

PLANNING APPLICATION REPORT

REF NO: M/99/21/PL

LOCATION: Guernsey Farm
Yapton Road
Middleton-On-Sea
PO22 6DY

PROPOSAL: Change of use of existing farm shop and agricultural buildings to light industrial (Class E(g)) and storage and distribution use (Class B8). This site is in CIL zone 5 (Zero Rated) as other development.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposal is for change of use and although proposed floor, elevation and roof plans have been provided, there are no differences shown when compared with existing plans. There will be a mix of class E(g) and B8 uses. It is not known at this time what proportion of floorspace would be taken by each class. The application proposes 13 parking spaces and 8 cycle spaces. No changes are proposed to the access.
SITE AREA	0.57 hectares.
BOUNDARY TREATMENT	Ranch style fencing (with low hedge behind) to road frontage with a low chain link fence returning part on south boundary where it meets a solid timber fence between the farm shop and the boundary. Otherwise open or hedged boundaries.
SITE CHARACTERISTICS	Vacant farm shop and vacant agricultural buildings. Hardstanding to other areas of the site. The farm shop is single storey and of solid construction with traditional appearance. Materials comprise facing flint stonework walls and a hipped slate tiled roof. The 3 agricultural buildings and open fronted building are of functional construction with blockwork, concrete and metal panelling walls and roof. The access is 6m wide with a 10.1m bellmouth radii.
CHARACTER OF LOCALITY	Semi-rural. Situated between the built edge of Middleton and the A259. Mix of agricultural uses and some two storey dwellings to Yapton Road. The site is part of a wider agricultural holding. There is a house (Newlands) just north of the farm shop which is owned by the applicant and a separately owned dwelling on the other side of the road but set well back (The Garden). Three more houses south of the site beyond a field. Yapton Road is a B class road (B2132) with a speed limit of 30mph.

RELEVANT SITE HISTORY

M/14/93	Widening of existing access on to Yapton Road	ApproveConditionally 23-04-93
M/111/88	Change of Use of premises to farm shop including use for the sale of produce not grown on the site	App Cond with S106 30-03-89

M/111/88 was subject to a condition that restricted the use of the farm shop to the benefit of a stated person only, and was subject to a s106 Agreement. An application would be required should someone else wish to take it over. The farm shop business closed on 01/02/20 and the site has since been occupied on a short term let.

REPRESENTATIONS

Middleton Parish Council object. Their full response is on the website (24/08/21) but in summary:

- (1) The site is in the countryside & the strategic gap and must continue to be used for agriculture;
- (2) Does not meet (e) & (f) of EMP DM1 (10) for change of use due to harm to character/landscape, wildlife and traffic generation;
- (3) The uses will result in light, air and noise pollution;
- (4) Yapton Road not suitable for HGV movements. HGV's will make use of the road by cyclists harder;

State if permission granted, conditions must be imposed to control working/delivery hours, limit noise/light levels, traffic must access site from the A259 and no HGV's should be allowed.

16 letters of objection and 1 of no objection raising the following concerns/comments:

- Loss of agricultural use, land for growing crops and impact on viability of the farm holding;
- Inappropriate change of use in the countryside and in conflict with policy EMP DM1;
- Harm to the strategic gap;
- Harm to local character and appearance of the site;
- Potential for open storage on site frontage (need condition);
- Harm to residential amenities due to noise pollution including from deliveries;
- Highway safety concerns;
- Vehicle movements should be prevented from accessing the site from the south;
- There should a limit on number of vehicles accessing the site each day;
- Yapton Road is not suitable for HGV's;
- Effect on climate change from increased vehicles;
- Light pollution;
- Harm to a local heritage asset;
- Concerns with submitted highway survey data;
- Loss of trees before application was submitted;
- Harm to local wildlife; and
- Covenant in place to prevent factories or workshops on the site.

