

Recommendation Report for Planning Permission

REF NO: LU/295/17/PL

LOCATION: Land South of Unit 1
Arunside Industrial Estate
Fort Road
Littlehampton

PROPOSAL: New Industrial unit

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	It is proposed to redevelop a vacant site to the rear of the industrial estate, located south of unit 1 with a single storey class B2 industrial unit comprising of 490m2 of factory floor. It will measure 6m high to eaves level and 9m to ridge height.
	The proposal provides 8 parking spaces and employment for 17 people. This is to provide for the relocation of the business known as Blastreat currently operating in Arundel. The business is involved in shot blasting, powder coating and hot zinc spraying.
SITE AREA	0.1 hectares
TOPOGRAPHY	Predominantly flat.
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Open site.
SITE CHARACTERISTICS	Vacant land currently used for open storage.
CHARACTER OF LOCALITY	Located to the east of the Arunside Industrial Estate abutting the railway line. The nearest residential properties are some 60m north on the Arundel Road. Adjacent buildings to the west are 10.5m high.

RELEVANT SITE HISTORY

LU/111/80	Change Of Use From Warehouse To Retail Warehouse & Storage With Ancillary Offices	Refused 30-04-80
LU/183/80	Change Of Use Form Warehouse To Light Industrial	ApproveConditionally 16-04-80

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Littlehampton Town Council
Support.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

Economic Regeneration
Environmental Health
Environment Agency
Engineering Services Manager
Engineers (Drainage)
Network Rail
WSCC Strategic Planning

CONSULTATION RESPONSES RECEIVED:

Environment Agency
We have no objection to the above proposal based on the information supplied in the submitted FRA.

County Highways
No objection.

Environmental Health
No objection.

Network Rail
No objection.

Economic Regeneration
Support.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted

POLICY CONTEXT

Designation applicable to site:
Within built up area boundary

DEVELOPMENT PLAN POLICES

[Arun District Local Plan \(2003\):](#)

GEN12	Parking in New Development
GEN2	Built-up Area Boundary
GEN32	Noise Pollution
GEN34	Air Pollution
GEN7	The Form of New Development
GEN9	Foul and Surface Water Drainage

Publication Version of the Local Plan (October 2014):

D DM1	Aspects of Form and Design Quality
EMP DM1	Employment land:Development Management
QE DM1	Noise Pollution
QE DM3	Air Pollution
SD SP2	Built -Up Area Boundary
T SP1	Transport and Development
EMP SP1	Employment land provision

<u>Littlehampton Neighbourhood Plan 2014 Policy 1</u>	The Presumption in Favour of Sustainable Development
Littlehampton Neighbourhood Plan 2014 Policy 2	A Spatial Plan for the Town

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 Main Modifications to the Arun Local Plan (2011-2031) are presently out for Public Consultation over a six week period starting on Friday 12 January 2018 until 5pm on Friday 23 February 2018.

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 relevant policies from the Littlehampton Town 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 it would have no materially adverse effect on the visual amenities of the locality or the residential amenities of the wider area, 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:

This site is located within the built-up area boundary where the principle of development is acceptable subject to relevant policies in the Development Plan for new economic development and subject to normal development control criteria such as highways & parking, design and residential amenity.

RELEVANT DEVELOPMENT PLAN POLICIES:

There are no policies in the current local plan that are relevant to the principle of new industrial development or the protection of existing sites. The emerging Local Plan carries reduced weight at this time but does support new economic development. Policy EMP SP1 "Employment Land Provision" states that:

"The Council, with partners, will promote the sustainable growth of the District's economy by supporting the provision of a flexible supply of land to meet the varying needs of different economic sectors. Sufficient employment sites and premises will be safeguarded in order to meet the needs of the economy

in Arun to 2031 to support job creation, the needs of modern business and the attractiveness of the District as a business location."

