

Recommendation Report for Planning Permission

REF NO: LU/59/19/PL

LOCATION: Land at Watersmead Business Park
Worthing Road
Littlehampton
BN17 6LS

PROPOSAL: Installation of 5 No. 'vehicle-to-ground' lifts, HVAC plant units, a canopy cover over the associated service yard area for a temporary period of five years, installation of 3 No. level access doors, minor alterations to internal access road including widening works, creation of a new spur, provision of a pedestrian footbridge & associated lighting & drainage infrastructure provision.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
	Temporary works (required for a period of 5 years) - Installation of 5 no. 'vehicle-to-ground' lifts, HVAC plant units, and a canopy cover over the associated service yard area; and,
	Permanent works - Minor alterations to the internal access road, including widening works, creation of a new spur, provision of a pedestrian footbridge, and associated lighting and drainage infrastructure provision.
SITE AREA	2.76 HA
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	A mixture of planting and fencing.
SITE CHARACTERISTICS	Watersmead Business Park is an established industrial site comprising 3 warehouse units and a headquarters office building.
CHARACTER OF LOCALITY	Watersmead Business Park, is located to the North of Littlehampton, the site is sandwiched between the A259 and the main rail line to the north. The site is an establish employment site originally occupied by the Bodyshop and more recently occupation is shared with Amazon as a warehouse distribution outlet. The site to the west abutting the boundary is a residential site occupied by new build properties.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Littlehampton Town Council
Littlehampton Town Council raise no objection.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

Engineering Services Manager
Engineers (Drainage)
WSCC Strategic Planning
Ecology Advisor
Arboriculturist
Parks and Landscapes

CONSULTATION RESPONSES RECEIVED:

Drainage Engineer - No Objection
The applicants agent has worked with the LPA during the life span of the application to provide updated Drainage survey information. We are satisfied with the revised list of condition the drainage provision at the site is acceptable.

County Highways - No Objection.

comments received : 21 March 2019

No changes to the existing vehicular access points from the A259. There are slight modifications to the HGV route through the site, adding one way access routes to enable a separation of business uses on site. The further widening of planned corners should be considered.

A plan indicates van storage/parking area to be provided north of the site - for 72 vans - at a satisfactory size. No planned alterations to existing staff and visitor parking, although x3 disabled parking bays appear within the site - these meet the specifications of Manuals of Streets (MfF). A pre commencement condition to be added that no development be occupied until car parking has been constructed in accordance with approved site plans and retained thereafter.

The proposals are therefore in line with paragraph 109 of the National Planning Policy Framework in that a 'severe' impact on the operation of the Highway network is not anticipated and there are no transport grounds to resist the proposal.

comments received: 10 April 2019

Plans received widening of the kerb lines to north western and north eastern corners to facilitate HGVs manoeuvrability and additional space for HGVs to manoeuvre the northeastern corner. These amendments appear acceptable, there is no anticipated highways safety concern. In addition after further correspondence with the applicant the condition to secure car parking is not considered appropriate, therefore the LPA no longer advises the above condition.

The Councils Ecology Specialist notes the sites sensitivities in regard to;

Bats:

The lighting scheme will need to take into account the presence of bats in the local area. Artificial light spill should be mitigated via directional light sources and shielding.

Reptiles:

Precautionary approach is supported. And removal of scrubs, grasslands or vegetation shall be done sensitively - in two phased outside the hibernation period (Oct-March) under a watching brief by a suitability qualified ecologist.

Nesting Birds:

Any tree/vegetation clearance shall be undertaken outside bird breeding season (1st March to Oct 1st). If work carried out in this period an ecologist will need to check site before works take place (within 24 hrs)

Hedgehogs & small mammals:

Gaps shall be included at bottom of the fences to allow movement of small mammals across the site. Any hedgehogs found should be moved to a suitable habitat.

COMMENTS ON CONSULTATION RESPONSES:

- comments noted. Requested conditions have been imposed.

POLICY CONTEXT

Designation applicable to site:
Within the Built Up Area Boundary
Adjacent to 'A' class classified road
Flood Risk zone 1.

DEVELOPMENT PLAN POLICES

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

DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
QEDM1	QE DM1 Noise Pollution
QESP1	QE SP1 Quality of the Environment
EMPDM1	EMP DM1 Employment Land: Development Management
TSP1	T SP1 Transport and Development

[Littlehampton Neighbourhood Plan 2014 Policy 1](#) 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 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.

The relevant policies in Littlehampton Neighbourhood Plan have been considered.

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 there would be 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 lies within the Built-Up Area where any re-development is acceptable in principle as supported by Policy SD SP2 of the Arun Local Plan. The site is an established industrial site, with land available between existing units for the siting of a temporary structure. Policy 1: The Presumption in Favour of Sustainable Development of Littlehampton Neighbourhood Plan supports applications which accord with the policies in the Neighbourhood Plan, unless material considerations indicate otherwise.

Policy D DM1 sets out 13 design aspects of which applications should be assessed against. These include: Character, Appearance, Impact, Innovation, Adaptability, Crime Prevention, Trees, Public realm, Layout, Public Art, Density and Scale.

Policy 1 of the Littlehampton Neighbourhood Development Plan states that permission should be granted where applications accord with the relevant policies in the Neighbourhood Plan. It goes on to set out circumstances where an applications conflict with Policy 1 would be acceptable.