COMMENTS ON REPRESENTATIONS RECEIVED:

The issues raised by the Parish Council and the majority of those by residents are considered in the conclusions. The proposal will not result in the loss of agricultural land, Whether or not trees were removed prior to submission, none on site are protected. WSCC Highways raise no concerns with the

Transport Assessment and the presence of a covenant is not a material planning consideration.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

WSCC HIGHWAYS - No objection. Request conditions to secure car/cycle parking plus construction management plan. Their full response is on the website (11/08/21) but the summary points are:

- No recorded accidents in relation to the site access. Six recorded in relation to the A259/Worms Lane junction but all were due to driver error;
- The application suggests 22 two-way vehicle trips daily (07:00 - 19:00) for the farm shop and an average of 4 two-way trips per day for the agricultural buildings but with minimal AM and PM peak hour movements for both;
- The proposal results in 7 two-way AM peak hour movements along with 1 HGV movement (totalling 8), 5 two-way PM peak hour movements and a total of 69 two-way movements to and from the site per day with 11 of those being by HGV's;
- The increase in peak hour movements will not add significantly to existing traffic on the local highway network to cause a severe impact or delay;
- The access is wide enough (6m) to allow for the passing of two vehicles, so no vehicles are left in the highway waiting to enter;
- It is stated that no articulated vehicles will visit the site and the largest expected vehicle will be a 7.5t panel van. WSCC have no objection if a condition was imposed to this effect;
- Vehicle tracking has not been provided but there is no evidence of any issues with large vehicles accessing the site;
- No objections to the demonstrated visibility splays of 2.4m by 43m in both directions;
- Arun Parking standards require 9 spaces for a B8 use and 17 for a E(g) use. No objection to the proposal for 13 spaces due to the mix of uses not being known at this stage and the fact that the E(g) standards are more to cater for office developments that have a higher trip rate than light industrial uses; and
- There is a footpath on the frontage allowing access to nearby bus stops and subject to pedestrians crossing Yapton road twice, on towards Middleton.

ADC ENVIRONMENTAL HEALTH - No objection. Request conditions to check for contamination, protect nearby dwellings from dust, secure a construction environmental management plan, control construction hours and limit noise from the site.

COUNCILS ECOLOGIST - No objection. Request hedgerows be protected & enhanced, the lighting for the site be carefully controlled, surveys are submitted if roof works are proposed, controls are put in place re works to trees during the bird breeding season, there is soft demolition of the natural areas of the site to protect hedgehogs and that the proposal provide new bird/bat/hedgehog nesting provision.

COMMENTS ON CONSULTATION RESPONSES:

WSCC HIGHWAYS - Comments noted - a construction management plan condition is not appropriate as no physical development works are proposed. It is not appropriate to restrict the size of vehicles entering the site as there was no such restriction on the existing site and no evidence of any issues with large vehicles accessing the site.

ADC ENVIRONMENTAL HEALTH - Comments noted - none of the conditions are appropriate as no physical development is proposed and there are no controls on noise from the agricultural/retail site.

COUNCILS ECOLOGIST - Comments noted. As no physical works are proposed, conditions on protecting trees/hedges, resurveying buildings, and soft demolition of natural areas are not appropriate. Conditions will be imposed to control future lighting, enhance the hedgerows and secure bird/bat/hedgehog nesting boxes.

POLICY CONTEXT

Designations applicable to site:

Outside the Built Up Area Boundary (BUAB);
 Within the Littlehampton to Middleton Strategic Gap;
 Archaeological Notification Area;
 Current & Future Flood Zone 1;
 Lidsey Treatment Catchment Area; and
 CIL Zone 5.

