

Recommendation Report for Planning Permission

REF NO: LU/221/19/PL

LOCATION: The Bodyshop
Norway lane
Wick
Littlehampton

PROPOSAL: A temporary workshop building to be located on car park of main site

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks retrospective planning permission for a workshop building sited within the car park of the main site of the Bodyshop, adjacent to the main building. The building measures 17.5m in length, 4.5m in width, is single storey, and has a gable end roof with an eaves height of 3.4m and a ridge height of 4m. The building is constructed of an aluminium frame structure, with a steel roller shutter door on the western end elevation, double doors on the eastern end elevation, a plastic framed window on the northern side elevation and a door on the southern side elevation. It is in use as a workshop for the facilities management team on site.
SITE AREA	78.75sqm.
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the development.
BOUNDARY TREATMENT	The area where the workshop building is located within the main car park is over 90m to the nearest boundary of the Bodyshop site.
SITE CHARACTERISTICS	The site is located within the main car park area of the Waresmead Business Park. It is to the north of the main Bodyshop building.
CHARACTER OF LOCALITY	The Waresmead Business Park is located on the edge of Littlehampton to the north west of the town centre, and just to the north of the A259. It comprises a large commercial business park occupied by the Bodyshop and some other businesses. Operations include manufacture, distribution and the company corporate headquarters.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Littlehampton Town Council
No objection.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

Economic Regeneration
 Environmental Health
 Southern Water Planning
 Engineers (Drainage)
 Engineering Services Manager
 WSCC Strategic Planning

CONSULTATION RESPONSES RECEIVED:

Economic Regeneration - no comment.

West Sussex County Council Highways - no objection.

No alterations to the site access arrangements are proposed. Does result in the loss of 7 parking spaces, however appears to be sufficient parking remaining available to serve the site. Use of workshop to serve the on-site maintenance team not anticipated to result in increased parking demand nor intensification of the use of the existing site access.

Environmental Health - no objection.

Southern Water - recommend Informative requiring formal application to Southern Water for connection to the foul and surface water public sewerage system in order to ensure appropriate drainage of the site.

COMMENTS ON CONSULTATION RESPONSES:

Noted, and to be covered in more detail in report, and informative to be added as appropriate.

POLICY CONTEXT

Build Up Area Boundary
 Littlehampton Neighbourhood Plan Area

DEVELOPMENT PLAN POLICIES

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

EMPDM1	EMP DM1 Employment Land: Development Management
EMPSP1	EMP SP1 Strategic Economic Growth
DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
QEDM1	QE DM1 Noise Pollution
QEDM3	QE DM3 Air Pollution
QESP1	QE SP1 Quality of the Environment
TSP1	T SP1 Transport and 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 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.

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).

Policy 1 (The presumption in favour of sustainable development) and Policy 2 (A spatial plan for the town) within the Littlehampton Neighbourhood Plan are relevant policies in relation to this current 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 amenity of the surrounding area, the residential amenities of the occupants of adjoining properties, highways nor parking.

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 OF DEVELOPMENT

The site lies in an urban area, within the Built Up Area Boundary, and more specifically within a business park. It accords with Local Plan policy EMP SP1 and EMP DM1, which supports the expansion and enhancement of existing employment areas.

VISUAL AMENITY

The siting, scale, form, design and materiality of the workshop building is appropriate within its commercial/industrial setting in a business park. In any event, given the set back of the new building from the nearest highways and properties, and the separation distances to the boundaries of the business park, the building is not readily visible in public views, is only visible in long-distance views from public vantage points, and is only readily visible to occupants and users of the business park. The new building integrates well with its surroundings and respects the character of the locality, in accordance with policies D SP1 and D DM1 of the Arun Local Plan.

The application is for a temporary building, and as such a planning condition will be applied granting temporary permission for a 5 year period, to allow future review.

RESIDENTIAL AMENITY

The area where the workshop building is located within the main car park is over 45m to the nearest boundary of the Bodyshop site and over 60m from the nearest residential property. As such, the proposals would not have any adverse impact on outlook, daylight, sunlight or privacy to neighbouring occupants and would accord with policy D DM1 of the Arun Local Plan.

Some noise and odour generating activity may take place within the workshop, which is used for the on-site maintenance team for storage and wood work, painting, electrical work. The Council's Environmental Health team have been consulted on the application and have not raised an objection. Given the distance of the new workshop building from the nearest neighbouring properties, the proposals would not be likely to result in significant noise and air pollution, nor noise and disturbance nuisance and would accord with policies D DM1, QE SP1, QE DM1 and QE DM3 of the Arun Local Plan.

PARKING AND HIGHWAYS

Policy T SP1 of the Arun Local Plan supports development which incorporates appropriate levels of parking in line with the West Sussex County Council guidance on parking provision. West Sussex County Council Highways have been consulted on the application and have not raised an objection. No alterations to the site access arrangements are proposed. Does result in the loss of 7 parking spaces, however appears to be sufficient parking remaining available to serve the site. Use of workshop to serve the on-site maintenance team not anticipated to result in increased parking demand nor intensification of the use of the existing site access. The LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 109), there are no transport grounds to resist the proposal and the proposals would accord with policy T SP1 of the Arun Local Plan.

DRAINAGE

Southern Water have been consulted on the application and have not raised an objection. They recommend an Informative is added stating that a formal application to Southern Water for connection to the foul and surface water public sewerage system would be required, in order to ensure appropriate drainage of the site. Subject to this, the development would accord with policy W DM3 of the Arun Local Plan.

SUMMARY

The development would have an acceptable impact in terms of visual amenity of the area, residential amenity of neighbouring occupants, parking and highways. As such, the proposals comply with all relevant planning policies and guidance in the NPPF and Arun Local Plan.

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 building hereby permitted shall be removed and the land restored to its former condition, or to a condition to be agreed in writing by the Local Planning Authority, on or before the expiration of the period ending 5 years from the date of the decision being issued.

Reason: The appearance of the building, by virtue of its design and construction is likely to deteriorate and become detrimental to the visual amenities of the surrounding area and in order that the Local Planning Authority may be satisfied as to the appearance of the land after the removal of the building in accordance with policy and D SP1 D DM1 of the Arun District Local Plan.

- 2 The development hereby approved shall be carried out in accordance with the following approved plans: Site Plan (A1011-BS-01), details (SS33385) and Landlord Plan External Workshop (A1011-BS-03 Rev A).

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policies D SP1, D DM1, QE SP1, QE DM1, QE DM2 and T SP1 of the Arun Local Plan.

- 3 INFORMATIVE: The applicant is advised Southern Water require a formal application for connection to the public sewerage system in order to service this development. Please read our New Connections Services Charging Arrangements documents which has now been published and is available to read on our website via the following link <https://beta.southernwater.co.uk/infrastructure-charges>. The disposal of surface water from this development should be in compliance with the following hierarchy of Part H3 of Building Regulations:

- a) An adequate soakaway or some other adequate infiltration system.
- b) A water course.
- c) Where neither of the above is practicable: a sewer.

The applicant should be advised that a wastewater grease trap should be provided on the kitchen waste pipe or drain installed and maintained by the owner or operator of the premises.

It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

For further advice, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119), www.southernwater.co.uk or by email at developerservices@southernwater.co.uk

- 4 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 within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns (removal of new condenser units and grilles from the drawings since these are not covered by the description of development and have not been considered in the assessment of this planning application). As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.