

Recommendation Report for Planning Permission

REF NO: LU/2/19/PL

LOCATION: Unit 1
 Lineside Way
 Littlehampton
 BN17 7EH

PROPOSAL: Extension to existing warehouse with re-cladding of existing brick built unit to match and provision of sand silos and associated plant room and increase in height of building (resubmission following LU/334/17/PL).

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. The extension is located to the north side of the unit and measures approximately 20m in length, 19.9m in width and approximately 8.7m in height with an area of 525m². The proposed materials are steel clad walls and a colour-coated steel roof to match existing. There are two rows of rooflights on both side elevations. The proposal also includes the provision of 3 sand silos which are 10m high and 2m wide and a plant area. The applicants are manufacturers of metal engine components within the automotive, MOD and other sectors for high quality products and have expanded in the last 10 years in terms of staff and turnover. The proposal to amend the elevation details will provide a more modern and updated appearance to the premises.
SITE AREA	3781 sqm
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Open to front. Extended height close boarded fencing runs along the rear eastern boundary at approximately 4m separating the unit from residential properties in Egan Way. The western boundary is marked by the neighbouring site and warehouse building of Unit 2.
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 east on higher ground.

RELEVANT SITE HISTORY

LU/289/73	Change Of Use To Class 4 Extension	ApproveConditionally 18-07-73
LU/58/70	Change Of Use From Warehouse To Industry	ApproveConditionally 24-04-70
LU/510/72	Extension Rearwards By Five Bays Of Existing Unit	ApproveConditionally 01-02-73
LU/334/17/PL	Single storey rear extension & overcladding of existing brick & corrugated building.	ApproveConditionally 09-01-18

This application seeks approval to increase the height of the previously approved scheme by 1.5m to 8.7m to provide a greater internal useable head room.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Littlehampton Town Council

No Objection

One Objection

- Will block sunlight and create an unsightly view
- Fumes from existing building adversely affect health

COMMENTS ON REPRESENTATIONS RECEIVED:

Whilst the neighbour backs onto the application site the extension proposed is further away from them and sufficiently so as to not have an unacceptable impact on their residential amenity. Any pollution arising is covered by other legislation.

CONSULTATIONS

Engineering Services Manager

Engineers (Drainage)

Surface Water Drainage Team

Environmental Health

Environment Agency

CONSULTATION RESPONSES RECEIVED:

Environment Agency

No objection.

Southern Water

No Objection. Informatives requested.

Environmental Health

No Objection. Request hours of operation are conditioned.

Drainage Engineer

No Objection. Conditions suggested

Country Drainage

No Objection

County Highways - No Objection. The site has previously benefited from an extension as permitted under LU/132/14/PL.

The footprint of the proposed extension is on an area currently being used for storage and it is not considered that the proposal will result in any changes to the access and parking provisions of the unit.

Economic Development - Support the need to retain the company on their current site as well as supporting this application to allow growth to happen

Economic Development has been working with the applicant to look at alternatives to their current site, but within the District, to overcome the barriers to growth their current site presents for some 4 years or more.

Finecast are one of the District's high growth companies, with an impressive, household name, world-wide client base, who are employing a high number of local people, providing them with skills and stable employment. The company is working with local schools to bring forward future talent and investing in apprenticeships. They are particularly keen to employ local youngsters from around their site which sits in one of the most deprived wards in Arun where educational attainment is below that of both Arun and West Sussex and social mobility is poor. Companies such as Finecast, who are prepared to invest in young people, are critical to the future of the local economy and to the area.

COMMENTS ON CONSULTATION RESPONSES:

- comments noted.

The Drainage Engineer has requested the imposition of a pre commencement condition which has been discussed with the applicant and their agent. The condition would effectively delay the start of the development by a year, pushing the opportunity for expansion back at a time when this local business needs to grow. This could ultimately lead to relocation at a critical time for a successful business and local employer. The extension does not increase the footprint approved under LU/334/17/PL when Engineers were consulted but no response was received and it only increases the ridge height. It is not considered reasonable to impose the condition now since the only change to the earlier approval which did not include any drainage conditions is the height of the extension.

The hours of operation requested by environmental health are as referred to on the application form and which are as currently exists.

POLICY CONTEXT

Designation applicable to site:

Within the Built-Up Area Boundary

Public Sewer on site

DEVELOPMENT PLAN POLICES

Arun Local Plan 2011 - 2031:

DSP1	D SP1 Design
DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
QEDM1	QE DM1 Noise Pollution
QEDM3	QE DM3 Air Pollution
WDM2	W DM2 Flood Risk
WDM3	W DM3 Sustainable Urban Drainage Systems
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 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.

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).

Policies 1 & 2 of the Littlehampton Town Neighbourhood Plan is 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 residential 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 WDM2, DDM1, DDM4, QEDM1 and QEDM3 which seek to prevent development that would have an adverse impact upon visual and residential amenities or which causes unacceptable flooding issues or noise pollution and policies 1 & 2 of the Littlehampton Town Neighbourhood Plan.

SITE HISTORY AND CONTEXT

Two planning applications for a similar extension in terms of size and design were refused on the basis of a lack of an absence of a Flood Risk Assessment (FRA) in LU/235/13 and unsatisfactory detail before the most recent approvals LU/132/14/PL and LU/334/17/PL.

This application is to increase the height of the extension approved under LU/334/17/PL and add silos and add a plant room. The building is located to the rear of an existing industrial unit at the entrance of Lineside Industrial Estate. The extension is required to create additional floor space for B2 business/light industrial use to upgrade and expand operations for the company which manufactures metal casting components for industry.