Policy 2 of the Littlehampton Neighbourhood Development Plan seeks to focus development within the

built up area boundary.

PROPOSAL

The proposal would provide an approx. 31m wide canopy building at a depth of approx. 18.5m and a pitch height of 8m. The structure would be assembled by lightweight steel frame with a PVC fabric finish to the roof and sides. The installation of 5 no. 'Vehicle to Ground' ('V2G') lifts shall be housed within the canopy to assist with the loading and off loading of goods from the HGVs.

Pedestrian access across this part of the service yard is proposed to be improved by the provision of an elevated footbridge. This would allow for uninterrupted HGV access to the service yard and safe pedestrian access, with vehicles passing underneath.

The new access road spur and widened access road would be accompanied by associated drainage works to ensure that surface water on to the new areas of hardstanding would be drained appropriately.

The creation of a new section of internal access road at the eastern end of the service yard is required to separate Body Shop's and Amazon's vehicle movements. The access road spur would comprise replacing a small area of landscaping with a new road surface with a tarmac finish.

New pole mounted lighting along the access road is proposed to ensure a safe working environment.

VISUAL AMENITY

Although the length and width of the building would increase and a 8m pitch roof appear viable above the existing structure, given that the building is temporary in nature and low lying its limited profile allows for the building to be considered as unduly prominent. The bulk of the building would not dominate the site therefore would accord with policy DDM1 of Arun Local Plan.

The external appearance of the sales building has been designed following a review of design and construction details to improve insulation and reduce the building carbon footprint. The sales building flat roof will comprise a flat coated metal cladding panels with an aluminium framed glazed shop front providing a modern appearance. The design is in keeping with the appearance of the petrol filling station buildings and would accord with policy DDM1 of Arun Local Plan.

NEIGHBOUR AMENITY

The temporary canopy building by virtue of its location (between the existing industrial buildings) is at a considerable distance not to cause any additional harm to the amenity of residents abutting the western boundary.

Overall It is considered that the proposal will not have a materially adverse Impact on the residential amenities of neighbouring properties. The nature of the development would not increase the floor space or increase employee numbers as a result of the application nor by virtue of increased site movement by way of noise and disturbance.

The proposal is therefore compliant with policies DDM1 and QESP1 of Arun Local Plan.

TRANSPORT CONSIDERATIONS

County Highways have no objection to the proposal. The new access road spur and widened access

road and corner points are considered acceptable. Plans received show the widening of the kerb lines to north western and north eastern corners to facilitate HGVs manoeuvrability and additional space for HGVs to manoeuvre the north-eastern corner. These amendments appear acceptable, there is no anticipated highways safety concern.

The proposals are therefore in line with paragraph 109 of the National Planning Policy Framework in that a 'severe' impact on the operation of the Highway network is not anticipated and there are no transport grounds to resist the proposal.

The proposal incorporates improved facilities for the accessibility of HGV vehicles to aid the site activity and is considered in accordance with policy T SP1 of the Arun Local Plan.

DRAINAGE

The applicants agent has worked with the LPA Drainage specialist during the life span of the application to provide updated Drainage survey information. The officers are satisfied the subject to condition as agreed by our drainage specialist the Drainage strategy is acceptable.

ECOLOGY

The Councils Ecology Specialist provides a list of precautions to aid the proposed scheme implementation.

SUMMARY

It is recommended that the application is approved subject to 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 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 on 31st May 2024.

Reasons: 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 DDM1 of the Arun District Local Plan.

- 3 The development hereby approved shall be carried out in accordance with the following approved plans:

Site Location Plan: SMR-OO-ZZ-DR-A-1001-SE-P2; Existing Floor Plans: SMR-OO-ZZ-DR-A-2006-S3-P1; Existing Building Elevations: SMR-OO-ZZ-DR-A-2004-S3-P1; Proposed site block plan: SMR-OO-ZZ-DR-A-2001-S3-P9; Proposed Floor Plans SMR-OO-ZZ-DR-A-S3-P3; Surfacing Works: SMR-OO-ZZ-DR-A-2009-S4-P1; Surfacing works: DBN3-SMR-00-ZZ-DR-A-2009-S3-P1; External lighting plan: RMS-XX-O-PR-E-2003-REV A

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.

- 4 Prior to the implementation of proposed surfacing works as shown on plan reference DBN3-SMR-00-ZZ-DR-A-2009-S3-P1, winter groundwater monitoring shall be undertaken to establish the highest annual ground water levels and winter Percolation testing to BRE 364. The monitoring results and any necessary amendment to the proposed drainage strategy to be submitted and agreed by the local planning authority.

Until such time as the proposed surfacing works can commence a temporary van staging area comprising temporary roadway aluminium mats to be utilised.

Reason : To ensure that the proposed development is satisfactorily drained in accordance with policies W SP1, W DM1, W DM2 and W DM3 of the Arun Local Plan. This is required to be a pre-commencement condition because it is necessary to implement the surface water drainage system prior to commencing any building works.

- 5 At all times of implementation the development shall strictly adhere to details/measures contained within documents entitled Arboricultural Method Statement for Enabling and Construction Phases of Work dated March 2019 and that entitled Preliminary Ecological Appraisal dated 14th February 2019.

Reason : To ensure that the proposed development takes care of ecological and landscape issues in accordance with policies ENV DM4 & ENV DM5 of the Arun 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.