DEVELOPMENT PLAN POLICIES

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

CSP1	C SP1 Countryside
DDM1	D DM1 Aspects of form and design quality
ECCSP1	ECC SP1 Adapting to Climate Change
ECCSP2	ECC SP2 Energy and climate change mitigation
EMPDM1	EMP DM1 Employment Land: Development Management
ENVDM5	ENV DM5 Development and biodiversity
HERSP1	HER SP1 The Historic Environment
HERDM6	HER DM6 Sites of Archaeological Interest
QEDM1	QE DM1 Noise Pollution
QEDM2	QE DM2 Light pollution
QEDM3	QE DM3 Air Pollution
QESP1	QE SP1 Quality of the Environment
SDSP3	SD SP3 Gaps Between Settlements
TSP1	T SP1 Transport and Development
WDM3	W DM3 Sustainable Urban Drainage Systems

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance
NPPDG	National Design Guide

SUPPLEMENTARY POLICY GUIDANCE:

SPD11	Arun Parking Standards 2020
SPD13	Arun District Design Guide (SPD) January 2021

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. Middleton do not have a Neighbourhood Plan and the site is not within the area covered by their Village Design Statement

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 the development of existing vacant buildings is appropriate in this location and there will be no materially adverse effect on character, residential amenity, highway safety or the natural environment.

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

The farm shop (retail use)/agricultural use is a material planning consideration, in terms of existing/previous vehicle trips, types of vehicles accessing the site, characteristics of the previous use and noise/disturbance.

CONCLUSIONS

PRINCIPLE:

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that applications should be determined in accordance with the development plan unless material considerations indicate otherwise. ALP policy C SP1 states development in the countryside outside the BUAB will be permitted if it accords with other policies in the Plan which refer to a specific use or type of development. Policy EMP DM1 (7) allows for the conversion of rural buildings outside of the Built-up Area for industrial or business uses subject to criteria.

The application was submitted on the basis of compliance with part 7 of EMP DM1. A structural survey has been submitted to demonstrate the buildings are structurally sound, of permanent construction, and capable of conversion without rebuilding or significant alteration or extension. No physical changes are proposed.

It is clear there will be no change to the built character and although the nature of activity at the site will change, it is material that the site was formerly in use as a farm shop with agricultural buildings. There will be an increase in traffic levels but this will not be severe and there are no highway safety concerns.

There will be no physical harm to any heritage assets. Some of these matters are analysed in more detail elsewhere but it is concluded the proposal complies with policy EMP DM1 (7).

The site includes agricultural buildings and is part of a wider agricultural holding. Policy EMP DM1 (10) is specific to proposals for farm diversification and has its own criteria. The Parish Council response refers to these criteria. These require proposals to benefit the economy, reuse existing buildings, not harm the character of the countryside / landscape & wildlife and not generate traffic of a type or amount inappropriate for the roads affected. The policy requires schemes set out how they will assist in retaining the viability of the farm and its agricultural enterprise, and how it links with other short or long term business plans for the farm.

The site is part of a wider agricultural holding and the applicant confirmed the rest of the land will continue to be farmed. It is stated the land at Guernsey Farm is best suited to arable crops but the buildings are too small to store modern equipment and machinery or the amount of crops. The wider land is too small to be farmed as one entity and the applicant has leased the rest of the holding to a farmer who will work the land as part of their larger agricultural unit.

Marketing of the wider agricultural land was undertaken and even though this excluded the buildings there was strong interest therefore suggesting the buildings are no longer necessary to farm the land. The land is not owner occupied and it has been leased to a tenant. It is not possible to reinvest all the income from the site into the farming business. The sale/lease of the site for the uses will increase the amount of small business space in the local area providing local economic benefit. The alternative would be to retain a range of farm buildings in agricultural use which would be underutilised or redundant due to their limited value to modern day farming methods resulting in little economic benefits to anyone.

Overall, the proposal complies with parts (7) and (10) of policy EMP DM1 and thus is appropriate development in the countryside in accordance with policy C SP1.

STRATEGIC GAP POLICY:

ALP policy SD SP3 states development in strategic gaps will only be permitted where it meets certain criteria. The proposal complies with the policy as it involves no new physical development and has no effect on the integrity of the gap or the physical/visual separation of settlements.

