern boundary of the area of hardstanding.
SITE AREA	3.54 hectares
TOPOGRAPHY	The site slopes from west to east from the Ford Road down to the River Arun and from north to south from the railway line to the Ship & Anchor marina site.
TREES	The site currently has small self seeded trees which have grown up as hedgerow trees within and around the border of the site.
BOUNDARY TREATMENT	The site has open hedgerow borders utilising the borders provided by neighbouring sites except for a front gate providing access onto the site.
SITE CHARACTERISTICS	The site is an open field of which has a vehicular access onto the land and a small area of hardstanding and a mound of aggregate in the north western section of the field which appears to be used occasionally for agricultural storage.
CHARACTER OF LOCALITY	The area is in open countryside however there are a number of uses bordering the field including an Environment Agency access road and depot along the northern boundary with the railway line just beyond and a camping and caravanning site to the south at the Ship & Anchor public house Marina site. The site faces open agricultural fields to the west with River Arun immediately to the east with open agricultural fields beyond.
RELEVANT SITE HISTORY	

F/9/19/PL

Change the use of 1/2 the site area to a hard standing storage area

Refused
19-09-19

F/9/19/PL sought permission for a larger area of land to be converted to hardstanding, 2.2 hectares as opposed to 0.856 hectares as in this application.

The reasons for refusal were harm to the rural character and wider landscape and lack of information relating to soil type and highways.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Ferring Parish Council
None received.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

Environment Agency
Parks and Landscapes
Arboriculturist
Ecology Advisor
Engineering Services Manager
Engineers (Drainage)
WSCC Strategic Planning

CONSULTATION RESPONSES RECEIVED:

Ecologist - No phase 1 species survey received with application.

WSCC County Highways - Additional information requested.

Environment Agency - No objection.

ADC Drainage - Insufficient information submitted relating to ground levels, bunds and ditches and permeable paving.

ADC Landscape - Further Information required as the proposals have potential to result in harm to the rural character of the location and wider landscape.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted. In the previous refused application ADC drainage raised no objections subject to conditions. In this case it would be wrong to seek that further information be submitted.

POLICY CONTEXT

Designation applicable to site:

ADOPTED LOC PLN

ABUTTS RIV ARUN

OUTS BUILT AREA

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
ENVDM3	ENV DM3 Biodiversity Opportunity Areas
LANDM1	LAN DM1 Protection of landscape character
QESP1	QE SP1 Quality of the Environment
SODM1	SO DM1 Soils
TSP1	T SP1 Transport and Development
TSP2	T SP2 Littlehampton to Arundel Green Link
WDM2	W DM2 Flood Risk

Ford Neighbourhood Plan 2019 Policy BUA1

Ford Neighbourhood Plan 2019 Policy EH1

Ford Neighbourhood Plan 2019 Policy EH5

Built Up Area (BUA) boundary

Protection of trees and hedgerows

Grade 1, 2 and 3a Agricultural Land

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.

Policies BUA1, EH1 and EH5 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 not considered to comply with relevant Development Plan policies in that the proposal for B8 storage and distribution would have a significant detrimental impact on the open character of the area.

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

BACKGROUND INFORMATION

This application is a re-submission of application F/9/19/PL which was refused. The area of land proposed for use as hardstanding has been reduced from 2.2 hectares to 0.856 hectares. However this is the only change in the application.

PRINCIPLE

The application site is located within the Parish of Ford which has a Neighbourhood Plan 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) 2017 - 2031 .

The key policy considerations in the determination of this application is considered to be C SP1 and EMP DM1 of the Arun Local Plan and policy BUA1 of the Ford Neighbourhood Plan.

Commercial development is resisted outside of built up area boundaries (BUAB) under policy C SP1 Countryside (ALP) and policy BUA1 - Built up area boundaries (FNP) unless the proposal accords with other policies within the plans which refer to specific types of use or development which in this case would include policy EMP DM1 - Employment Land: Development Management. The proposed development does not accord with policy EMP DM1 of the ALP as it would be an entirely new commercial venture in the open countryside which would fail to have a sympathetic relationship to the local landscape and habitats.

For this reason the development as proposed is unacceptable in principle.

DESIGN AND LANDSCAPE

Policy D DM1 of the Arun Local Plan requires the Council seek to make the best possible use of 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. The policy requires that the scale of development keeps within the general confines of the overall character of a locality. It states that all development will be expected to incorporate existing and new tree planting as an integral part of development proposals. ALP policy D SP1 "Design" requires development to make an efficient use of land and also reflect local character.

