

Recommendation Report for Planning Permission

REF NO: LU/334/17/PL

LOCATION: Unit 1 Lineside Way
Arndale Road
Littlehampton
BN17 7EH

PROPOSAL: Single storey rear extension & overcladding of existing brick & corrugated building.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above The extension measures approximately 24m in length, 21.9m in width and approximately 7.2m in height. The proposed materials are steel clad walls and a colour-coated steel roof to match existing. There are two rows of rooflights and high level glazing on both side elevations. The application is a resubmission of an expired permission LU/132/14/PL.
SITE AREA	3781 sqm
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Predominantly flat.
TREES	None 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/132/14/PL	Extension to existing steel framed purpose built industrial unit plus overclad existing brick and corrugation building with finishes to match new extension. Resubmission following LU/29/14.	ApproveConditionally 16-07-14
--------------	---	----------------------------------

LU/29/14/	Extension to existing steel framed purpose built industrial unit plus overclad existing brick & corrugated building with finishes to match new extension.	Withdrawn 11-04-14
-----------	---	-----------------------

LU/235/13/	Extension to existing steel framed purpose built industrial unit plus overclad existing brick and corrugated building with finishes to match new extension	Refused 11-11-13
------------	--	---------------------

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Littlehampton Town Council
No objection

COMMENTS ON REPRESENTATIONS RECEIVED:

None

CONSULTATIONS

Engineering Services Manager
Engineers (Drainage)
Environmental Health
WSCC Strategic Planning
Environment Agency
Southern Water Planning

CONSULTATION RESPONSES RECEIVED:

Environment Agency
No objection.

Southern Water
No Objection. Informatives requested.

Environmental Health
No Objection. Informative requested.

Drainage Engineer
No Comment

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

The footprint of the propose 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.

COMMENTS ON CONSULTATION RESPONSES:

- comments noted

POLICY CONTEXT

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

DEVELOPMENT PLAN POLICES

Arun District Local Plan (2003):

GEN2	Built-up Area Boundary
GEN7	The Form of New Development
GEN11	Inland Flooding
GEN34	Air Pollution
GEN32	Noise Pollution

Publication Version of the Local Plan (October 2014):

EMP DM1	Employment land:Development Management
D SP1	Design
D DM1	Aspects of Form and Quality
QE DM1	Noise Pollution
W DM2	Flood Risk

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 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 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).

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 District Local Plan which in this case are considered to be policies GEN2, GEN7, GEN11 and GEN32 which seeks to prevent development that would have an adverse impact upon visual and residential amenities or 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 the same extension in terms of its 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 approval LU/132/14/PL.

This application is identical to LU/132/14/PL in terms of the size, design and location of the extension which is 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.

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 GEN11 of the Arun District 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. In its dimensions and form, it is considered to be visually subservient to the main unit and has the same eaves and ridge height as well as fenestration and rooflight positions to ensure that it will acceptably blend in. 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 policy GEN7(ii) of the Arun District 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 significant ground difference where the application site is set considerably 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. It is therefore considered acceptable in residential amenity terms and so complies with Local Plan policy GEN7(iv).

NOISE POLLUTION AND AIR POLLUTION

Environmental Health has no objection to the proposed extension and considers that there will not be a significant impact caused by the extension by way of emissions to the atmosphere and subject to no additional external plant being required, by increased noise either. It is therefore considered that the extension complies with relevant policies GEN32 and GEN34 of the Arun District 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 Site and Location 13-07-02 revA, Plans and Elevations - Existing and Proposed, 13-07-01 revA.

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 overcladding and proposed extension 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/extension.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity/and character and appearance of the Listed Building/ by endeavouring to achieve a building of visual quality in accordance with policy GEN7 of the Arun District Local Plan.

- 4 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.

- 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.