HIGHWAY SAFETY & PARKING:

ALP policy T SP1 seeks to ensure development provides safe access on to the highway network; contributes to highway improvements (where appropriate) and promotes sustainable transport. Schemes should accommodate the efficient delivery of goods and supplies; give priority to pedestrian and cycle movements, be accessed by high quality public transport facilities, create safe and secure layouts for traffic, cyclists and pedestrians and provide appropriate levels of parking.

Para 110 of the NPPF states: "In assessing .. specific applications for development, it should be ensured that: (b) safe and suitable access to the site can be achieved for all users". Para 111 states: "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."

WSCC Highways comments are set out in full on the website and summarised above. They do not object but recommend conditions. They do not consider the proposal results in unacceptable impact on highway safety, or that residual cumulative impacts on the road network would be severe. Their response covers trip generation, highway safety, access & visibility, parking and sustainability. There is

no requirement under highway policy for a Road Safety Audit or for junction/access capacity surveys.

It is acknowledged that there are objections on grounds of the increase in large vehicle movements and the safety of other road users however, it is material that the site has agricultural/retail use and there are no restrictions to limit the number and type/size of vehicles accessing the site. It is material that Yapton Road is a B class road which feeds into an A class road at the northern end and it has no restrictions to prevent vehicles of a certain size from using it. The applicant has stated that the largest vehicle accessing the site would be a 7.5t panel van. Although no controls are proposed to prevent larger vehicles accessing the site, instances of such would likely be very infrequent.

The Arun Parking SPD requires 9 spaces for a 100% B8 use and 17 for a 100% E(g) use. Given that the proposal is for a mix of these uses and that it is not yet known what the proportion of E(g) to B8 use will be, the applicant proposed 13 parking spaces. This is appropriate as the class E(g) standards were originally set for class B1 which also covered office development and which have a higher trip rate than light industrial uses (class B1 has since been superseded by class E and class E(g) is specific to light industrial). The SPD requires 8 cycle spaces and electric vehicle charge points for 20% of the total parking spaces. These requirements will be secured by conditions. The proposal complies with ALP policy T SP1 and the Parking Standards SPD.

HERITAGE:

One of the resident letters suggests the farm shop building has been on the site since 1778. This has been checked and the building is shown on the Council's historic Tithe maps produced in response to the Tithe Commutation Act 1836. The building may have historic significance and whilst not statutorily or locally listed, should be considered as a Non-Designated Heritage Asset (NDHAs).

ALP Policy HER SP1 states development likely to prejudice heritage assets including NDHAs and their settings will be refused. Para 194 of the NPPF requires applicants describe the significance of the heritage assets affected, including any contribution made by their setting. Para 195 then requires Local Planning Authorities to identify and assess the particular significance of the heritage asset that may be affected by a proposal. Para 203 requires that in weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

The applicant has not provided a Heritage Assessment. The planning statement states the site was identified as a historic farmstead through the "Historic Farmsteads and Landscape Character in West Sussex" project which aimed to represent all farmsteads shown on the Ordinance Survey mapping dated 1895. This goes on to say that the farm shop is referred to as "New Barn" within the Historic Environment Records (HER) and both this building and the existing detached dwelling to the north of the site (Newlands) were described as a double sided loose courtyard farmstead, with the wider farmstead associated with the site having suffered significant loss (more than 50% alteration) over the years. Historic mapping suggests two additional wings were added to the farm shop building (1895 & 1933) but these have been demolished.

There are no alterations proposed to the building or to other buildings within its setting. The building has not been recognised by the Local Authority as a Building of Character therefore it likely has low significance. Any harm will be due to the change in the use of the building and the operations that occur in and around it. Such harm will be very minor given the site has been used for agricultural purposes/farm shop and so whilst the nature of the use changes, activity levels will not be so different to result in significant harm. There is no conflict with ALP policy HER SP1 or guidance in the NPPF.