Furthermore, Policy EMP DM1 "Employment Land: Development Management" states that:

The Council will promote and support positive measures to upgrade existing employment areas through:

a. Supporting appropriate proposals for development/re-development of employment floorspace, upgrading or modernisation of existing premises and/or proposals which make more efficient use of under-used employment sites and premises;"

The National Planning Policy Framework (NPPF) introduced a presumption in favour of sustainable development. To be sustainable a proposal should offer economic, social and environmental benefits. Although not quantified in the application submission, this proposal will result in new jobs and these will have corresponding social benefits in the communities where these jobs are gained and in terms of bringing people together in the workplace. WSCC Highways consider that the site is sustainably located and workers may not necessarily need to rely on a private car to access the site. This will have environmental benefits.

The NPPF also states that the Government is committed to securing economic growth in order to create jobs and prosperity. Paragraph 20 states that: "To help achieve economic growth, local planning authorities should plan proactively to meet the development needs of business and support an economy fit for the 21st century".

It is also necessary to consider the policy in the adopted Littlehampton Town Neighbourhood Plan. Policy 2 seeks to concentrate future economic development within the built up area boundary and Policy 1 states that planning approval will be granted for development that accords with policies in the Neighbourhood Plan.

It is therefore considered that there is support within Development Plan policies and within the NPPF for the redevelopment of this site which lies within an existing employment area.

DESIGN & VISUAL AMENITY:

The proposed building is in keeping with the design and scale of adjoining units in an area which is defined by functional warehouse/factory type buildings. The proposal will however introduce a more modern type building into the streetscene and this will to a small extent, improve on the existing character. A condition is proposed to require details of the proposed materials to be used for the new car park surface. It is not considered that there is any scope within the site for landscaping.

HIGHWAYS & PARKING:

WSCC Highways have assessed the application and do not raise any objections. They consider the circulation route/space and parking provision of the proposal acceptable.

RESIDENTIAL AMENITY:

The nearest residential properties are around 60m away to the northeast in the busy Arundel Road. To the west it abuts the railway line and industrial land beyond that. As such, it is not considered that the proposed new building will have any impact on residential amenity. Environmental Health raise no objections.

SUMMARY:

It is considered that this proposal represents sustainable development in that it will have economic and social benefits and is sited in a sustainable location accessible by means other than the private car and within easy commuting distance of nearby residential populations. It is not considered that it will result in any adverse impacts and should therefore 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: Drawing number 113/P/001, 113/P/002, 113/P/003, 113/P/004, 113/P/005, 113/P/006, 113/P/007, 113/P/008.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN7 of the Arun District Local Plan.
- 3 No development above damp proof course (DPC) level shall take place unless and until a schedule of materials and finishes to be used for external walls and roofs of the proposed building have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the building.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity in accordance with policy GEN7 of the Arun District Local Plan.

- 4 No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details submitted to and approved by the Local Planning Authority.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies in accordance with policy GEN7 of the Arun District Local Plan.

- 5 No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters,
- the anticipated number, frequency and types of vehicles used during construction,
 - the method of access and routing of vehicles during construction,
 - the parking of vehicles by site operatives and visitors,
 - the loading and unloading of plant, materials and waste,
 - the storage of plant and materials used in construction of the development,
 - the erection and maintenance of security hoarding,
 - the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders
 - details of public engagement both prior to and during construction works.

Reason: In the interests of highway safety and the amenities of the area in accordance with policy GEN7 of the Arun District Local Plan.

- 6 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.
- 7 INFORMATIVE: The applicant should comply with the comments and requirements raised by Network Rail in their representation concerning the safe operation of the railway, the protection of Network Rail's adjoining land and the future maintenance, drainage, plant and materials, scaffolding, piling, fencing, lighting, noise and vibration, vehicle incursion and asset protection.
- 8 INFORMATIVE: The applicant should be aware that the granting of planning permission does not in any way indemnify against statutory nuisance action being taken should substantiated complaints within the remit of the Environment Protection Act 1990 be received. Furthermore, that they may need to apply for a permit under the Environmental Permitting Regulations 2010 depending on their activities and annual throughput. Further information can be found on DEFRA's website <https://www.gov.uk/government/collections/local-air-pollution-prevention-and-control-lappc-process-guidance-notes> or by contacting Environmental Health