

PLANNING APPLICATION REPORT

**REF NO:** BE/89/19/PL

**LOCATION:** Babsham Business Centre  
Babsham Lane  
Bersted  
PO21 5EL

**PROPOSAL:** The change of use of land for the storage of building materials, equipment & plant & for the parking for fixed body vehicles together with part boundary screen fence with a secure gated access point to the site.

<b>SITE AND SURROUNDINGS</b>
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<b>DESCRIPTION OF APPLICATION</b>	Change of use from agricultural to use as B8; open air storage of building materials and other similar small scale plant required for general building work, for the parking for fixed body vehicles together with part boundary screen fence with a secure gated access point. Retain 3 self contained shipping containers (6.0m x 2.6m x 2.0m) for secure storage.
	This application is retrospective. The tenants of the land are a local building business and a local landscape paving business who share the site for the storage of their materials, equipment and plant. The site is also used for the short term storage of their waste materials, in association with and as a result of their businesses, before being removed from site in skips.
<b>SITE AREA</b>	Approximately 2,740 square metres.
<b>BOUNDARY TREATMENT</b>	2m high steel security fence on north boundary, 1.8m wooden close-board fencing on south-western boundary, and a combination of round steel tube fencing and steel crash barrier, which had been used to form a part of the defunct cattle pens within the site. Building walls making up the north boundary and the lower portion of some of the cattle pens.
<b>SITE CHARACTERISTICS</b>	Series of animal stock pens, formerly part of the farmyard associated with Babsham Farm. Eighty percent of the site is covered by hard standing. An access point runs along the south east boundary serving the site and adjoining sites to the north east and south west.
<b>CHARACTER OF LOCALITY</b>	Rural area with a skip storage on land to the north-east. Residential properties to the south west from the site. Arable agricultural fields to the northwest, northeast and southeast.

<b>RELEVANT SITE HISTORY</b>
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BE/30/19/PL	Retention of secure containers, welfare facilities & secure fencing together with associated landscaping works.	ApproveConditionally 10-07-19
BE/79/17/PL	Change of use of land for skip storage	ApproveConditionally 12-12-17
BE/100/09/	Change of use from B1 to mixed B1/Sui generis (showroom non retail).	ApproveConditionally 18-12-09

No recent history for this site. The originally agricultural use has not taken place for a significant period of time. In 2017 the use of land to the north-east was change for skip storage under BE/79/17/PL.

## REPRESENTATIONS

### REPRESENTATIONS RECEIVED:

Bersted Parish Council

#### OBJECT:

- Does not comply with Bersted Neighbourhood Development Plan policy EE3 as the change of use makes it class B8 and this policy opposes more heavy goods vehicle movements which this use will make in Babsham Lane.
- Does not comply with Arun Local Plan Policy QE SP1 Quality of the Environment - the use of this site for storing waste associated with builders equipment and the parking of 2 articulated lorries, will have a detrimental effect on the neighbouring properties.
- C SP1 Countryside - The site is used to store waste associated with builders and dumped vehicles which is not allocated as a waste site in the West Sussex Waste Local Plan, nor is the site a form of rural diversification.
- Should members be minded to grant permission a condition restricting operating/vehicle movements times is recommended - Monday to Friday 8am to 6pm, Saturday 8am to 1pm and no operating or vehicle movements on Sunday or any Bank Holiday in line with the two sites either side of this.

12 objections:

- No scheme to repair/make good access road which remains full of pot holes and is dusty.
- What is meant by 'storage of equipment and plant'; who would be regulating the businesses.
- Tipping of waste in the cow pens visible from the rear of properties is now higher than fencing on a 'similar' business eg 2.45m.
- Fridges and freezers and mattresses and other unmentionable items of debris on site.
- Site accessed on a 24/7 basis - that is not acceptable to the quality of life of those living nearby.
- Lack of privacy.
- A question is raised about the site security; who would have access to the gate;
- HGVs have to make a 6 point turn to park their vehicles up when they return 24/7.
- Dust/noise pollution 24/7 from the site which is increasing due to it being allowed.
- 2 companies use site for storage of building materials/equipment, many companies leave debris behind.
- Lorries leaving the site at 3 am and return as late as 22.30 - even on a Sunday.