ARCHAEOLOGY:

The site is in a designated archaeological notification area. ALP Policy HER DM6 states where a site on which development is proposed has the potential to include heritage assets with archaeological interest, permission will only be granted where it can be demonstrated that development will not be harmful to the archaeological interest of these sites. The policy requires a desk based archaeological assessment be submitted.

The applicant has not provided an Archaeological Desk Based Assessment Study but states in their planning statement that the area is noted as being very sensitive for archaeology with a Roman settlement site having been identified in the area. No walkover studies or watching briefs have occurred at the site previously, with the nearest watching brief having occurred at Comet Corner.

The Council's Archaeologist has not been consulted but as the change of use will not result in extensions/alterations to the built form or any engineering operations, the development would not adversely impact the archaeological interest of the site and so there is no material conflict with ALP policy HER DM6.

DESIGN & CHARACTER:

ALP policies D SP1 and D DM1 require development make the best possible use of land by reflecting or improving on the character of the site/surrounding area. Policy LAN DM1 confirms development should respect the particular characteristics and natural features of the relevant landscape area. The Arun Design Guide is a material consideration and has a section on rural development but this is not relevant to this application as there are no building works proposed.

The proposal does not involve extensions or alterations to buildings. The buildings are structurally sound and capable of conversion without the need for alteration. The size and scale of the buildings is appropriate for the change to small-scale business use.

Whilst the characteristics of the use of the site may change and may affect the character of the area, it is material that the site has a permitted use for agricultural activities/farm shop (retail use) and such uses would have involved vehicle movements including deliveries plus general disturbance in and around the site. The proposal complies with the relevant design policies as set out above.

RESIDENTIAL AMENITY:

ALP policy D DM1 requires there be minimal impact to users/occupiers of nearby property and land. ALP policy QE SP1 requires all development contribute positively to the quality of the environment and ensure development does not have a significantly negative impact on residential amenity.

The buildings and their associated openings are all existing so there will be no new privacy impacts to nearby dwellings or instances of light loss. It is material that the site has a permitted use for agricultural activities and as a farm shop (retail use) and such a use would have involved vehicle movements including deliveries plus general disturbance in and around the site. A condition will be imposed to control working hours at the site. There is no conflict with ALP policies D DM1 or QE SP1.

POLLUTION:

ALP Policy QE DM3 (Air Pollution) is only relevant to major developments or those which involve the creation of dust, smells, fumes, smoke, heat, radiation, gases, steam or other forms of pollution. Its requirements therefore do not apply to this proposal.

ALP policy QE DM1 states new noise generating development should demonstrate there are no suitable alternative locations for the development and provide a noise report. The application does not include a noise assessment however it is material that this is an existing agricultural/retail site and the proposal is for light industrial and storage/distribution uses. Storage and distribution uses tend to only create pollution due to deliveries to/from a site. Meanwhile, the description of class E(g) uses in the Use Classes Order is a use, which can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit.

Environmental Health raises no objection in principle to the proposed change of use and did not request the submission of a noise survey. As such, there is no material conflict with policy QE DM1.

BIODIVERSITY:

ALP policy ENV DM5 requires development schemes achieve a net gain in biodiversity and protect habitats on site. They shall incorporate elements of biodiversity such as green walls, roofs, bat and bird boxes as well as landscape features minimising adverse impacts on existing habitat.

The application is accompanied by a preliminary ecological appraisal which found no evidence of use of the buildings by bats or barn owls. The report notes that no natural habitat is proposed to be removed or affected. Nevertheless, the report proposes mitigation and enhancement to benefit the existing natural areas of the site for wildlife and thus demonstrate biodiversity net gain.

The Council's ecologist raises no objections and conditions are proposed to secure the biodiversity enhancements. As such, there is no conflict with the relevant policy.

SURFACE WATER DRAINAGE:

The site is not currently affected by flooding from rivers or sea and is not predicted to be so in the future. There are no plans submitted in respect of drainage however, this is an existing site and there are no buildings proposed or changes to the amount of hard surfaces. It would not be necessary or reasonable to impose drainage conditions. There are no records of surface water flooding in the site. There is no conflict with the relevant drainage policies.