Policy LAN DM1 of the ALP builds on the above by seeking that 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.

Policy T SP2 - Littlehampton to Arundel Green Link seeks to enhance the multi user path along the riverside which runs to the river side of the proposed site. It seeks to encourage informal recreation along the route and requires good landscape management practices through the link.

Policy EH1 of the Ford Neighborhood Plan seeks to resist development that would result in the loss or damage of hedgerows

The proposal is to introduce a large B8 storage use and associated works into the open landscape and thereby compromise countryside and riverside landscapes. Due to its location and size this would be incongruous within the landscape and have an alien urbanising effect. This is notwithstanding the fact that the area affected has been reduced from that proposed under F/9/19/PL.

The site slopes down towards the river and would face toward the public footpath that is the Littlehampton to Arundel Green Link. The proposed border landscaping would fail to screen the development when viewed from this public access vantage point and the wider landscape to the south and east representing poor landscape management practice in conflict with policy TSP2 of the Arun Local Plan. The block plan proposes a nature and wetland area for public use but provides no details of it to demonstrate how it would ameliorate any impact on views of the Littlehampton to Arundel Green Link.

The previous scheme refused on the site covered 2.2 hectares. The one proposed in this application covers 0.856 hectares. This still has a wide ranging effect on the landscape. The change does not negate the previous reason for refusal and still causes significant harm to the landscape. The use of almost a hectare of land for open storage would have a considerable negative impact on the rural character and openness of the landscape.

The 2 metre metal palisade fence and associated soil bund on the western boundary would remove the existing hedgerows and have an industrial and alien appearance within the countryside landscape.

The designation of 4.5 acres of land to community use as a wild park on the most flood affected part of the site and a footpath to the side of the boundary fence would not satisfactorily mitigate the harm caused to the character of the area from the proposed development.

The proposal would due to its height, mass and scale, result in substantial harm to the rural character of the locality and wider landscape and the Littlehampton to Arundel Green Link. The proposed landscaping would not provide a sufficient screening of the site from open views across the wider landscape particularly in winter months. The proposal would be contrary to ALP policies D DM1, D SP1, T SP2, LAN DM1 & Policy EH1 of the Ford Neighborhood Plan.

EMPLOYMENT POLICY

Policy EMP DM1 Local Employment sets out 6 criteria in which planning permission for employment sites might be granted outside of the Built-up Area Boundary. These include extensions to existing employment sites, highways impacts and a sympathetic relationship to the surrounding areas that show consideration of landscape and habitat contexts.

The proposed use would intensify the use of the site and it has not been demonstrated that this would not be to the detriment of existing highways in the surrounding area; it would not be of a high standard of design, layout and landscaping appropriate to its countryside context and it would be a new employment site unrelated to any existing employment site and as set out above would fail to have a sympathetic relationship to the surrounding countryside areas.

The proposed development is therefore considered contrary to policy EMP DM1 of the Arun Local Plan.

HIGHWAYS & TRANSPORT

The proposed use is considered to be an intensification of the use. Further details relating to the number

of trips, generated, visibility splays, manoeuvring on and off site and the volume and type of storage have been requested. The offer to provide public parking for the Railway station is noted.

Insufficient information has been provided to determine the impact of the proposal on the Highway Network in line with policy T SP1 of the Arun Local Plan.

SOIL CLASSIFICATION

No information has been provided relating to the soil type of the agricultural field proposed to be removed from agricultural use so as to determine whether the proposal is in conformity with policy SO DM1 of the Arun Local Plan.

CONCLUSION

The proposed application is considered to be contrary to Development Plan policies as cited above and is recommended for refusal on the following grounds:

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.

RECOMMENDATION

REFUSE

- 1 The proposed development on a site within the open countryside outside of the built up area boundaries, would be contrary to policies C SP1 Countryside of the Arun District Local Plan and policy BUA1 of the Ford Neighbourhood Plan. The proposal would, due to its location, height, mass and scale result in significant harm to the rural character of the locality and wider landscape in conflict with Arun Local Plan policies D DM1, D SP1, LAN DM1 & EMP DM1 and policy EH1 of the Ford Neighbourhood Plan
- 2 Insufficient information has been provided to determine:
 - 1) The agricultural soil classification of the agricultural field to be developed contrary to policy

SO DM1 of the Arun Local Plan.

2) The highway impacts of the proposed scheme contrary to policy T SP1 of the Arun Local Plan.

- 3 **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 with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to meet with the Applicant to discuss the best course of action and is also willing to provide pre-application advice in respect of any future application for a revised development.