- Public footpath/cycle lane adjacent to the vehicle entrance to the site.
- Dangers of increased volume of traffic in the lane and at the entrance to the lane, off the A259.
- Erection of 2.4m screen fence on south west boundary adjacent to an existing 1.7m brick wall which separates property from the area marked on the plan as 'existing vegetation retained',

**COMMENTS ON REPRESENTATIONS RECEIVED:**

PARISH COUNCIL:

- Policy issues are considered in the conclusions section.
- The agent confirmed the previous tenant who parked/operated articulated lorries from the site has ceased operations and vacated the site and their client has no plans to store/operate articulated lorries as part of the development.
- A condition restricting operating/vehicle movements times on the site is recommended.
- A condition restricting the storage of waste on the proposal site will be attached to the decision.

Comments in respect of the local resident objections:

- The access road is not part of this proposal as it lies outside the red edge of the application. There are no proposals within this application to improve the access road.
- The agent confirms the storage of equipment and plant refers to powered hand tools, cement mixers, petrol generators and other similar small scale plant required for general building work.
- The presence of fridges, mattresses and other waste has been addressed through enforcement complaints - the site is currently open and not managed and the proposal includes gates which should help reduce any unauthorised access.
- Within the Design and Access statement the agent confirms the site would only be accessed by the occupants of the site and there would not be any requirement to access the site by public transport.
- As mentioned above articulated lorries are not to be stored or operated on the proposal site.
- The operating time will be restricted by the condition. Should this not be complied with, a compliance case will be opened.
- Noise/vehicle movements are considered in the conclusions section; operating time will be restricted by condition.
- Amended plan shows a 1.8m security fence 0.5m in from the existing boundary fence.

<b>CONSULTATIONS</b>
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Ecology Advisor

Engineering Services Manager

Engineers (Drainage)

Environmental Health

WSCC Strategic Planning

**CONSULTATION RESPONSES RECEIVED:**

WSCC HIGHWAYS - As HGV parking is no longer proposed swept path analysis tracking not necessary. Gates are 10.3m into the site. This is anticipated to be sufficient to enable vehicles to wait whilst the gates are operated without obstructing access to the rest of the site. A condition securing parking would be appropriate. Do not consider proposal would have 'severe' impact on operation of Highway network and is not contrary to NPPF (para 109), no transport grounds to resist the proposal.

ADC ENVIRONMENTAL HEALTH - In light of nearby properties and potential for noise impact residents

request the applicant provide an acoustic assessment as detailed in the condition.

COUNCILS ECOLOGIST - Requests condition that states that full mitigation strategy including remedial works will be submitted as part of a condition.

#### COMMENTS ON CONSULTATION RESPONSES:

Comments noted. Appropriate conditions are proposed.

#### POLICY CONTEXT

Designation applicable to site:

Outside the Built Up Area Boundary;  
Area of Special Control of Adverts;  
Archaeological Notification Area;  
No Public Sewer; and  
Pagham Harbour Access Management Zone B.

#### DEVELOPMENT PLAN POLICIES

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

CSP1	C SP1 Countryside
QEDM3	QE DM3 Air Pollution
SDSP3	SD SP3 Gaps Between Settlements
TSP1	T SP1 Transport and Development
EMPDM1	EMP DM1 Employment Land: Development Management
ENVDM5	ENV DM5 Development and biodiversity
QEDM1	QE DM1 Noise Pollution
QEDM2	QE DM2 Light pollution
QESP1	QE SP1 Quality of the Environment

<u><a href="#">Bersted Neighbourhood Plan 2014 Policy EE2</a></u>	Retention of employment uses
Bersted Neighbourhood Plan 2014 Policy EE3	Encourage a diverse range of commerce in the Parish
Bersted Neighbourhood Plan 2014 Policy ES2	Surface water management
Bersted Neighbourhood Plan 2014 Policy ES3	Protecting the Strategic Gap/Green Infrastructure Corridor
Bersted Neighbourhood Plan 2014 Policy ES7	Development outside of the Built Up Area Boundary

#### 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 relevant policies of the Bersted Neighbourhood Development Plan have been taken into account in determining this application: EE2, EE3, ES2, ES3 and ES7.