CLIMATE CHANGE:

ALP policy ECC SP2 requires all new residential and commercial development be energy efficient and incorporate decentralised, renewable and low carbon energy supply systems. Policy ECC SP1 requires new development be designed to adapt to impacts arising from climate change. The application does not include information pertaining to energy efficiency however it is material that no new buildings are proposed or changes being made to the existing ones. Whilst the buildings are of sound construction, they are unlikely to be draught proof and so significant works would be required to bring them to a level where they were considered heat efficient. As already stated, a condition will be imposed to seek electric charge points.

CONDITIONS:

The Parish Council and local residents asked for conditions and the following is a response to these.

The application has not stated likely operating hours and Environmental Health have not requested an hours condition. Due to there being residential properties nearby, a condition is proposed to limit working hours and deliveries to between 08:00 to 18:00 hours (Monday to Friday) and 08:00 to 13:00 hours (Saturday) with no work on Sunday or Bank Holidays. These hours are similar to those set for other

class E(g) & B8 uses elsewhere in the rural parts of Arun.

It is not considered appropriate to set a limit on noise levels in the site as there are no current controls on noise from the site which could be used for agricultural machinery and associated vehicle movements. Conditions to prevent vehicles over a certain size accessing the site, to prevent vehicles accessing or leaving via Middleton or to limit the number of vehicles accessing the site would all be impractical to enforce/monitor and therefore would not be appropriate.

A condition will be imposed to control lighting and prevent open storage on the frontage. Conditions are proposed to limit the use to that applied for (Class E(g) and B8)), to secure biodiversity enhancements, to secure car & cycle storage spaces and to secure electric vehicle charge points.

A personal use condition was considered but this would bind the occupation of the site to the applicant and prevent them from selling the land on. It is noted that in a similar application involving farm diversification where the applicant had demonstrated the benefits to the farm business (AL/120/15/PL - demolition of agricultural buildings to create 3 dwellings), the Planning Inspector did not consider it necessary to impose a personal permission.

SUMMARY:

The proposal represents an appropriate change of use of a site in the countryside given it has an existing permitted use for agricultural/retail and that its loss will not harm the viability of the agricultural holding. The proposal will alter the character of the site but not to such a degree as to have a significant impact on residential amenity, local character or the safety and convenience of the highway network. It is recommended permission be granted in accordance with 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.

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;
 2056-P01 Block Plan (March 2021);
 2056-P08 Proposed Ground Floor Plan (March 2021);
 2056-P10 Proposed Elevations 1 (March 2021);
 2056-P11 Proposed Elevations 2 (March 2021);
 2056-P12 Proposed Elevations 3 (March 2021);
 2056-P13 Proposed Elevations 4 (March 2021); and
 2056-P09 Proposed Roof Plans (March 2021).

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

- 3 The buildings shall be used for class E(g) light industrial and class B8 storage & distribution only and for no other purpose (including any other purpose in Class E of the Schedule to the Town & Country Planning (Use Classes) (Amendment) (England) Regulations 2020 or any other Statutory Instrument revoking, re-enacting or amending these regulations).

Reason: To enable the Local Planning Authority to maintain control in the interests of the amenities of nearby residential properties and given the location of the site in the countryside and a strategic gap in accordance with Arun Local Plan policies QE SP1, C SP1 and SD SP3.

- 4 Hours of operation of (and deliveries to/from) the class E(g) and B8 units shall be restricted to between 08:00 to 18:00 hours (Monday to Friday) and 08:00 to 13:00 hours (Saturday) with no work on Sunday or Bank Holidays.

Reason: In the interests of the amenities of nearby residential properties in accordance with Arun Local Plan policies QE SP1 and QE DM1.

- 5 No part of the development shall be first occupied until full details of the proposed enhancement of the existing boundary hedgerows and tree lines (in line with the recommendation of section 6.1 of the preliminary Ecological Appraisal Report (ref LLD2261-ECO-REP-001-01) have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include full details in both plan and list form.

