

Recommendation Report for Planning Permission

REF NO: F/31/17/PL

LOCATION: R T Page & Sons Ltd
Unit R, Rudford Industrial Estate
Ford
BN18 0BF

PROPOSAL: Extension to existing hard surfaced HGV parking area to accommodate 9 vehicles
& 4 trailers

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. The proposal would remove rubble across the site, retain the existing hedging on the south and west boundaries and lay a base of hardcore completed with a permeable surface of planings or tarmacadam. The site would allow a local general haulage business to operate from the site. The area is 12m deep by 50m wide.
SITE AREA	0.215 hectares
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Hedging to south and west
SITE CHARACTERISTICS	The warehouse has blue/grey metal sheeting elevations with a gently sloping metal roof. There is a vehicle parking and storage area for skips to the north of the warehouse and a parking area used by trailers to the south-west of the site. The area subject of the application is flat and open. The site immediately abuts the HGV and coach parking area
CHARACTER OF LOCALITY	The site is located on the northwest extremity of the industrial estate where there are other warehouses and offices of varying heights and design styles surrounding area is rural in character.

RELEVANT SITE HISTORY

F/17/13/	Form open sided canopy and elongated store on east side of the north warehouse .	ApproveConditionally 13-12-13
F/14/96		ApproveConditionally 11-09-96

F/13/09/	Continuance of use without compliance with condition no. 8 imposed under planning reference number F/8/02 relating to storage	Refused 23-02-10
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REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

None

COMMENTS ON REPRESENTATIONS RECEIVED:

None

CONSULTATIONS

WSCC Strategic Planning

Environmental Health

CONSULTATION RESPONSES RECEIVED:

Environmental Health - No Objection.
Informative requested.

County Highways - No Objection.

The proposed location for a business of this type and size could be accommodated at Rudford Industrial Estate as it has good access points onto the public highway at Ford Road. The internal private roads can also accommodate HGV vehicle movements and the proposed hard standing would accommodate the turning of these vehicles.

Economic Development - Support

Mr Barnes contacted me early last year about having to relocate from his Brookside Avenue site and I have had many conversations with him since. I have looked at everything I know to be available and suitable over that time, which isn't a great deal. I know that he has pursued at least 2 of the leads I gave him but to no avail. You'll be aware that land for this type of activity is at a premium and for that reason Economic Development would certainly support his application.

COMMENTS ON CONSULTATION RESPONSES:

- comments noted

POLICY CONTEXT

Designation applicable to site:
Outside Built Up Area Boundary

DEVELOPMENT PLAN POLICES

[Arun District Local Plan \(2003\):](#)

GEN3	Protection of the Countryside
GEN7	The Form of New Development
DEV8	Cirumstances in which Additional Development may be Permit'd

Publication Version of the Local Plan (October 2014):

C SP1 Countryside
EMP DM1 Employment land:Development Management

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun District Local Plan 2003, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

A new local plan is in preparation and is a material consideration when determining Planning Applications. At this stage the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and supporting documents were submitted for independent examination on 30 January 2015.

A number of Main Modifications to the Arun District Local Plan 2011-2031 (Publication Version) October 2014 were approved by the Council on 22nd March 2017 and consultation on these has taking place. The Main Modifications should be read alongside the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and where there are changes the Main Modification. The examination was completed in September 2017.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

The Main Modifications to the Arun Local Plan (2011-2031) were out for Public Consultation over a six week period starting on Friday 12 January 2018 until 5pm on Friday 23 February 2018.

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area. Whilst an NDP is under preparation it will afford little weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation (Reg.14).

Made Plans in Arun District Council's Local Planning Authority Area are: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton.

Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation(Reg.14).

The Ford Neighbourhood Plan is at REg.14 stage and policy EE1 is relevant and has been taken into account.

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 warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

PRINCIPLE

The site is located outside the built up area boundary where development of this type is unacceptable unless accordance with other policies in the Local Plan can be demonstrated. For the reasons set out below the proposal is considered to accord with policy DEV8 (and policy EMP DM1 of the Emerging Local Plan) and therefore policy GEN3 of the Local Plan.