#### **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 does not comply with policies EE3, ES3 and ES7 of the Bersted Neighbourhood Development Plan in that the use (distribution and storage B8) is inappropriate for the Parish (except the existing commercial areas) and the development is outside the built up area boundary and in the defined Strategic Gap. The proposal is considered to comply with policy C SP1 of the Arun Local Plan in that the proposal is in accord with policy EMP DM1 which refers to development outside the built up area boundary by existing local firms. The current tenants of the land are a local building business and a local landscape paving business who share the site for the storage of their materials, equipment and plant. The proposal would be acceptable in respect of policy SD SP3 in that it would not undermine the physical and/or visual separation of settlements and it would not compromise the integrity of the gap.

#### **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 outside of the built up area boundary (countryside) within a designated gap 'Bognor Regis to Chichester.' Local Plan Policy C SP1 states that development in the countryside is generally unacceptable unless it falls into a certain category or is otherwise in accordance with a Local Plan policy which refers to a specific use or type of development. Policy SD SP3 of the Local Plan states generally open and undeveloped nature of the gaps between settlements, as identified on the Policy Maps, will be protected to prevent coalescence and retain their separate identity. Development will only be permitted within gaps if:

- a. It would not undermine the physical and/or visual separation of settlements;
- b. It would not compromise the integrity of the gap, either individually or cumulatively with other existing or proposed development;
- c. It cannot be located elsewhere; and
- d. It maintains the character of the undeveloped coast;
- e. or, if a subsequent DPD or Neighbourhood Plan deems it appropriate through allocation.

Bersted Neighbourhood Development Plan (BNDP) policy ES7 states development in the countryside will not be supported and will protect the countryside from unnecessary development. Policy ES3 of the BNDP states development within the Strategic Gap will not be supported unless for essential infrastructure; development for essential infrastructure will be granted in special circumstances, where

the benefit outweighs any harm, and it can be demonstrated there are no reasonable alternative sites available. Policy EE3 of the BNDP considers the B8 use inappropriate for the Parish due to the heavy goods traffic they can generate. On the other hand policy EE2 of the BNDP recognises opportunities for employment in the Parish are limited which contributes to the amount of out-commuting and admits small scale employment sites contribute to the liveliness and activity in the parish.

The proposal conflicts with the strategic gap policy ES3 and policy EE3 of the BNDP, however, policies of the Arun Local Plan have a greater weight as they were adopted most recently.

Policy C SP1 of the Local Plan in criterion f. states that development in the countryside will be permitted where it is in accordance with other policies in the Plan which refer to specific use or type of development. The proposal would be acceptable in respect of Arun Local Plan policy C SP1 in that other policies can be considered (such as EMP DM1).

Whilst the strategic gap policy ES3 explains that the Green Infrastructure Corridor or Strategic Gap as it is known locally provides a buffer between Bersted and Chichester and provides open views to the north, policy SD SP3 of the Arun Local Plan protects the generally open and undeveloped nature of the Bognor Regis to Chichester Gap (one of ten identified on the Policies Maps) and in criteria a.- e.(as mentioned in the first paragraph) states the circumstances when development within gaps will be permitted.

The proposal site forms a part of the former farmyard, associated with Babsham Farm and comprises a series of remnant animal stock pens, built from block walling and steel tube or steel crash barrier fencing. The proposal is for change of use of this part of land from agricultural to the storage area and doesn't consist of physical development which would have a long lasting impact on the character of the countryside and generally open and undeveloped nature of strategic gap. It represents re-use of a farmyard on which business activities would have taken place as such it would not undermine the physical and visual separation of settlements and would not compromise the integrity of gap.

The National Planning Policy Framework (NPPF) supports economic development outside of the built up area. Paragraph 83 of the NPPF states Planning policies and decisions should enable the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings and paragraph 84 of the NPPF stresses that the use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.

#### **POLICY EMP DM1:**

Policy EMP DM1 of the Arun Local Plan in part 6 deals with economic growth outside the Built-up Area Boundary and stresses that planning permission will be granted on sites outside the Built-up area, subject to certain matters being adequately demonstrated.

The site is on the edge of the settlement of Bersted and outside of the wider settlement area of Bognor Regis. There are bus stops on the adjacent A259 which served Chichester and Bognor Regis. The site is in walking & cycling distance (via paved & lit footpaths - and with a cycle path) to the Esso garage other local shops on Chichester Road.

The current tenants of the land are a local building business and a local landscape paving business who share the site for the storage of their materials, equipment and plant. The change of use would comprise a form of rural diversification and will help to maintain existing employment.

