

Recommendation Report for Planning Permission

REF NO: F/8/20/PL

LOCATION: Wicks Farm
Ford Lane
Ford
BN18 0DF

PROPOSAL: Variation of condition 2 following the grant of F/30/18/PL relating to the change of cladding from polythene to glass.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	This application relates only to the changes to the plans condition (2) to include a change in materials of the approved poly tunnels to glass. The structure would be a single unit so the previously approved 6M gap between the 2 poly tunnels is now incorporated within the building. The applicant wishes to change the material to improve light transmission, resilience and impact on the environment. The previous permission related to the provision of a 2 poly tunnels. The application site is the same as approved and the size and position of the poly tunnels is unaltered
SITE AREA	9 hectares
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/23/19/PL	Variation of condition 2 (plans condition) to show new site access & red edge & removal of conditions 13 & 14	ApproveConditionally 17-04-20
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following the grant of F/30/18/PL dealing with the use of an existing access instead of creation of new access.

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

REPRESENTATIONS RECEIVED:

None

COMMENTS ON REPRESENTATIONS RECEIVED:

None

CONSULTATIONS

Engineering Services Manager
Engineers (Drainage)

CONSULTATION RESPONSES RECEIVED:

Drainage Engineers - No Objection.

COMMENTS ON CONSULTATION RESPONSES:

- comments noted

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:](#)

DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
HORDM1	HOR DM1 Horticulture

LANDM1	LAN DM1 Protection of landscape character
QEDM2	QE DM2 Light pollution
QESP1	QE SP1 Quality of the Environment

Ford Neighbourhood Plan 2019 Policy EH4	Surface water management
Ford Neighbourhood Plan 2019 Policy EE1	Support for business
Ford Neighbourhood Plan 2019 Policy EH8	Light Pollution

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

POLICY COMMENTARY

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

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.

The relevant policies of the made Ford Parish Neighbourhood Plan have 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 the change from polythene to glass has 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 warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS**PRINCIPLE**

The site lies outside the built up area boundary of the Local Plan where the principle of horticultural development is acceptable and in this particular case has already been approved under reference F/30/18/PL. The application only relates to the altered materials. All other matters relating to the permission remain unaltered.

VISUAL AMENITY AND DESIGN

The main consideration in respect of this application is the impact on the landscape resulting from the change in design of the structures to include glass instead of polythene. The structures would not be significantly more visible in the landscape as a result of the proposed change. The structure would comprise one unit, rather than 2, with a 6m gap between, but the gap would only have been discernible from limited views across the site and the increase in footprint and bulk is negligible when the development and its setting next to other structures is considered. The proposal would therefore accord with policies D DM1 and HOR DM1. The design is sympathetic to the natural environment and is a utilitarian design associated with this rural use.

RESIDENTIAL AMENITY

The change from polythene to glass would not alter the impact of the development on residential amenity. It has previously been determined that the proposal would not have a detrimental impact on the amenity of occupiers of adjoining residential units with regard to overlooking, overbearing impact, overshadowing and loss of light/sunlight, but may be adversely affected by noise and activity levels and these were controlled by condition.

DRAINAGE

Policies WDM2 and WDM3 of the Local Plan and policy EH4 of the Ford Neighbourhood Plan refer to flood risk and surface water management in new development which should aim to reduce the overall level of flood risk in the area.

The original proposal was supported by a Flood Risk Assessment and there was no objection from Environment Agency and Engineers on the basis that appropriate conditions were imposed.

HIGHWAY SAFETY

The information submitted with the original application satisfactorily demonstrated that use of the site could be undertaken without adversely impacting on highway safety (F/23/19/PL). A change to allow the existing access into the site to be utilised has been subsequently approved. This application proposes no change to the parking or access arrangements.

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. The originally submitted Landscape & Visual Impact Assessment, Ecological Appraisal and Tree Survey demonstrated that the development retains and sympathetically incorporates locally valued and important habitats, including wildlife corridors, is designed to minimise disturbance to habitats and includes opportunities for enhancement of habitats through design, layout, landscaping. This proposal does not alter these opportunities.

The Ford Neighbourhood Plan contains policy Policy ENH6 which states that within the Biodiversity Opportunity Area development will not be permitted unless it is reasonably necessary for the purposes of agriculture and only then if it is designed to minimise disturbance to habitats. The evidence submitted satisfactorily demonstrates that this is the case.

CONCLUSION

The application is therefore recommended for approval 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 approved shall be carried out in accordance with the following approved plans:
Site Block Plan P09
Typical Elevations P03.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 of the Arun Local Plan.

- 2 INFORMATIVE: This permission relates to the variation of condition 2 of planning permission F/30/18/PL only. The applicant is advised and reminded that the planning conditions attached to the original planning permission number F/30/18//PL remain in force and must be complied with. This decision only relates to the variation of Conditions 2 of that planning permission.
- 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.