

Recommendation Report for Planning Permission

REF NO: F/5/19/PL

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

PROPOSAL: Single span warehouse of 450 sq m adjacent to the existing warehouses of 900 sq m.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
SITE AREA	0.3 of a hectare
TOPOGRAPHY	Predominantly flat.
TREES	Officers note the trees outside the site, part way along the common boundary to the east, close to adjoining property the Barn 1a Boundary Cottages.
BOUNDARY TREATMENT	Dense hedge row screening abutting Ford Lane. An earth bund forms the sites most southern boundary. Additionally there are trees to outside the site, part way along the common boundary to the east.
SITE CHARACTERISTICS	The proposed new industrial building would be located within the industrial setting of Wicks Farm South Yard. The site is served by a gravel hardstanding area accommodating car parking.
CHARACTER OF LOCALITY	The character of the locality is rural. There are Two existing warehouses occupy the site operating as Keith Langmead Ltd. Boundary cottages occupy the site immediate east of site boundary where an outbuilding forms a physical site boarder.

Officers note the planning history of the site, in particular F/22/03 which was granted for the change of use of existing farm buildings to B1/B8 at the application site (relating to this application). While it is not clear whether the B1/B8 use as granted was implemented, Officers have no evidence to say it wasn't. Therefore, it is considered that as a B1/B8 use has been allowed at the site, relating to the existing buildings, the existing use of these buildings for the storage tyres would fall under a B8 use. As such, this use of the buildings for the storage of tires is considered broadly acceptable. Therefore this assessment will consider the impact of the proposed storage building and the addition of further B1/B8 use rather than considering the B1/B8 use to be a change of use of the site.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Ford Parish Council

- Comment.

Ford Parish Council note the Policies of the Neighbourhood Development plan (now adopted):

Policy 6.7 - employment & enterprise - is in support of existing businesses

Policy EE4 supports new commercial uses

New development for B8 uses will be resisted.

COMMENTS ON REPRESENTATIONS RECEIVED:

See Conclusions section below. A construction management condition is not required as there appears to be sufficient space within the site to carry out the development without having a major impact on the area.

CONSULTATIONS

Economic Regeneration

Environmental Health

WSCC Strategic Planning

CONSULTATION RESPONSES RECEIVED:

Council's Economic Development:

Are aware of the shortage of good quality commercial premises in the District and on that basis and the additional 4 jobs to be generated support the proposal.

Highways - raise no Objection

Access onto Ford Lane is wide to accommodate large vehicles and is well established serving the current sites storage space.

The submitted detail does not indicate the daily trips generated but it is not uncommon for large vehicles to use the site.

More information is required regarding the construction process - condition added. (construction management plan).

8 trips a day is what is estimated from this size of warehouse - this is low and is not considered to cause significant highways safety concerns.

Drainage Engineer:

The Council's Drainage Engineer has commented on this application and does not object subject to the imposition of a condition.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted and shall be discussed in the conclusions section of the report.

POLICY CONTEXT

Designation applicable to site:

Outside built up area boundary

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
DSP1	D SP1 Design
QEDM1	QE DM1 Noise Pollution
DDM1	D DM1 Aspects of form and design quality
ENVDM4	ENV DM4 Protection of trees
EMPDM1	EMP DM1 Employment Land: Development Management
TSP1	T SP1 Transport and Development
WDM2	W DM2 Flood Risk
WDM3	W DM3 Sustainable Urban Drainage Systems
WMDM1	WM DM1 Waste Management
WSP1	W SP1 Water

[Ford Neighbourhood Plan 2019 Policy EE1](#)

Support for business

Ford Neighbourhood Plan 2019 Policy EE3

Protection of existing businesses

Ford Neighbourhood Plan 2019 Policy EE10

Quality of Design of commercial buildings

Ford Neighbourhood Plan 2019 Policy EE2

Retention of employment land

Ford Neighbourhood Plan 2019 Policy EE7

Sustainable Commercial Buildings

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

POLICY COMMENTARY

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.

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.

Policy EE1 Supports Business and policy EE2 supports the retention of existing employment sites. Policy EE7 supports sustainable commercial building.

EE10.1 requires new commercial buildings to be designed to a high quality and be energy efficient and in keeping with their surroundin

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 further material considerations to affect the assessment.