Policy EMP DM1 of the Arun Local Plan requires that development is of (c) a high standard of design, layout & landscaping appropriate to the context; and (f) a sympathetic relationship to the surrounding

areas that shows consideration of the landscape.

The proposal does not consist of built development other than a security gate at the entrance and the fence. It is proposed to retain three shipping containers for storage. The blockwork wall enclosures (part of former agricultural buildings) and existing vegetation and grassed area in the south-western corner adjacent residential gardens would remain. The site is a mixed area of hardstanding and scrub vegetation. Although the character of the land to the northwest, northeast and southeast is agricultural the site and the land to the north-east has a light industrial character it is not considered that the reuse of the site for storage would be out of character with the site or the adjoining light industrial land.

It is considered the proposal accords with the relevant parts of policy EMP DM1 of the Arun Local Plan.

#### **HIGHWAY SAFETY & VEHICLE PARKING:**

Arun Local Plan policy T SP1 requires that new development allow for the safe movement of pedestrians and vehicles, giving priority to pedestrians. Policy EMP DM1 as set out above also requires there to be off-street parking. Regard should be had to para 109 of the NPPF.

Several local residents are concerned that the use will increase traffic entering Babsham Lane to the detriment of highway safety particularly in respect of pedestrians, cyclists and residents parked cars.

WSCC do not raise any overriding highway safety concerns to the principle of the retrospective change of use of the site. Babsham Lane is a quiet semi-rural predominantly residential road and the section between the junction with the A259 and the track to access the site is only about 115m. This would deter drivers from travelling at or above the speed limit particularly given the need to take care in respect of parked cars and pedestrians. An area for parking 8 cars is proposed and a condition securing parking as suggested by the Local Highways Authority is proposed

It is considered the proposal accords with policy T SP1 of the Arun Local Plan and NPPF guidance.

#### **RESIDENTIAL AMENITY:**

Policy EMP DM1 of the Local Plan requires schemes display a satisfactory relationship with neighbouring uses to protect residential amenity. Arun Local Plan policy D DM1 indicates development will be permitted if it takes into account impact on adjoining occupiers, land, use or property. Arun Local Plan policies QE DM1, QE DM2 and QE DM3 relate to noise, light and air pollution.

Several local residents have raised concerns in respect of harm to their amenity particularly from noise and air pollution.

The proposed development is for a change of use of former farmyard; farms are the source of noise which can greatly impact those living nearby with the range of activities and source of sounds. Therefore it is not considered that the proposal would result in a new noise generating development.

In light of the nearby residential properties the hours of use of site will be restricted and the provision of an appropriate mitigation measures in accordance with provided acoustic assessment in relation to potential noise impact on residents is required and secured by imposed conditions. In addition, the storage of waste materials on the site will be banned and a new security gate will be erected on the access track to improve security and to help prevent any potential fly tipping.

The Councils Environmental Health Officers are the technical experts on pollution control including noise, lighting and odours. They have assessed the application and have raised no objections subject to

suggested planning conditions. On this basis, it is considered that the proposal will be in accordance with the policies set out above.

**IMPACT ON WILDLIFE:**

Policy EMP DM1 part f. requires proposals seek opportunities to deliver on-site habitats and protect key species. Policy ENV DM5 of the Local Plan requires natural habitats be retained or incorporated into schemes.

Although the site is previously developed and contains large areas of hardstanding, around the edges, it has been left to vegetate. It was noted that there were several piles of waste materials that could act as refugia for reptiles and the open sided barn had the potential for bat roosting. A preliminary ecological appraisal has been submitted and was a subject to assessment by the Councils ecologist. Their comments were that the impact on any species was acceptable provided mitigation measures are undertaken, that surrounding trees are retained & protected, that lighting includes measures to protect bats and the site is checked prior to any development for the presence of badger setts.

It is considered that the proposal accords with the policies above.

**CONCLUSIONS:**

Although the site is in the countryside and in a Strategic Gap and in principle unacceptable, the Arun Local Plan allows development in the countryside where in accordance with other policies. It has been shown that the proposal is in accordance with the policy EMP DM1 of the Local Plan and consequently in a general accord with policies C SP1 and SD SP3.

