

Recommendation Report for Planning Permission

REF NO: F/9/19/PL

LOCATION: Land Adjacent Station Cottages
Ford Road
Ford
BN18 0BH

PROPOSAL: Change the use of 1/2 the site area to a hard standing storage area

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposal is to change the use of approx. 2.2 hectares of open field to hard standing to be used for the open storage of boats, caravans, farm equipment and single height metal containers. The site would be enclosed by a 2 metre high metal palisade fence and a 1.5 metre high soil mound or bund would be constructed on the western boundary adjacent to the roadway.
SITE AREA	3.54 hectares
TOPOGRAPHY	The site slopes from west to east from the Ford Road down to the River Arun and from north to south from the railway line to the Ship & Anchor marina site.
TREES	The site currently has small self seeded trees which have grown up as hedgerow trees within and around the border of the site.
BOUNDARY TREATMENT	The site has open hedgerow borders utilising the borders provided by neighbouring sites except for a front gate providing access onto the site.
SITE CHARACTERISTICS	The site is an open field of which has a vehicular access onto the land and a small area of hardstanding and a mound of aggregate in the north western section of the field which appears to be used occasionally for agricultural storage.
CHARACTER OF LOCALITY	The area is in open countryside however there are a number of uses bordering the field including an Environment Agency access road and depot along the northern boundary with the railway line just beyond and a camping and caravanning site to the south at the Ship & Anchor public house Marina site. The site faces open agricultural fields to the west with River Arun immediately to the east with open agricultural fields beyond.

RELEVANT SITE HISTORY

F/21/18/PL	Change the use from open field to open storage for metal
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containers, boats & caravans to include hardstanding.

None.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Ford Parish Council

Objection

- The proposal is contrary to Ford Neighbourhood Plan policies:

Policy BUA1 - Built Up Area Boundary

Policy EH5 - Grade 1,2 and 3a Agricultural Land

Policy EH1 - Protection of trees and hedgerows

1 letter of objection from the neighbouring Ship & Anchor Marina site as follows:

- Flood risk - Additional drainage onto Ship & Anchor site unacceptable as Ship & Anchor buildings and site already susceptible to flooding.

- Loss of hedgerows, adverse impact on wildlife, migrating birds and tourists.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

Engineering Services Manager

Engineers (Drainage)

WSCC Strategic Planning

Environment Agency

Ecology Advisor

Arboriculturist

Parks and Landscapes

CONSULTATION RESPONSES RECEIVED:

Environment Agency - In the absence of a Flood Risk Assessment (FRA) object to the application.

CDC Ecology - Prior to determination (approval) a phase one habitat survey would need to be undertaken.

ADC Greenspace - No objection subject to further information/details.

- Concern regarding loss of trees/hedges and greening in relationship to proposed hardstanding.

ADC Surface Water Engineers - No objection subject to pre-commencement conditions and informatives.

- Concern regarding flood risk, land drainage consent and permeable nature of hardstanding.

WSCC Highways - Unable to assess the application due to lack of information.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designation applicable to site:

ADOPTED LOC PLN

ABUTTS RIV ARUN

OUTS BUILT AREA

RIGHT OF WAY

DEVELOPMENT PLAN POLICIES

[Arun Local Plan 2011 - 2031:](#)

CSP1	C SP1 Countryside
DDM1	D DM1 Aspects of form and design quality
EMPDM1	EMP DM1 Employment Land: Development Management
ENVDM3	ENV DM3 Biodiversity Opportunity Areas
SODM1	SO DM1 Soils
DSP1	D SP1 Design
LANDM1	LAN DM1 Protection of landscape character
TSP1	T SP1 Transport and Development
TSP2	T SP2 Littlehampton to Arundel Green Link
QESP1	QE SP1 Quality of the Environment
WDM2	W DM2 Flood Risk

[Ford Neighbourhood Plan 2019 Policy BUA1](#)

Built Up Area (BUA) boundary

Ford Neighbourhood Plan 2019 Policy EH1

Protection of trees and hedgerows

Ford Neighbourhood Plan 2019 Policy EH5

Grade 1, 2 and 3a Agricultural Land

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

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.

Policies BUA1, EH1 and EH5 of the Ford Neighbourhood Plan are considered relevant to this application.

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 not considered to comply with relevant Development Plan policies in that the proposal for B8 storage and distribution provides no justification for its location which would have a significant detrimental impact on the open 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 application site is located within the Parish of Ford which has a Neighbourhood Plan and as such the development plan in the determination of this application will consist of the Arun Local Plan (ALP) 2011 - 2031 and the Ford Neighbourhood Plan (FNP) 2017 - 2031 .

Arun Local Plan

The key policy considerations in the determination of this application is considered to be C SP1 and EMP DM1 of the Arun Local Plan.

Ford Neighbourhood Plan

The key policy consideration in the determination of this application is considered to be policy BUA1 of the Ford Neighbourhood Plan.

Commercial development is resisted outside of built up area boundaries (BUAB) under policy C SP1 Countryside (ALP) and policy BUA1 - Built up area boundaries (FNP) unless the proposal accords with other policies within the plans which refer to specific types of use or development which in this case would include policy EMP DM1 - Employment Land: Development Management. The proposed development does not accord with policy EMP DM1 of the ALP as it would be an entirely new commercial venture in the open countryside which would fail to have a sympathetic relationship to the local landscape and habitats.