CONCLUSIONS

PRINCIPLE:

The existing warehouse space at South Yard is currently leased to Redstone Tyres Ltd. and is used for the storage of commercial tyres. The application seeks permission for the erection of a new industrial building abutting two existing warehouse buildings. Redstone Tyres are short of storage space and have an immediate need for a further of 450 metres squared. The proposed industrial building would provide a B8 storage use use in conjunction with the use of the existing barn/storage building.

Officers note the planning history of the site, in particular F/22/03 which was granted for the change of use of existing farm buildings to B1/B8 at the application site (relating to this application). While it is not clear whether the B1/B8 use as granted was implemented, Officers have no evidence to say it wasn't. Therefore, it is considered that as a B1/B8 use has been allowed at the site, relating to the existing buildings, the existing use of these buildings for the storage tyres would fall under a B8 use. As such, this use of the buildings for the storage of tires is considered broadly acceptable. Therefore this assesment will consider the impact of the proposed storage building and the addition of further B1/B8 use rather than considering the B1/B8 use to be a change of use of the site.

The site is located outside of the Built-up Area Boundary, within the countryside, where Policy CSP1 of the Arun Local Plan applies.land will be defined as countryside and will be recognised for its intrinsic character and beauty. Here development will be permitted where it is for one of the uses listed within the criteria a-k. The existing buildings on the site were previously granted change of use to B1/B8 and are

currently rented out to the applicant for the storage of tyres. The additional building would be ancillary to this existing use as the applicant requires further storage space. In this case it is considered that the existing use and therefore the proposal would fall under criterion d for the diversification of the rural economy.

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

DESIGN AND VISUAL AMENITY

The proposed building would measure 30m (w) 15m (d) 6m to the eaves with a central pitch roof of 8m.

The proposed materials are as follows:

Wall Cladding: 80 Composite aluminium Panels

Roofing: 80 Composite aluminium Panels

Windows: Green UPVC.

The proposed building would be finished in a Green colour.

From an assessment of the submitted plans and the Officers site visit it is considered that the proposed industrial building would be of a size and scale appropriate to its location. It is considered that the size, scale and materials of the proposed industrial unit would be appropriate given its proposed siting abutting existing industrial buildings. Given that the proposed building would be of a size and scale that is in keeping with other adjoining industrial buildings within the existing yard and together with its considerable screening (it would not have an adverse impact on the open landscape character of the countryside.

Therefore, it is considered that the proposed extension accords with Policy D DM1 of the Arun District Local Plan and EE10.1 of (non-adopted) Ford Neighbourhood Plan (FNP).

NEIGHBOUR AMENITY:

The nearest residential properties are the Barn 1a Boundary cottages, 1 and 2 Boundary Cottages. From the Officer's site visit it was noted that there is a Juliet balcony in the side elevation of the Barn facing would be the are sufficiently sited away for there to be no unacceptable impact on their residential amenities.

The proposed new industrial building is not considered to give rise to any unacceptably adverse impacts on the amenity of neighbouring dwellings.

As such, Officers consider that the proposal would not have a detrimental impact on the amenity of occupiers of adjoining industrial/commercial/residential units with regard to overlooking, overbearing impact, overshadowing and loss of light/sunlight.

So as to maintain acceptable levels of neighbour amenity from general noise and disturbance a condition is recommended to provide for reasonable working hours.

Therefore, the proposal is considered to accord with policy D DM1 of the Arun District Local Plan and EE10.1 of (non-adopted) Ford Neighbourhood Plan (FNP).

SUPPORT LOCAL BUSINESS:

Officers note the comments of the Council's Economic Development team as there is a shortage of good quality commercial premises in the District. The application form suggest 4 jobs shall be retained as a result of the expansion of the site, as the LPA is generated supportive this adds weight to the planning decision to permit the further building. Thus is supported by EMP DM1 of the Arun Local Plan and Policy EE1 of the (non-adopted) Ford Neighbourhood Plan (FNP).

HIGHWAY SAFETY AND PARKING:

From an assessment of the submitted plans and information Highways appear satisfied that the traffic generation as a result of the additional warehouse would be low and would not add further safety concerns to the existing access arrangement at the site. Having regard to the West Sussex County Council Highways Parking Guidance it is considered that sufficient off-road parking would be available inline with the guidance

The development would therefore accord with Para 108 of the NPPF and T SP1 of the Arun Local Plan

TREES:

While there are no trees on the application site that would be impacted by the proposal Officers note the trees on the common boundary close to adjoining property the Barn 1a Boundary Cottages. Officers consider that the roots of the trees, which can be seen from the highway to the front of the application site could cross into the site where the proposed building is to be constructed. In order to ensure that the trees are not detrimentally impacted, with particular regard to the root protection zone, a condition has been imposed upon this application.

