

**Recommendation Report for Planning Permission**

**REF NO:** LU/348/14/PL

**LOCATION:** Units 31/32  
Lineside Industrial Estate  
Eldon Way Littlehampton

**PROPOSAL:** Change of use from warehouse (B8 Storage or distribution) to industrial (B2 General industry).

**SITE AND SURROUNDINGS**

|                                       |                                                                                                                                                                                                                                    |
|---------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| DESCRIPTION OF APPLICATION            | As above.                                                                                                                                                                                                                          |
| SITE AREA                             | Approximately 1040 square metres.                                                                                                                                                                                                  |
| RESIDENTIAL DEVELOPMENT DENSITY (NET) | N/A                                                                                                                                                                                                                                |
| TOPOGRAPHY                            | Predominantly flat.                                                                                                                                                                                                                |
| TREES                                 | None of any significance affected by the proposed development.                                                                                                                                                                     |
| BOUNDARY TREATMENT                    | Open along all boundaries. Car parking to front, footpath to sides.                                                                                                                                                                |
| SITE CHARACTERISTICS                  | A two storey warehouse building with brick and corrugated metal elevations and a pitched roof. Parking is located to the front of the units.<br>The building comprises two units nos. 31 and 32 which is part of a terrace of six. |
| CHARACTER OF LOCALITY                 | Industrial/commercial in character, the site is located within the Lineside Industrial Estate.                                                                                                                                     |

**RELEVANT SITE HISTORY**

**REPRESENTATIONS**

**Representations received:**

Littlehampton Town Council

No objection.

**Comments on Representations received:**

Noted.

**CONSULTATIONS**

Environmental Health

Economic Regeneration

**Consultations responses received:**

Environmental Health  
No objection.

**Comments on Consultation responses:**

Comments noted.

**POLICY CONTEXT**

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

**DEVELOPMENT PLAN POLICIES**

Arun District Local Plan 2003:  
[GEN2](#)  
[GEN7](#)  
[GEN32](#)  
[GEN34](#)

[Publication Version of the Local Plan \(October 2014\):](#)

Built-up Area Boundary  
The Form of New Development  
Noise Pollution  
Air Pollution  
D DM1 Aspects of Form and Design Quality  
QE DM1 Noise Pollution  
QE DM3 Air Pollution

**PLANNING POLICY GUIDANCE**

NPPF

National Planning Policy Framework

**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.

Arun District Council's Development Plans:

Paragraph 215 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight. The weight afforded to the policies with Local Plan policies can be assessed according to their level of consistency of the various policies with the National Planning Policy Framework.

Paragraph 216 of the NPPF confirms that weight can be given to policies in emerging plans from the day of publication. The Council resolved that the policies and maps in the Publication Version of the Local Plan be used in the determination of this planning application. Following 'publication' of the Local Plan a formal public consultation, examination and adoption process takes place.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The statement of representations procedure and statement of fact produced by the Council under regulation 19 explains that the consultation will take place on 30th October 2014 for six weeks.

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 and policies within them

will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan. 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: Arundel; Barnham & Eastergate; Bersted; Felpham; Littlehampton; Yapton.

#### **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 Arun District Local Plan policies GEN7, GEN32 and GEN34 which seek to prevent development that would have an adverse impact upon visual and residential amenities and would not generate noise and air pollution at an adverse level.

##### **DESIGN AND VISUAL AMENITY**

This application seeks planning permission to change the use of the building from a warehouse (Class B8 use) to industrial (Class B2). The building is currently used for pattern imprinted concrete supply. The reason for the application as sited in the Design and Access Statement submitted with the application is for a new tenant to occupy a vacant unit which requires light industrial (B2) use.

No external changes are being proposed and the main consideration is one of increasing the intensity at the site to light industrial. However, the building is situated within a trading estate which is considered to be a robust setting and with other light industrial units around including nos. 12 and 29 and so the proposal would not be out of keeping with its surroundings, or the increase in intensity in the operations would adversely affect the surrounding area.

It is therefore considered to comply with policy GEN7(ii) of the Arun District Local Plan 2003.

#### **RESIDENTIAL AMENITY**

There are no immediately neighbouring residential properties since the site is located within a trading estate and so the proposal is considered acceptable in residential amenity terms.

#### **NOISE AND AIR POLLUTION (POLICIES GEN32 AND GEN34, LOCAL PLAN 2003)**

The systems of operation for noise and airborne particulates are proposed to be identical to the ones currently in operation. The noise of the extraction system is being housed in a double skinned and insulated soundproof cupboard. Environmental Health have no objection to the measures relating to noise and air pollution containment proposed.

The proposal is therefore considered acceptable and complies with policies GEN32 and GEN34 of the Arun District Local Plan.

It is therefore recommended that the application is 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 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, a neutral impact has 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.

#### **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

report

amended).

- 2 The development hereby approved shall be carried out in accordance with the following approved plans: Location plan, drawing number 2 (Existing ground floor plan), drawing number 2 (Existing first floor plan), drawing number 3 (Existing elevations), drawing number 2 (Proposed ground floor plan), drawing number 2 (Proposed first floor plan), drawing number 3 (Proposed elevations), drawing number 2 (First floor elevations and internal roof detail) and drawing number 2 (First floor elevations and roof detail) and the additional noise/airbourne pollution details set out in an e-mail from Mr. Saveca dated 05-12-2014.

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 INFORMATIVE: Statement pursuant to Article 31 of the Town and Country Planning (Development Management Procedure)(England) (Amendment No. 2) Order 2012. 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.