For this reason the development as proposed is unacceptable in principle.

DESIGN AND LANDSCAPE

Policy D DM1 of the Arun Local Plan requires the Council seek to make the best possible use of land by reflecting or improving upon the character of the site and the surrounding area. It requires the Council to consider scale, massing, aspect, siting, layout, density, building materials, landscaping, and design

features. The policy requires that the scale of development keeps within the general confines of the overall character of a locality. It states that all development will be expected to incorporate existing and new tree planting as an integral part of development proposals. ALP policy D SP1 "Design" requires development to make an efficient use of land and also reflect local character.

Policy LAN DM1 of the ALP builds on the above by seeking that development throughout the plan area should respect the particular characteristics and natural features of the relevant landscape character areas and seek, wherever possible, to reinforce or repair the character of those areas.

Policy T SP2 - Littlehampton to Arundel Green Link seeks to enhance the multi user path along the riverside which runs to the river side of the proposed site. It seeks to encourage informal recreation along the route and requires good landscape management practices through the link.

Policy EH1 of the Ford Neighborhood Plan seeks to resist development that would result in the loss or damage of hedgerows

The proposal is to introduce a large B8 storage use and associated works into the open landscape and thereby compromise countryside and riverside landscapes. This would be incongruous within the landscape and have an alien urbanising effect. The site slopes down towards the river and would face toward the public footpath that is the Littlehampton to Arundel Green Link. The proposed border landscaping would fail to screen the development when viewed from this public access vantage point and the wider landscape to the south and east representing poor landscape management practice in conflict with policy TSP2 of the Arun Local Plan. The block plan proposes a nature and wetland area for public use but provides no details of it to demonstrate how it would ameliorate any impact on views of the Littlehampton to Arundel Green Link.

The 2 metre metal palisade fence and associated soil bund on the western boundary would remove the existing hedgerows and have an industrial and alien appearance within the countryside landscape and furthermore conflict with policy EH1 of the Ford Neighbourhood Plan .

The designation of 4.5 acres of land to community use a wild park on the most flood affected part of the site and a footpath to the side of the boundary fence would not satisfactorily mitigate the harm done to the character of the area as a result of the proposed development.

The proposal would due to its height, mass and scale, result in substantial harm to the rural character of the locality and wider landscape and the Littlehampton to Arundel Green Link. The proposed landscaping would not provide a sufficient screening of the site from open views across the wider landscape particularly in winter months. The proposal would be contrary to ALP policies D DM1, D SP1, T SP2, LAN DM1 & Policy EH1 of the Ford Neighborhood Plan.

EMPLOYMENT POLICY

Policy EMP DM1 Local Employment sets out 6 criteria in which planning permission for employment sites might be granted outside of the Built-up Area Boundary. These include extensions to existing employment sites, highways impacts and a sympathetic relationship to the surrounding areas that show consideration of landscape and habitat contexts.

The proposed use would intensify the use of the site and it has not been demonstrated that this would not be to the detriment of existing highways in the surrounding area.

The proposal would not be of a high standard of design, layout and landscaping appropriate to its

countryside context

The proposed development would be a new employment site unrelated to any existing employment site and as set out above would fail to have a sympathetic relationship to the surrounding countryside areas.

The proposed development is therefore considered contrary to policy EMP DM1 of the Arun Local Plan.

HIGHWAYS & TRANSPORT

The proposed use is considered to be an intensification of the use. Further details relating to the number of trips, generated, visibility splays, manoeuvring on and off site and the volume and type of storage has been requested.

The offer to provide public parking for the Railway station is noted.

Insufficient information has been provided to determine the impact of the proposal on the Highway Network in line with policy T SP1 of the Arun Local Plan..

SOIL CLASSIFICATION

No information has been provided relating to the soil type of the agricultural field proposed to be removed from agricultural use so as to determine whether the proposal is in conformity with policy SO DM1 of the Arun Local Plan.

CONCLUSION

The proposed application is considered to be contrary to Development Plan policies as sited above and is recommended for refusal on the following grounds:

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), Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for refusal of permission in this case interferes with applicant's right to respect for their private and family life and their home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of neighbours). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for refusal 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

REFUSE

- 1 The proposed development in an open countryside location outside of the built up area boundaries, would be contrary to policies C SP1 Countryside of the Arun District Local Plan and policy BUA1 - Built up area boundaries of the Ford Neighbourhood Plan. The proposal would due to its location, height, mass and scale would result in significant harm to the rural character of the locality and wider landscape in conflict with Arun Local Plan policies D DM1, D SP1. LAN DM1 & EMP DM1 and policy EH1 of the Ford Neighbourhood Plan
- 2 Insufficient information has been provided to determine:
 - 1) The agricultural soil classification of the agricultural field to be developed contrary to policy SO DM1 of the Arun Local Plan.
 - 2) The highway impacts of the proposed scheme contrary to policy T SP1 of the Arun 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 identifying matters of concern with the proposal and discussing those with the Applicant. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and due to the harm which has been clearly identified within the reason(s) for the refusal, approval has not been possible.