The development conflicts with policies EE3, ES3 & ES7 of the Bersted Neighbourhood Development Plan but it is considered that this conflict is outweighed by compliance with the Local Plan policies which have greater weight as they were adopted most recently, with the support of the NPPF and on the basis that the site is previously developed land historically used as part of an agricultural farm for storage uses. The impacts can be mitigated through conditions to such an extent as to resolve potential amenity issues. It is recommended the application be 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.

<b>RECOMMENDATION</b>
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APPROVE CONDITIONALLY

- 1 The development hereby approved shall be carried out in accordance with the following approved plan:

Dwg No 871/PL01,  
Site Identification Plans,  
Site Layout Plan and Storage Container Details, received on 16/04/2020.

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

- 2 Within three months from the date the decision is issued the plans and details of the car parking spaces should be submitted to and approved in writing by the Local Planning Authority and constructed in accordance with approved plans and details. These spaces shall thereafter be retained at all times for their designated use.

Reason: To provide car-parking space for the use in accordance with policy T SP1 of the Arun Local Plan.

- 3 Within three months of the date of this permission an acoustic assessment shall be undertaken to determine the impact of noise arising from the development site and the results of the assessment and details of any mitigation measures submitted and approved in writing by the Local Planning Authority. Noise from commercial premises should be controlled, such that the noise rating level (LAr,Tr) emitted from the development does not exceed the background noise level (LA90,T), by more than 3dB. All measurements shall be defined and derived in accordance with BS 4142:2014. The approved measures shall be implemented within three months of the date of approval of the details by the Local Planning Authority and thereafter be maintained in accordance with the approved details.

Reason: To protect the amenity of local residents in accordance with Policy QE DM1 of the Adopted Arun Local Plan 2011 - 2031. This is required to be a pre-commencement condition because it is necessary for the implementation of mitigation measures prior to commencement of the proposed use.

- 4 Within three months of the date of this permission a detailed mitigation and remedial strategy for reptiles shall be submitted to and approved in writing by the Local Planning Authority. Once approved the mitigation measures shall thereafter be implemented in accordance with the timings identified within the survey and maintained at all times unless otherwise approved in writing by the Local Planning Authority.

Reason: To safeguard the ecology of the area, and in the interests of reptiles to ensure that a habitat remains for them during and after development in accordance with policy ENV SP1 of Arun Local Plan. This is required to be pre-commencement condition because it is necessary

for the implementation of the mitigation measures prior to commencement of the proposed use.

- 5 The use of the site shall be restricted to the hours of 8am to 6pm Mondays to Fridays, and 8.30am to 1pm on Saturdays, and the site shall not be used at any time on Sundays and Public Holidays.

Reason: To protect the amenity of nearby residential occupiers in accordance with policies D DM1, QE DM1 & QE DM3 of the Arun Local Plan and in line with the World Health Organisation definition of night time.

- 6 No waste materials shall be stacked or stored on the site at any time, unless approved in writing by the Local Planning Authority.

Reason: To safeguard the amenities of neighbouring properties in accordance with policy D DM1 and QE SP1 of the Arun Local Plan.

- 7 Materials shall not be stacked, stored or deposited on the site to a height exceeding 2.6m.

Reason: To safeguard the visual amenities of the locality in accordance with policy D DM1 of the Arun Local Plan.

- 8 The site shall only be used for the storage of building materials, equipment & plant in accordance with Class B8 of the Schedule to the Town & Country Planning (Use Classes) Order 1987 and for no other purpose (including any use in any provision equivalent to that Class in any other Statutory Instrument revoking and re-enacting that Order).

Reason: To enable the Local Planning Authority to maintain control in the interests of the amenities of the area and nearby residents in accordance with Arun Local Plan policy D DM1.

- 9 The development shall be carried out in accordance with Ecological Appraisal submitted with this application.

Reason: In accordance with Arun Local Plan policy ENV DM5 and the National Planning Policy Framework.

- 10 No external lighting shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage have been submitted to and approved in writing by the Local Planning Authority.

The scheme should comply with the Institution of Lighting Professionals Guidance Notes for the Reduction of Obtrusive Light GN01:2011, Environmental Zone E2 but also minimise potential impacts to any bats using the trees, hedgerows and buildings by avoiding unnecessary artificial light spill through the use of directional light sources and shielding. The lighting approved shall be installed and shall be maintained in accordance with the approved details with no alteration without the prior written approval of the Local Planning Authority.