The approved details of the hedgerow/tree line enhancements shall be carried out in the first planting and seeding season, following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which, within a period of five

years from the completion of development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: Bats use the hedgerows and tree lines for foraging and commuting and therefore in the interests of securing biodiversity net gain in accordance with Arun Local Plan policy ENV DM5 and the National Planning Policy Framework.

- 6 No part of the development shall be first occupied until full details of the placement of bird, bat and hedgehog nesting facilities within the site have been submitted to and approved in writing by the Local Planning Authority. The approved details shall then be implemented in full prior to occupation and thereafter retained to the satisfaction of the Local Planning Authority. The submission shall include:

- At least 1 bat box on the buildings facing south/south westerly and positioned 3-5m above ground;
- At least 1 bird box on a building and/or on a tree within the site; and
- At least 1 hedgehog nesting box within the wider site area.

Reason: In the interests of securing biodiversity net gain in accordance with Arun Local Plan policy ENV DM5 and the National Planning Policy Framework.

- 7 No part of the development shall be first occupied until plans have been provided for approval in writing by the Local Planning Authority to show the location of at least 13 parking spaces within the site area. The approved spaces shall then be laid out within the site prior to occupation and thereafter retained at all times for their designated purpose.

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

- 8 Prior to the occupation of any of the buildings, a scheme for the provision of facilities to enable the charging of electric vehicles to serve the parking spaces associated with the use shall be submitted to the local planning authority for approval and thereafter implemented in accordance with the approved details and the charge points shall thereafter be permanently retained and maintained in good working condition. The current standards require EV charging points in 20% of parking spaces (rising to 30% in 2023).

Reason: New petrol, diesel and hybrid cars/vans will not be sold beyond 2030, and to mitigate against any potential adverse impact of the development on local air quality, in accordance with policy QE DM3 (c) of the Arun Local Plan, the Arun Parking Standards SPD and the National Planning Policy Framework.

- 9 No part of the development shall be first occupied until covered and secure cycle parking spaces (8 spaces) have been provided in accordance with plans and details submitted to and approved by the Local Planning Authority. The details so approved shall be maintained in perpetuity.

Reason: To provide alternative travel options to the use of the car for employees in accordance with Arun Local Plan policy T SP1 and the Arun Parking Standards SPD.

- 10 Should any new external lighting be required then prior to new occupation of any of the buildings, details including type of light appliance, the height and position of fitting, predicted illumination levels and light spillage shall be submitted to and approved in writing by the Local Planning Authority. The scheme should seek to conform with the recommendations of the Institution of Lighting Professionals (ILP) "Guidance Notes for the Reduction of Obtrusive

Light" (GN01:2011) but also minimise potential impacts to any bats using the trees and hedgerows surrounding the buildings by avoiding unnecessary artificial light spill through the use of directional light sources and shielding. The lighting as approved shall be installed prior to occupation and maintained in accordance with the approved details.

Reason: In the interests of the amenities of the area, the site biodiversity (particularly in respect of bats), the interests of minimising crime and to minimise unnecessary light spillage outside the development site in accordance with policies QE SP1, QE DM2 & ENV DM5 of the Arun Local Plan.

- 11 There shall be no open storage of materials, finished or unfinished products or parts, crates, packing materials or waste stored in the area of the site that is between Yapton Road and a line drawn from the front of Newlands along the front of Building 1 (the former farm shop) and to the southern boundary unless otherwise approved in writing by the Local Planning Authority.

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

- 12 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.

BACKGROUND PAPERS

[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)

M/99/21/PL - Indicative Location Plan (Do not Scale or Copy)
(All plans face north unless otherwise indicated with a north point)



Based on the Ordnance Survey mapping with permission of the Controller of Her Majesty's Stationery Office © Crown Copyright.
Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Arun District Council
100018487. 2015