

Recommendation Report for Planning Permission

REF NO: F/8/18/PL

LOCATION: Unit B, Rudford Industrial Estate
Ford Lane
Ford
BN18 0DF

PROPOSAL: Erection of a building to form 3No. smaller units to provide B1 and/or B8 flexible use floorspace

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
SITE AREA	N/A
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	N/A
SITE CHARACTERISTICS	The proposed new industrial building would be located within the Rudford industrial estate on a corner plot situated at the end of the internal estate roads, which lead off the Ford Road.
CHARACTER OF LOCALITY	The character of the locality is industrial and consists predominantly of units of a similar design and style.

RELEVANT SITE HISTORY

None

REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

None received.

COMMENTS ON REPRESENTATIONS RECEIVED:

N/A

CONSULTATIONS

Economic Regeneration
Environmental Health

CONSULTATION RESPONSES RECEIVED:

Council's Economic Development:

Keen to support the provision of new, quality flexible work spaces and would be happy to support this 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

[Publication Version of the Local Plan \(October 2014\):](#)

C SP1 Countryside

D DM1 Aspects of Form and Design Quality

D DM4 Extensions & Alterations to Existing Buildings

EMP DM1 Employment land:Development Management

[Clymping Neighbourhood Plan 2015 Policy CPN4](#) Protection of existing commercial premises or land

Clymping Neighbourhood Plan 2015 Policy CPN7 Protection of open views

Clymping Neighbourhood Plan 2015 Policy CPN11 Quality of Design

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 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 Clymping Neighbourhood Plan is relevant to the determination of this application. The following policies are relevant:

CPN 11 Quality of Design

CPN 4 Protection of Existing Commercial Premises or Land

CPN 7 Protection of Open Views

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 this case Policies GEN7 criteria (viii) and DEV12 of the Arun District Local Plan 2003, as there would be an under provision of 2 parking spaces with regards to the Council's Parking standards.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background. Even though the proposed 11 parking spaces would lead to an under provision of parking spaces to serve the development, it would only be an under provision of 2 spaces. Given the location of the site within an existing industrial estate and the availability of parking elsewhere such a marginal deficiency is not considered to be a sustainable reason to refuse this proposal.

As such, it is considered that the proposal would not comply with Policies GEN7 criterion (viii) and DEV12. While the proposal would be contrary to Policy, Officers consider given that the proposal is for 3 small industrial units (within 1 new industrial building) the under provision of 2 parking spaces would not have a detrimental impact with regard to highway safety within or outside the industrial estate.

CONSIDERATION OF ALTERNATIVE SITES

N/A

CONCLUSIONS

PRINCIPLE

The site is located outside of the built-up area boundary although it must be considered that the application seeks permission for the erection of a new industrial building within the existing Rudford Industrial Estate. The proposed industrial building would be divided up into 3 smaller units with a B1/B8 flexible use.

The National Planning Policy Framework under paragraph 28 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 GEN7 of the Arun District Local Plan, relevant policies within the Clymping Neighbourhood Plan and the National Planning Policy Framework.

DESIGN AND VISUAL AMENITY

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.

The proposed materials are as follows:

Wall Cladding: 80 Composite aluminium Panels

Roofing: 115 Composite aluminium Panels

guttering: plastisol.

The proposed building would be finished in a dark grey colour with grey flashing and brown rainwater goods.

It is considered that the size, scale and materials of the proposed industrial unit would be appropriate given its proposed siting within Rudford industrial estate, an area with a number of metal clad 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 industrial estate 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 GEN7(ii) of the Arun District Local Plan 2003, CPN4 (Criterion 2), CPN 7 and CPN 11 of the Clymping Neighbourhood Plan 2015-2030.

AMENITY

From the Officer's site visit it was noted that there are a number of windows in the north west elevation of nearby unit B1A which are believed to serve the business Omni Davis Insurance Brokers. From an assessment of the submitted plans and the Officer's site visit it is considered that given the north west orientation of the site, the separation distance of approximately 13-14 metres between the elevation of unit B1A (Omni Davis Insurance Brokers) and the proposed mass and bulk of the proposal, that no unacceptable detrimental loss of light, overshadowing or overlooking would occur to the occupiers of

adjoining units.

While the proposal would project past the north west elevation of adjoining unit B6 Officer's note that there are no significant windows in that elevation. As such it is also considered that no detrimental loss of light, overshadowing or overlooking would occur to the occupiers of unit B6.

The nearest residential properties are sufficiently sited away for there to be no unacceptable impact on their residential amenities.

The proposed new industrial building, divided into 3 smaller units, is not considered to give rise to any unacceptably adverse impacts on the amenity of neighbouring property. Additionally Officers note that no 'neighbour' comments have been received regarding the proposal at this time.

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

Therefore, the proposal is considered to accord with policy GEN7(iv) of the Arun District Local Plan 2003 and CPN4 (Criterion 1) of the Clymping Neighbourhood Plan 2015-2030.

USE CLASS

The applicant has stated that the land is used as general outdoor storage. General outdoor storage falls under the B8 Use Class. The applicant is seeking a flexible B1/B8 use for the 3 proposed units. Given the multitude of uses carried out within the industrial estate Officers consider that the proposed B1/B8 uses would be appropriate.

PARKING AND HIGHWAY SAFETY

From an assessment of the submitted plans and application forms 11 parking spaces would be provided for the 3 proposed industrial units. Having regard to the Arun District Local Plan 2003 where 12 spaces would be required for B8 uses and B1 uses require 13 spaces, given the 286m squared floor area. As aforementioned, 11 spaces would be provided, meaning an under provision of 2 spaces. It should be noted that the applicant states that HGV parking would be available to the front of the proposed roller doors, thus providing further parking availability which would more than meet the Lorry parking requirement as required by the parking standards set out within the Arun District Local Plan 2003.

Having Regard to policy CPN4 - Protection of Existing Commercial Premises or Land, officers note the requirement for a transport assessment. Having regard to the Applicant's submitted Design and Access statement, it is noted that the applicant has stated that the use of the site would remain largely as existing in terms of trip generation. That there is not likely to be any material change in traffic movement to and from the site. Officers consider that should there be any additional trip generation as a result of the proposal it would not be of a significant level such as to have a detrimental impact on the highway network and in turn the living conditions of residents.

Access to the site would be via the existing accesses from Ford Lane. As such it is considered that no unacceptable adverse highway safety issues would occur.

As such, it is considered that the proposal would not comply with Policies GEN7 criterion (viii) and DEV12. While the proposal would be contrary to policy Officers consider that given that the proposal is for 3 small industrial units (within 1 new industrial building) the under provision of 2 parking spaces would not have a detrimental impact with regard to highway safety within or outside the industrial estate, within

Rudford. Therefore, Officers consider that the proposal would adhere with Policy CPN 4 (Criterion 3) of the Clymping Neighbourhood Plan 2015-2030.

SUMMARY

It is recommended that the planning application is granted subject to the following conditions.

HUMAN RIGHTS ACT

FOR APPROVAL

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, RIE/18/02, RIE/18/03, RIE/18/04 and RIE/18/05

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Policies GEN3 and GEN7 of the Arun District 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 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.