It relates to an extension of an existing storage area on an industrial estate to accommodate a haulage business/vehicle parking/storage where the applicant has received enquiries from local businesses to relocate to. The most recent enquiry was from Mr Barnes who had been served with a notice to quit his current premises and was struggling to find an alternative. Although he has found a site at 'Bairds' locally the applicant wishes to progress the application on the basis that demand is high for this type of premises.

The applicant had originally received enquiries from a local haulage business to relocate to this site. The business which began in May 1986 had operated from premises in Toddington Lane until June 2015. The site was sold for development and he was forced to relocate to Brookside Avenue, Rustington where he was given Notice to Quit with effect from January 2018. He urgently required an alternative site to park his vehicles. He made extensive enquiries to obtain alternative premises which are detailed in the application and include 15 alternatives and the reasons why they were discounted. The applicant also spoken to Economic Regeneration officer. His business currently employs 6 drivers and operates 3 26 ton vehicles and 3 articulated vehicles.

The agent for this current planning application has now advised that the enquirer has found alternative premises but he wishes the application to progress on the basis that this type of space is in high demand and he receives numerous enquiries for companies looking for additional parking area.

CIRCUMSTANCES IN WHICH ADDITIONAL DEVELOPMENT MAY BE PERMITTED - LOCAL FIRMS

(DEV8)

This policy states that planning permission may be granted to local firms, currently located within the District, proposing development on sites outside the built-up area. This is provided that (i) there is no acceptable alternative identified within existing permitted or allocated floorspace or within or through redevelopment of existing commercial premises. This requirement is met as the applicant has received numerous enquiries and demand is high for parking facilities. The case submitted with this application highlights the lack of alternative space available. The emerging policy EMP DM1 in the Local Plan states that economic growth will be granted on sites outside the built-up area provided it is of an appropriate size, doesn't intensify the use to the detriment of highways, is of a high standard, is well served by public transport, shows consideration of the landscape and has no adverse impact on residential amenity. This proposal meets these requirements. It is located in an area attached to the industrial estate, utilises appropriate landscaping and existing access routes through the industrial estate. The nearest residential properties to the south are 160m away.

DEV8 (ii)(a) is not relevant since no structures are being erected on the site. With regard to part (d) it would relate sympathetically to the surrounding built and natural environment. The site is part of an industrial estate and is well screened, utilising existing boundary hedging. The proposal accords with part (f) in that it displays a satisfactory relationship with neighbouring uses given the distance to neighbouring properties.. In regard to parking and public transport issues under (b),(c) of policy DEV8, the site is situated on an industrial estate which is well served by existing road and access arrangements and so any additional traffic movements that may be created by the parking area extension can be adequately supported given its association and dependence on the estate.

VISUAL AMENITY

This application seeks permission for a parking area which would be screened by hedging. The height of parked vehicles would be such that when viewed against the back drop of the industrial estate they would not be unduly prominent.

It is therefore recommended that the application be approved, subject to the following conditions

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: Location, Block and Site extract plan.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN7 of the Arun District Local Plan.

- 3 Prior to the provision of surfacing of the area precise details of the material to be used shall be submitted to and approved by the Local Planning Authority and the material so approved shall be used in the construction of the surfacing.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity/and character and appearance of the Listed Building/ by endeavouring to achieve a building of visual quality in accordance with policy GEN7 of the Arun District Local Plan.

- 4 The existing trees/bushes/hedges to the south and west shall be/retained/protected in a manner to be agreed with the Local Planning Authority before the development commences for the duration of the development and shall not be damaged, destroyed, uprooted, felled, lopped or topped during that period without the previous written consent of the Local Planning Authority. Any trees removed without such consent or dying or being seriously damaged or becoming seriously diseased during that period shall be replaced in the following planting season with trees of such size and species as may be agreed with the Local Planning Authority.

Reason: To ensure the retention of vegetation important to the visual amenity, /the ecological quality/and for the environment of the area in accordance with policy GEN7 of the Arun District Local Plan.

- 5 **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.

- 6 **INFORMATIVE:**The applicant should be aware that the area of land immediately to the west of this site has been designated for future residential use and a school. The granting of planning permission in this instance, does not in any way indemnify action by this Department in Statutory Nuisance action, should substantiated future complaints within the remit of the Environmental Protection Act 1990 be received from any future sensitive receptor. For further information please contact the Environmental Health Department on 01903 737500