As such it is considered that the proposal would not have a detrimental impact upon the aforementioned trees and would accord with Policy ENV DM4 of the Arun Local Plan.

DRAINAGE:

The Council's Drainage Engineer has commented on this application and does not object subject to the imposition of a condition. The condition requires that:

'Development shall not commence, other than works of site survey and investigation until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority.....'

The condition was requested in order to ensure the development is adequately drained and does not increase flood risk elsewhere. Officers consider that this is appropriate and reasonable.

As such, it is considered that the proposal would adhere with Policies W SP1, W DM1, W DM2 and W DM3 of the Arun Local Plan.

NEIGHBOURHOOD PLAN:

Officers note that Ford Parish Council comment that:

Policy 6.7 - employment & enterprise - is in support of existing businesses

Policy EE4 supports new commercial uses

New development for B8 uses will be resisted

Officers note that Policy EE4 states that:

'Within the BUA and site allocations shown on the Proposals Map..... Change to Class B2 uses (general industry) or Class B8 (distribution and storage) outside of permitted development rights will be resisted.'

Therefore as Policy EE4 relates to the Built-up Area Boundary Officers have not assessed the proposed under this Policy. Officers consider that B8 storage uses have been established in this area and as such the principle of B8 uses within the area are considered acceptable. Therefore B8 uses would not be contrary to the policies of the Ford Neighbourhood Development Plan.

Officers consider that the proposal would not be contrary to the Ford Neighbourhood Development Plan.

SUMMARY

It is recommended that the planning application is granted 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:

Site Location Plan, Block plan and floor plan, Elevations plan E10326-GA-001 & E10326-GA-002.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Policies D DM1 of the Arun District Local Plan.
- 3 In order to ensure that no detrimental harm occurs to the neighbouring trees to the eastern boundary which are of value, no development shall commence until an Arboricultural Method Statement (AMS) and Tree Protection Plan have been submitted to and agreed in writing by the Local Planning Authority. The Arboricultural Method Statement (AMS) and Tree Protection Plan shall be carried out as agreed by the Local Planning Authority in perpetuity.

Reason: To ensure the retention and maintenance of trees and vegetation which is an important feature of the area in accordance with policy D DM1 and ENV DM4 of the Arun Local Plan.
- 4 The use hereby permitted shall only take place between the hours of 8:00-19:00 Monday to Saturday (excluding where it falls on Bank/Public Holidays) and 9:00-14:00 on Sundays and Bank/Public Holidays.

Reason: To safeguard the amenities of the neighbouring properties in accordance with Arun District Local Plan policies D DM1 and Q EDM1
- 5 Development shall not commence, other than works of site survey and investigation, until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The design should follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations, and the recommendations of the SuDS Manual produced by CIRIA. Winter groundwater monitoring to establish highest annual ground water levels and winter Percolation testing to BRE 365, or similar approved, will be required to support the design of any Infiltration drainage. No building / No part of the extended building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order in perpetuity.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies W SP1, W DM1, W DM2 and W DM3 of the Arun Local Plan. This is required to be a pre-commencement condition because it is necessary to implement the surface water drainage system prior to commencing any building works.
- 6 INFORMATIVE: Infiltration rates for soakage structures are to be based on percolation tests undertaken in the winter period and at the location and depth of the proposed structures. The

percolation tests must be carried out in accordance with BRE365, CIRIA R156 or a similar approved method and cater for the 1 in 10 year storm between the invert of the entry pipe to the soakaway, and the base of the structure. It must also have provision to ensure that there is capacity in the system to contain below ground level the 1 in 100 year event plus 40% on stored volumes, as an allowance for climate change. Adequate freeboard must be provided between the base of the soakaway structure and the highest recorded annual groundwater level identified in that location. Any SuDS or soakaway design must include adequate groundwater monitoring data to determine the highest winter groundwater table in support of the design. The applicant is advised to discuss the extent of groundwater monitoring with the Council's Engineers.

Supplementary guidance notes regarding surface water drainage are located here <https://www.arun.gov.uk/surfacewater> on Arun District Councils website. A surface water drainage checklist is available here <https://www.arun.gov.uk/drainagechecklist> on Arun District Councils website, this should be submitted with a Discharge of Conditions Application.

- 7 **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.