

F/5/06

PLANNING APPLICATION REPORT

DESCRIPTION/ ADDRESS	- Erection of industrial unit to provide MOT and servicing bays and body shop bays for LMD, along with holding car park for 83 cars. Land west of Rudford Industrial Estate, Ford
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THE SITE AND ITS SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposal is a detailed planning application for the erection of an industrial unit to provide MOT and servicing bays and body shop bays for the company LMD along with a car park for 83 cars. The building would be approximately 50m by 17m wide and 8m in height to the main ridge. A 2m landscape belt is proposed around the site. The existing business operates from 3 different units on the Rudford Industrial Estate and the proposal is to consolidate this business.
SITE AREA	0.36 hectares
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Predominantly flat
TREES	None
BOUNDARY TREATMENT	1.8m wire mesh fence to eastern boundary
SITE CHARACTERISTICS	Vacant agricultural land, presently with unauthorised car parking taking place
CHARACTER OF LOCALITY	Rural area - industrial estate to the east

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
F/45/90	Outline application for industrial building approximately 60,000 sq. ft.	Approved Conditionally 1 st December 1992
F/14/94	Approval of reserved matters following following F/45/90 for workshops, stores and offices	Approved 14 th October 1994
F/24/95	Outline application for office and warehouse buildings for relocation of Carte Blanche Greetings Limited	Approved Conditionally 3 rd April 1996
F/8/97	Construction of warehouse and offices and ancillary servicing and parking for Littlehampton Book Services (this application affects a Public Right of Way). On adjacent site to south.	Approved Conditionally 21 st May 199
F/24/05	Outline application for warehouse	Refused 13 th March 2006

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REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
Ford Parish Council	Objections on the following grounds: - Departure from development plan - Outside defined built-up area - Industrial units available elsewhere locally - land is agricultural land and not previously developed land - would not bring a positive enhancement to the area - unauthorised use present on land - unneighbourly - air pollution - visually unacceptable
Clymping Parish Council	Objection – Does not fulfil the criteria of DEV8 and in all other ways is contrary to the provisions of the Local Plan.
Local Groups	None
Other	None

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
County Planning Officer	The proposal is contrary to strategic policy unless information provided is robust enough to justify an exception.
County Highways	The proposal will not result in an increase in activity to and from the Industrial Estate overall and is difficult to resist from the highway point of view.
Southern Water	No development should be located within three metres either side of the centre line of the public sewer.
Environment Agency	Objection: The proposed development poses, or has the potential to pose, an unacceptable risk of contamination to controlled waters. At this stage no assessment has been carried out in accordance with PPS23.
Police	No objections in principle but comment in a number of detailed points regarding security.
Environmental Health	No objections subject to detailed conditions restricting night time activity.
Local Plans	The site lies outside of the Built Up Area Boundary; this proposal conflicts with Policy GEN3 of the Arun District Local Plan 2003, relating to development in the countryside. However, Policy DEV8 of the Local Plan relates to circumstances in which additional development may be permitted for local firms. This permits development on sites outside of the built up area boundary, if given criteria are met.

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CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
Parks and Greenspace	Criterion (i) requires that it is demonstrated that no acceptable alternative site can be identified within existing permitted or allocated floorspace or within or through redevelopment of existing commercial premises. I note that some letters have been submitted as evidence of search for alternative premises. These are dated April/May 2005. I note the letter from M. Knight, Deputy Head of Surveying and Estates at Arun District Council (ADC) dated April 2005, and his statement that at the time of writing, there was no surplus land or premises in ADC's ownership which would meet the requirements of the company in question. However, not all industrial estates or similar premises within Arun district are actually within the ownership of ADC; the evidence submitted does not make clear that opportunities on other industrial estates have been investigated. The potential redevelopment of existing commercial premises (as mentioned in criterion (i) of DEV8) appears not to be addressed. On the evidence submitted at this time, it is not clear that a thorough, up to date search has been carried out in order to meet the requirements of criterion (i) of Policy DEV8. As a result, there is a policy objection. Objection: The 2m wide planting belt would not be a significant barrier to screen the building from the countryside.

POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Outside Built-up Area Boundary Agricultural Land Value Grade 2

DEVELOPMENT PLAN POLICIES

West Sussex Structure Plan : LOC2, NE5, NE17, CH1, ERA4, ERA5, DEV1 Arun District Local Plan : GEN1, GEN3, GEN4, GEN9, AREA12, DEV8, GEN31, GEN27, GEN7
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PLANNING POLICY GUIDANCE

PPS 1 - Delivering Sustainable Development PPG 4 - Industrial and Commercial Development PPS 7 - Sustainable Development in Rural Areas PPG 13 - Transport PPS 23 - Planning and Pollution Control PPG 24 - Planning and Noise PPG 25 - Development and Flood Risk
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POLICY COMMENTARY

The above policies combine to give the development control criteria against which applications of this nature will be judged, that is whether a new industrial building is acceptable in the countryside and meets the exceptions contained in Policy DEV8 of the Local Plan.

COMMENT ON CONSULTATION RESPONSES

The proposed building also would not meet the requirements of Southern Water as it would be located over the public sewer.

COMMENT ON REPRESENTATIONS RECEIVED

The comments are mainly agreed. No acceptable justification has been made that there is an essential need for this industrial building in this location.

ASSESSMENT OF PROPOSAL**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 conflict with relevant Development Plan policies in that this is an extension of an industrial use within the countryside where no compelling circumstances have been proved to allow an exemption to policy.

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

The site lies outside the built up area as defined in the Arun District Local Plan where development is not normally acceptable unless it meets specific criteria.

Policy DEV8 of the Local Plan states that planning permission may be granted to local firms on sites outside the built up area provided that the applicant can demonstrate that there are no acceptable alternatives. The information submitted is extremely limited and out of date and does not indicate which alternative sites in the locality have been considered and if they have why they have been discounted.

The Environment Agency have objected to the proposals on the grounds that no assessment has been carried out with regard to possible contamination in accordance with PPS23.

The building would also appear not to comply with the requirements of Southern Water as it is located over a public sewer.

It is therefore recommended that the application be refused for the reasons set out overleaf.

FORD

F/5/06/

Erection of industrial unit to provide MOT & servicing bays and body shop bays for LMD, along with holding car park for 83 cars. (Departure from the Development Plan)

Land west of Rudford Industrial Estate
Ford

RECOMMENDATION

Refuse

- 1 The site lies in a rural area and the proposal, being unrelated to the needs of agriculture, forestry, recreation, the extraction of minerals or disposal of waste, conflicts with policy LOC1 of the West Sussex Structure Plan, policies GEN2 and GEN3 of the which seeks to protect the countryside, safeguard agricultural land, and ensure that the amount of land taken for development is kept to a minimum, consistent with the provision of high quality and adequate space within the built environment and to resist the consolidation of linear or sporadic development.
- 2 From the information submitted the Local Planning Authority is not convinced that the proposal will not have an adverse effect of contamination of controlled waters. No assessment has been carried out in accordance with PPS23 - Planning and Pollution Control.
- 3 From the information submitted the Local Planning Authority is not convinced that the criteria contained in policy DEV8 of the Local Plan have been met to allow the expansion of this local firm.
- 4 From the information submitted the proposed building would be located over a public sewer in contravention of the requirements of Southern Water. The proposal is therefore contrary to policy GEN9 of the Arun District Local Plan.
- 5 The proposed planting belt is inadequate to screen the proposal from the surrounding area. The proposal will therefore adversely affect the visual amenities of the area contrary to policies GEN7, GEN27 of the Arun District Local Plan.