Reason: In the interests of the amenities of the area, the site biodiversity (particularly in respect of bats) and to minimise unnecessary light spillage outside the development site in accordance with Policies D DM1, ENV SP1 & QE DM2 of the Arun Local Plan.

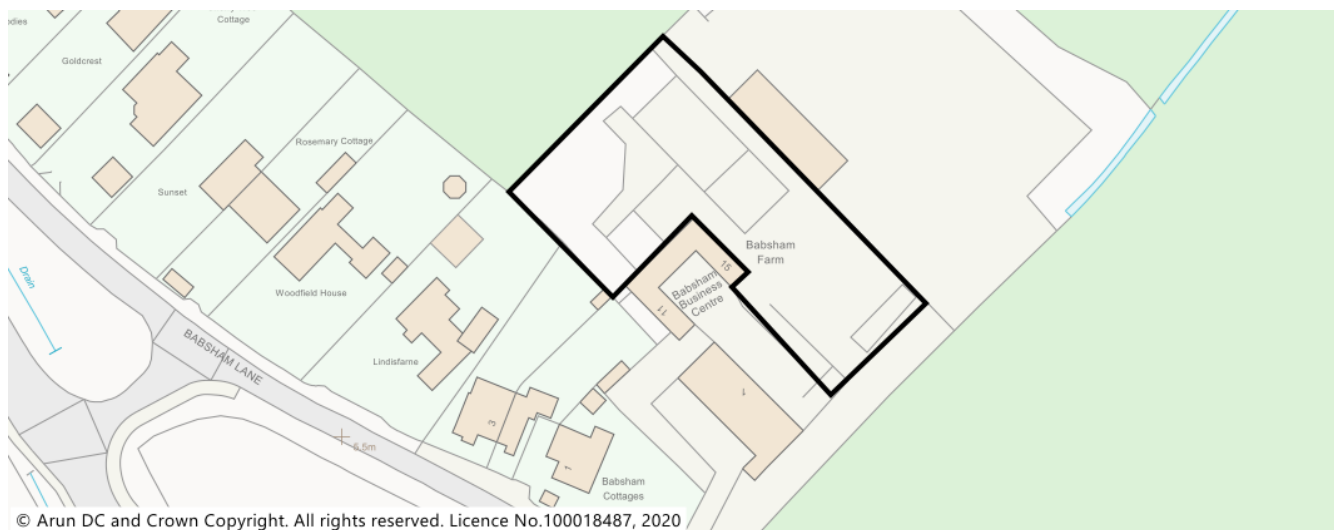
- 11 **INFORMATIVE:** The applicant should note that under Part 1 of the Wildlife and Countryside Act 1981, with only a few exceptions, it is an offence for any person to intentionally take, damage or destroy the nest of any wild birds while the nest is in use or being built. Birds nest between March and September and therefore removal of dense bushes, ivy or trees or parts of trees etc. during this period could lead to an offence under the act.

- 12      INFORMATIVE: This notice does not give authority to destroy or damage a bat roost or disturb a bat. Bat species are protected under Section 39 of the 1994 Conservation (Natural Habitats etc ) Regulations (as amended), the 1981 Wildlife and Countryside Act (as amended) and the 2000 Countryside and Rights of Way Act. It is illegal to damage or destroy any bat roost, whether occupied or not, or disturb or harm a bat. If you are aware that bats roost in a tree(s) for which work is planned, you should take further advice from Natural England (via the Bat Conservation Trust on 0845 1300228) or an ecological consultant before you start. If bats are discovered during the work, you must stop immediately and contact Natural England before continuing.
- 13      INFORMATIVE: INFORMATIVE: Any lighting scheme for the site will need to take into consideration the presence of bats in the local area and the scheme should minimise potential impacts to any bats using the trees, hedgerows and buildings by avoiding unnecessary artificial light spill through the use of directional light sources and shielding.
- 14      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 identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

<b>BACKGROUND PAPERS</b>
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[The documents relating to this application can be viewed on the Arun District Council website by going to https://www.arun.gov.uk/weekly-lists and entering the application reference or directly by clicking on this link.](https://www.arun.gov.uk/weekly-lists)

**BE/89/19/PL - Indicative Location Plan (Do not Scale or Copy)**  
**(All plans face north unless otherwise indicated with a north point)**



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