

Recommendation Report for Planning Permission

REF NO: F/2/21/PL

LOCATION: Wicks Farm
Ford Lane
Ford
BN18 0DF

PROPOSAL: Variation of condition 2 imposed under F/30/18/PL referring to approved plan numbers to include a gas tank.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	This proposal seeks to amend the plans condition to allow for the provision of a gas tank to serve the approved glasshouse development. The gas tank has a capacity of 79 m3 (approx. 3m wide by 11.8m long) and would be located between the concrete road and the approved glasshouses within an enclosure extending to 17m by 9.7m.
TOPOGRAPHY	Predominantly flat.
TREES	Sporadic trees to the boundary of the site.
BOUNDARY TREATMENT	The field has the following boundaries: North - Hedgerows/scrub /sporadic tress adjacent to the railway line West - A footpath and woodland beyond. South - A hedgerow and line of poplars along the boundary with large agricultural buildings East - An agricultural fence with sporadic trees and an existing greenhouse
SITE CHARACTERISTICS	A rural area to the north of Ford Lane in Ford on an intensively farmed agricultural unit.
CHARACTER OF LOCALITY	A rural area with sporadic commercial uses interspersed on farms and in agricultural buildings.

RELEVANT SITE HISTORY

F/30/18/PL	2 multispans tunnels, 2 ancillary outbuildings, drainage pond, associated drainage works, external hardstanding for vehicle parking, access and turning.	ApproveConditionally 27-09-19
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REPRESENTATIONS

None

COMMENTS ON REPRESENTATIONS RECEIVED:

None

CONSULTATIONS**CONSULTATION RESPONSES RECEIVED:**

Environmental Health - No Objection
 Health and Safety Executive - No Objection
 County Highways - No Objection

COMMENTS ON CONSULTATION RESPONSES:

None

POLICY CONTEXT

Designation applicable to site:
 Class C road
 Outside Built Up Area Boundary
 Overhead Electricity Line
 Right of Way
 No Public Sewer
 Biodiversity Opportunity Area

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
ENVSP1	ENV SP1 Natural Environment
HORDM1	HOR DM1 Horticulture

Ford Neighbourhood Plan 2019 Policy EH1	Protection of trees and hedgerows
Ford Neighbourhood Plan 2019 Policy EH5	Grade 1, 2 and 3a Agricultural Land
Ford Neighbourhood Plan 2019 Policy BUA1	Built Up Area (BUA) boundary

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.

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 there would be no materially adverse effect on the visual amenities or character of the 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

PRINCIPLE:

The site is located outside the built-up area boundary on farmland and the proposed development would facilitate the production of soft fruit by providing gas for heating. In principle it would therefore accord with policies CSP1 of Arun Local Plan in that it assists in diversification of the rural economy in accordance with CSP1(d) and provided it accords with policy HOR DM1 it would also meet the requirements of part (f) of the policy. It would also comply with policies BUA1 and EH5 of Ford Neighbourhood Plan since the structure assists in horticultural production from the site.

The National Planning Policy Framework under paragraph 83 states that Planning policies should "support the sustainable growth and expansion of all types of business and enterprise in rural areas...".

Therefore, the development in this location is considered acceptable and will be assessed against policies HOR DM1 and D DM1 of the Arun Local Plan, relevant policies within the Ford Neighbourhood Plan and the National Planning Policy Framework.

COMPLIANCE WITH POLICY HOR DM1 HORTICULTURE

This policy requires poly tunnel development to accord with varying criteria. The proposal accords with this policy in that :

- It facilitates horticultural production important to the rural economy ; the annual output value of the strawberry production will be in the region of £3million. This completed nursery development project will make a major contribution towards food security, reduce food miles and imports.

The original proposal included full details of new landscaping, screening and vegetation retention on site. A Landscape & Visual Impact Assessment was submitted together with an Ecological Appraisal which included recommendations for the protection of flora & fauna. The proposal also included a Tree Survey and a Topographical Survey. None of these are compromised by the proposed development. There are no plans to disturb any trees, hedges or ditches around the boundaries of the field during the construction or operations of the multispan polytunnels development.

The proposal is therefore compliant with this policy and policy EH1 of Ford Neighbourhood Plan in respect of Protection of trees and hedgerows.

COMPLIANCE WITH POLICY ENV DM3 BIODIVERSITY OPPORTUNITY AREA

The northern part of the site lies in a Biodiversity Opportunity Area as defined in the Local Plan and Neighbourhood Plan (policy ENH6) and this proposal is located outside of the area. The impact on the area is not therefore changed by the proposal.

DESIGN AND VISUAL AMENITY

The proposed tank would be of a moderate size and scale in relation to the development as a whole and would be appropriate to the rural location and not readily visible from outside the site. It would be screened from view by the glasshouses and boundary planting and enhancement. The previously submitted Landscape Appraisal and landscaping plan have been conditioned to ensure adequate screening is retained.

Therefore, it is considered that the proposal would not be visually obtrusive or out of character and would accord with Policy D DM1 of the Arun Local Plan.

RESIDENTIAL AMENITY

The nearest residential properties are sufficiently sited away for there to be no unacceptable impact on their residential amenities from the siting of the gas tank. Therefore the proposal is considered to accord with policies D DM1 and HOR DM1 of the Arun Local Plan.

SUMMARY

It is recommended that the application is approved subject to the following condition

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.

CIL DETAILS

This application is not CIL Liable.

RECOMMENDATION**APPROVE CONDITIONALLY**

- 1 The development hereby approved shall be carried out in accordance with the following approved plans:
 Site Location Plan PA01 revP06
 French Drain Layout 6648 chok-gh-gf-dr-g-0245-002 revA.
 Location Plans Security Distances 0.12 sheets 1 and 2
 Foundation CNG Tank General Arrangement 18771-H-DR-302 rev P6
 Site Block Plan PA02 revP06
 Ancillary Building Elevations revP01
 Views of tunnels 1.02 rev01
 Greenhouse Plan 1.01 rev00

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy DDM1 of the Arun Local Plan.

- 2 INFORMATIVE: This change only applies to condition 2 of approval F/30/18/PL. All other conditions pertaining to this approval remain in force.
- 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 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.