EMPLOYMENT

The applicants currently employ 80 people from the local area in all levels of skills. This new development would allow them to grow the business by another 30 people whilst working in partnership with local schools and colleges to get young, local people, apprentice and graduate training schemes.

The business has grown over twofold in the last financial year and expect to increase sales this year dependant on increasing their footprint. They have major customers who are pushing hard for additional business with them.

They have invested heavily on new capital - new machining centres, foundry equipment and the latest technology in optical scanning equipment and we are one of the few foundries in the world to run a casting simulation software package that allows us virtually pour every new product to reduce waste and improve productivity.

With this context in mind the application is compliant with policy EMP DM1 of the Arun Local Plan which seeks to protect and enhance existing employment sites and premises.

INLAND FLOODING

Based on the submitted Flood Risk Assessment, the Environment Agency has no objection to the proposed extension. This means that the proposal is now considered to comply with policy WDM2 of the Arun Local Plan.

DESIGN AND VISUAL AMENITY

The proposed extension will be situated on the rear elevation of the existing unit and as such will not be readily visible from the road, Lineside Way. The silos and plant room are to be located on the west side elevation closest to other industrial units and would have the appearance of structures which would be expected to be found on an industrial estate. The footprint, dimensions and form of the extension are considered to be visually subservient to the main unit and fenestration and rooflight positions would ensure that it will acceptably blend in with the side elevations of the existing building. Although the height is increasing this would be limited in extent and focused on the part of the site which is furthest from the road frontage. 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 (1,2,14) and DSP1 of the Arun Local Plan.

RESIDENTIAL AMENITY

The proposed extension retains acceptable distances to the residential properties situated to the east. In the case of the nearest properties including No. 19 Egan Way there is an additional 4m high wooden screen which will help mitigate its effect. This boundary treatment coupled with a ground difference where the application site is set approx.1m lower than these residential properties means that the extension is unlikely to cause any harmful overshadowing or overbearing effects or any unacceptable overlooking or loss of privacy. The extension would be 8.5m from the side elevation of the adjacent dwelling which contains no habitable room windows and would be outside of the 45 degree angle from habitable rooms in the front and rear elevation of the dwelling. The plant room and sand silos would be screened from residential properties by the existing industrial unit and its extension. It is therefore considered acceptable in residential amenity terms and so complies with Local Plan policy DDM1(3).

NOISE POLLUTION AND AIR POLLUTION

Environmental Health has no objection to the proposed extension subject to imposition of a condition on operating hours. Any pollution that resulted in nuisance would be controlled by other legislation. It is therefore considered that the extension complies with relevant policies QEDM1 and QEDM3 of the Arun Local Plan.

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:
Proposed Plans and Elevations 19-01-02A,
Existing Plans and Elevations & Site Location Plans 19-01-01

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

- 3 The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) dated October 2017 reference 5168 compiled by GTA Civils Ltd.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site in accordance with policies GEN7 and GEN11 of the Arun District Local Plan.

- 4 The hours of operation of the extended business are to be restricted to 07.30 hours and 18.00 hours, Monday to Saturday only.

Reason: To safeguard the amenities of nearby residents in accordance with policy DDM1 of the Arun Local Plan.

- 5 **INFORMATIVE:**
The Environment Agency recommend that the owner/occupants sign up to the Environment Agency Flood Warning Service and have a flood evacuation plan.

Please note that it is not their role to assess any details on flood evacuation or emergency plans, as they do not carry out these roles during a flood. Their involvement with this development during an emergency will be limited to delivering flood warnings to occupants/users covered by our flood warning network.

- 6 **INFORMATIVE:**
It is recommended that consideration be given to use of flood mitigation measures to reduce the impact of flooding when it occurs. Flood mitigation measures include barriers on ground floor doors, windows and access points and bringing in electrical services into the building at a

high level so that plugs are located above possible flood levels. More information can be found in the communities and local Government publication 'Improving the flood performance of new buildings' which can be viewed at:

<http://www.communities.gov.uk/publications/planningandbuilding/improvingflood>

In order to protect Southern Water apparatus, Southern Water requests that if consent is granted, a condition is attached to the planning permission. For example: The developer must agree with Southern Water, prior to commencement of the development, the measures to be undertaken to protect the public sewers and water supply main.

7 INFORMATIVE:

The exact position of the public foul sewer, surface water sewer and water main must be determined on site by the applicant before the layout of the proposed development is finalised. No excavation, mounding or tree planting should be carried out within 6 metres of the public water main without consent from Southern Water.

No development or new tree planting should be located within 3 metres either side of the external edge of the public foul sewer (300mm).

No development or new tree planting should be located within 3.5 metres either side of the external edge of the public foul sewer (600mm).

No new soakaways should be located within 5 metres of a public sewer.

All existing infrastructure, including protective coatings and cathodic protection, should be protected during the course of construction works.

8 INFORMATIVE:

Due to changes in legislation that came in to force on 1st October 2011 regarding the future ownership of sewers it is possible that a sewer now deemed to be public could be crossing the above property. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site.

The applicant is advised to discuss the matter further with Southern Water, Sparrowgrove House Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk.

9 INFORMATIVE:

A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk.

10 INFORMATIVE: The future use of the above new space requires closer definition. This will enable assessment against the existing permit and of any consequent variation/other which may therefore prove necessary. Previous discussion with Environmental Health had included the possibility of new thermal sand reclamation plant. It is suggested you clarify your intent with Joanne Lewis before the time of your next inspection (before March 2018).

11 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.