

Recommendation Report for Planning Permission

REF NO: LU/140/18/PL

LOCATION: Modern Moulds Business Centre
Unit A1 - Unit A3
Harwood Road
Littlehampton

PROPOSAL: Housing unit to provide weather protection for a new air compressor.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. The enclosure would have a flat sloping roof which is 4m high at its highest point and would have a floor area of 2m by 3m. .
SITE AREA	21 sq m
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	2m high security fencing and hedging to railway line
SITE CHARACTERISTICS	An industrial premises with brick and metal clad elevations. Parking is situated to the front and there is a large storage area and yard to the rear.
CHARACTER OF LOCALITY	The unit is located on the edge of an industrial estate with other large warehouse and factories in the area. Residential properties are located to the west on the other side of the railway line.

RELEVANT SITE HISTORY

None

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Littlehampton Town Council
No Objection

COMMENTS ON REPRESENTATIONS RECEIVED:

None

CONSULTATIONS

Environmental Health
 Network Rail
 Health & Safety Executive

CONSULTATION RESPONSES RECEIVED:

Health and Safety Executive - Do not advise against the granting of planning permission

Environmental Health - Awaited

Network Rail - Awaited

COMMENTS ON CONSULTATION RESPONSES:

- comments noted

POLICY CONTEXT

Designation applicable to site:
 Within the Built-Up Area Boundary

DEVELOPMENT PLAN POLICES

DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
QESP1	QE SP1 Quality of the Environment
EMPDM1	EMP DM1 Employment Land: Development Management

[Littlehampton Neighbourhood Plan 2014 Policy 2](#) A Spatial Plan for the Town

Littlehampton Neighbourhood Plan 2014 Policy 1 The Presumption in Favour of Sustainable Development

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 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; Ford, Yapton.

Policies 1 & 2 of the Littlehampton Town Neighbourhood Plan are considered relevant to consideration of 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 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 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 other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

PRINCIPLE

The site is located within the built-up area where the principle of development is acceptable, subject to accordance with relevant planning policies. In this instance, the main criteria against which the application will be assessed is contained within the Arun Local Plan which in this case are considered to be policies DSP1, DDM1, DDM4 and QEDM1 which seeks to prevent development that would have an adverse impact upon visual and residential amenities and policies 1 & 2 of the Littlehampton Town Neighbourhood Plan which seek to concentrate development within the built up area boundary.

DESIGN AND VISUAL AMENITY

The proposed extension will be situated to the rear elevation of the existing unit and as such will not be readily visible from the road, Harwood Road. Given its limited dimensions, it is considered to be visually subservient to the main unit and it will acceptably be assimilated into the main building. It would have clad elevations which would be similar in appearance and colour to the existing industrial unit. Other small extensions have been added to the rear of the building.. The use of the extension is considered consistent with the character and appearance of the industrial estate and the existing operations on site. The extension is therefore considered acceptable in design and visual amenity terms and complies with relevant policies DDM1 and DDM4 of the Arun Local Plan.

RESIDENTIAL AMENITY

The site is located within an industrial estate and backs onto the railway line. The nearest residential properties are located 65m away from the premises on the other side of the railway track. The proposal seeks permission for an enclosure to a compressor which would assist in suppressing any noise emitted. Any potential noise should also be considered against the background noise levels generated on the

industrial estate and the noise arising from the railway line. The proposal is a significant distance from adjoining residential properties development and would not cause any harmful overshadowing or overbearing effects or any unacceptable overlooking or loss of privacy. It is therefore considered acceptable in residential amenity terms and so complies with Local Plan policies DDM1 and QESP1.

It is therefore recommended that the application be approved, 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 Layout Plan 4058_D1003 3 and Proposed Elevations 4058_D1005 3.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy DDM1 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.