

Recommendation Report for Planning Permission

REF NO: LU/81/25/PL

LOCATION: Hi Tek Power
10 Hawthorn Road
Littlehampton
BN17 7LT

PROPOSAL: Retention of and elevational alterations to existing canopy, with erection of 2 No. extensions affixed to the existing canopy at east elevation of service yard to main building. This application is in CIL Zone 2 (Zero Rated) as other development.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	This application seeks to retention of existing steel framed canopy (80.2 sqm with a height of 5.4m), and the construction of two barrel roof extensions, one to the south of the existing canopy measuring 9m by 9m with a height of 5.04m, and one to the north measuring 3.5m by 6m wide with a height of 4.57m.
SITE AREA	1.2 hectares.
TOPOGRAPHY	Predominantly flat.
SITE CHARACTERISTICS	Industrial unit and warehouse.
CHARACTER OF LOCALITY	Light industrial site with a series of workshops, storage units and office buildings and supermarket.

REPRESENTATIONS

Littlehampton Town Council - No objection.

No representations from nearby occupiers.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Environmental Health - No objection.
- No comments to make.

WSCC Highways - No objection.

- The site is on an un-adopted road, as such the response provided is advice only.
- No changes to the parking, as such there will be no material increase in traffic generated.

- The proposal would not have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network.

COMMENTS ON CONSULTATION RESPONSES:

None.

POLICY CONTEXT

Built-Up Area Boundary.
Surface Water Flooding (pockets of)

DEVELOPMENT PLAN POLICIES

[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)
EMPDM1	EMP DM1 Employment Land: Development Management
TSP1	T SP1 Transport and Development
QESP1	QE SP1 Quality of the Environment

[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, The South Inshore & South Offshore Marine Plan 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.

Policies 1 and 2 of the Littlehampton Neighbourhood Plan relate to 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 protects and enhances the existing employment use of the site without compromising the spatial character of the area and providing a well-integrated and appropriate design.

Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that

- (2) in dealing with an application for planning permission the authority shall have regard to -
- (a) the provisions of the development plan, so far as material to the application,
 - (aza) a post examination draft neighbourhood development plan, so far as material to the application,
 - (b) any local finance considerations, so far as material to the application, and
 - (c) any other material considerations.

OTHER MATERIAL CONSIDERATIONS

There are no other material considerations to be weighed in the balance with the Development Plan.

BIODIVERSITY NET GAIN

This application is not liable for Biodiversity Net Gain (BNG) as the site is 100% sealed surface and therefore there will be no impact to biodiversity.

CONCLUSIONS

PRINCIPLE

The site is located within the Built-Up Area Boundary where the principle of development is acceptable subject to accordance with relevant planning policies.

The key Development Plan policies relevant to this proposal are D DM1, D DM4 & EMP DM1 of the Arun Local Plan (ALP) and Policies 1 & 2 of the Littlehampton Neighbourhood Plan (LNP).

By virtue of being within the Built-Up Area Boundary, the proposal is compliant with Policy 2 of the LNP and subsequently, Policy 1 of the LNP also.

Section J of the Arun Design Guide (ADG) is also of relevance.

DESIGN AND VISUAL AMENITY

The proposal seeks to retain an existing canopy, infilling it sides and attaching two new steel framed and clad structures (with canopy roofs) to the existing structure and main building. One of this additions will be to the south of the existing structure and the other to the north. The new and pre existing canopies are to be clad on all sides with a grey cladding to match the existing building, with internal openings to allow passage from one structure to the other. A new roller shutter door will be affixed to the new elevational of the existing central canopy facing east. The structures will be no higher that the existing canopy which is significantly lower than the host building.

The proposal allows for two large covered service areas, which the applicant has states are to facilitate efficient undercover and secure distribution and dispatch areas. The roller shutter door is centrally located and faces the main open service/turning yard. The structures do no act to extend the host building, they are separate entities. They are simply connected to the building as a means to anchor the structure.

Although not of any architectural merit, this is a well-integrated infill extension that reflects the existing character of the area and is appropriately designed. The extension is subservient to the existing unit and the area as a whole.

The proposal is in accordance with the principles of Section J of the ADG, Policies D SP1, D DM1 & D DM4 of the ALP.

EMPLOYMENT LAND

The proposal provides an area of covered and secure storage to aid with efficient deliveries and dispatches. The extension would protect and enhance as existing employment premises by internalising the existing external storage in accordance with policy EMP DM1 of the ALP.

RESIDENTIAL AMENITY

The site shares boundary with an office building converted to residential use under LU/7/19/PD (Liberty House). Its western facing elevation has a significant level of glazing and accommodates 30 flats, 5 flats being served by this elevation. The existing/proposed structure will be attached to the eastern side of the building approximately 30m away from the western elevation of Liberty House.

The proposal is not set to increase the level of activity arising from site, merely allow for effective, safe and secure storage of goods being moved in/out of site. Furthermore para 200 of the NPPF states that existing businesses should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Therefore it would be unreasonable to prevent the business from adapting just because of the residential neighbour. It is also a consideration of the Officer, that any occupant of the building now or in the future would expect a level of disruption as Liberty House is a isolated residential location amongst an otherwise industrial location.

Given the good separation distances and the fact that activity levels are not set to increase, and the Agent of Change principle, the proposal accords with policies D DM1, D DM4 and QE SP1 in this respect.

SURFACE WATER

Policies W SP1 and W DM3 seek to reduce flood risk and incorporate sustainable urban drainage systems to control surface water on site.

There are pockets of surface water flooding to the internal road system on site. The area of development is currently fully covered with impermeable hard surfacing and the proposed development will not increase the area of surface water capture and also not increase the volume of water captured. Any surface water will be dealt with in the same manor as existing.

The proposal accords with policy W SP1 in that it is appropriately located (outside of a surface water flooding pocket) and does not increase the risk of flooding on site or elsewhere.

TRANSPORT AND PARKING

No alterations are being made to the parking or cycle parking capacity on site. The development is served by 129 car parking spaces and 20 cycle parking spaces. The company employs 150 members of staff, some of whom are part time employees, as such no harm to the highway network is identified.

The proposal is consistent with the objective of T SP1 of the ALP.

SUMMARY

The proposal is in accordance with relevant Development Plan policies and as such, it is recommended for approval subject to the following conditions and informatives.

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.

CIL DETAILS

This application is not CIL liable.

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:

- Location Plan
- Proposed Block Plan
- General Arrangement 301 Rev F
- Floor Plan 303 Rev B

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Arun Local Plan policy D DM1.

- 3 Construction works shall only take place between 08:00 hours and 18:00 hours (Monday to Friday) and between 08:00 hours and 13:00 hours on Saturday with no activities taking place on Sundays or recognised public holidays. In addition to these hours of working, the Local Planning Authority may approve in writing a schedule of activities where it is necessary to conduct works outside the hours specified in this condition.

Reason: To protect the amenity of local residents in accordance with the Arun Local Plan policy QE SP1.

- 4 Based on the information available, this permission is exempt from the requirement to provide a biodiversity gain plan under Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990. The following exemption applies:

This planning permission is de-minimis as the development does not impact an onsite priority habitat and the development impacts less than 25 square metres of onsite habitat that has a biodiversity value greater than zero and less than then 5 metres in length of onsite linear habitat.

Reason: In accordance with Schedule 7A of the Town and Country Planning Act 1990 (as amended).

- 5 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.