



TO: Planning Committee (South)

BY: Head of Development

DATE: 19th June 2018

DEVELOPMENT: Erection of a single storey portal frame building for storage purposes and additional hard standing for storage.

SITE: Ashington Autos Showroom 2 and Service Centre London Road
Ashington Pulborough West Sussex RH20 3AT

WARD: Chanctonbury

APPLICATION: DC/17/2756

APPLICANT: **Name:** Scott Butcher **Address:** Ashington Autos Showroom 2 and
Service Centre London Road Ashington Pulborough West Sussex RH20
3AT

REASON FOR INCLUSION ON THE AGENDA: By request of Ashington Parish Council who wish to speak at committee

RECOMMENDATION: To approve planning permission subject to appropriate conditions.

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.1 The application proposes to erect a single storey soft green coloured portal frame building with a mono-pitched roof sloping south-east to north-west. The structure would measure 7m deep by 10m wide and be used in conjunction with the existing car sales and servicing business on the site. A single door would provide access within the southern elevation of the structure while the eastern elevation of the structure would host two steel roller garage doors.
- 1.2 The structure would be constructed on a gravel hard standing; the total area of which within the internal gated area is some 320m².

DESCRIPTION OF THE SITE

- 1.3 The application site forms a triangular parcel of land immediately north of the recently constructed Ashington BP petrol station (DC/14/1420), set between a slip road to the A24 and a country lane that runs parallel to the A24. The central part of the site has recently been cleared of all vegetation, retaining a belt of trees and shrubs to the side boundaries.
- 1.3 The site has recently been developed to accommodate Ashington Autos (DC/16/0643), a car sales, servicing and repair business accessed from a southern entry point via the petrol

station. The business operates from a grey, gabled two storey portal frame building with white uPVC fenestration. The forecourt around the site constitutes of a tarmac hard-standing for the storage and display of cars. The ground transitions to a mixture of compressed gravel and aggregate to the north of the main building and around the proposed development site.

- 1.4 The site is lined with a mixture of shrubbery and trees to both eastern and western elevations. A green metal fence encloses the development site to the north of the main building and a post and rail fence characterises the eastern boundary; however this has been supplemented with a free-standing chain link fence.
- 1.5 The closest neighbouring dwelling of Martins Farm resides some 100m to the west. The application site sits on an Archaeological Site and is located outside of any built up area boundary.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT PLANNING POLICIES

The following Policies are considered to be relevant to the assessment of this application:

National Planning Policy Framework

NPPF 7- Requiring Good Design

NPPF 12- Conserving and Enhancing the Natural Environment

Horsham District Planning Framework (HDPF 2015)

Policy 1 - Strategic Policy: Sustainable Development

Policy 2 - Strategic Policy: Strategic Development

Policy 10- Rural Economic Development

Policy 25 - Strategic Policy: The Natural Environment and Landscape Character

Policy 26 - Strategic Policy: Countryside Protection

Policy 31 - Green Infrastructure and Biodiversity

Policy 32 - Strategic Policy: The Quality of New Development

Policy 33 - Development Principles

Policy 34 - Cultural and Heritage Assets

Supplementary Planning Guidance:

RELEVANT NEIGHBOURHOOD PLAN

Ashington Neighbourhood Plan has not yet been 'made' and is currently undergoing Regulation 7 (Neighbourhood Plan Designation Area).

PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/16/0643

Full

Erection of portal framed building to include car sales, vehicle servicing and repair workshop, ancillary offices and staff amenities; the erection of a car wash bay; the installation of associated plant and machinery and the change of use of land to vehicle sales.

Approved on
28/07/2016

DC/16/2850	Non-Mat	Non-Material Amendment to previously approved DC/16/0643 (Erection of portal framed building to include car sales, vehicle servicing and repair workshop, ancillary offices and staff amenities; the erection of a car wash bay; the installation of associated plant and machinery and the change of use of land to vehicle sales) to fit one further roller/shutter access door to the workshop area in addition to the two already approved. Size to be 4 meters by 3 meters.	Approved on 02/02/2017
DC/14/1420	Full	Proposed new service area (operating between the hours of 6am to 10pm) development comprising of petrol filling station (sui generis use) and ancillary shop (A1 use), forecourt canopy, 5 no. pump islands, automatic car wash and associated service facilities (ATM, air/water point, jet wash etc) Restaurant with Drive-Thru facility (A3 and A5 uses) and associated sewage treatment plant	Approved on 20/11/2014

3. OUTCOME OF CONSULTATIONS

3.1 Where consultation responses have been summarised, it should be noted that Officers have had consideration of the full comments received, which are available to view on the public file at www.horsham.gov.uk

3.2 **WSCC Archaeology Consultant:** No comment received.

3.3 **Ecology Consultant:** No Objection

PUBLIC CONSULTATIONS

3.4 **Ashington Parish Council:** Objection

Objection raised on the grounds of overdevelopment, light and noise pollution, loss of amenity including screening from the A24 and damage to wildlife. It was previously requested that this decision be determined by committee and if permission is granted a condition of B8 use be agreed.

3.5 Two (2) letters of objection have been received on the following grounds:

- Overdevelopment
- Loss of trees, landscaping and biodiversity
- Increase of traffic pressure on Old London Road
- Significant loss of natural screening, resulting in increase of noise and visibility of A24
- Concerns over drainage

- Development creep while the existing plot could potentially accommodate such a development.
- Clearing of the existing scrubland/tress before applying for permission is unacceptable.
- There is a Hazel Dormouse habitat within a 100m vicinity of the site. The site would have been a suitable habitat for such species, and its removal subsequently threatens the biodiversity of the area.

4. HOW THE PROPOSED COURSE OF ACTION WILL PROMOTE HUMAN RIGHTS

- 4.1 Article 8 (Right to respect of a Private and Family Life) and Article 1 of the First Protocol (Protection of Property) of the Human Rights Act 1998 are relevant to this application, Consideration of Human rights forms part of the planning assessment below.

5. HOW THE PROPOSAL WILL HELP TO REDUCE CRIME AND DISORDER

- 5.1 It is not considered that the development would be likely to have any significant impact on crime and disorder, which would be deterred through the implementation of security lights and security cameras as per if deemed necessary.

6. PLANNING ASSESSMENTS

6.1 Policy Overview.

As the application site relates to an industrial site that is located outside of any built up area boundary, it is necessary to assess the proposed development against the relevant rural development Policies within the Horsham District Planning Framework (Policies 10,24,25,26 and 31). Standard development principals shall also apply (Policies 32, 33), as well as consideration towards Cultural Heritage Assets given the location of the proposal on an archaeological site (Policy 34).

Principle of Development

- 6.2 Policy 10 of the Horsham District Planning Framework (HDPF) identifies that economic development to enterprise within rural location of the district shall be supported where they promote sustainability and remain appropriate to their location, whilst also providing varied social and economic benefit to the wider area. They should also either be contained suitably within the existing boundaries of the estate or result in substantial environmental improvements. Adequate car parking provisions should also be demonstrated.
- 6.3 The proposed development would remain within the boundaries of the existing estate and would appear appropriate to its location given the recent developments to the south. The use of the shed would be for storage associated with the business and so it is considered that provisions for parking, while already addressed by the main site, do not need to be demonstrated. The proposal is therefore considered to accord to Policy 10 of the HDPF.
- 6.4 Policy 25 of the HDPF identifies that developments should either protect, conserve or enhance the landscape and townscape character, including the safeguarding of protected sites. The area to which the proposal would occupy was previously scrubland and, while it may not have possessed any exceptional ecological or amenity values, the LPA appreciates that its clearing without notification may be a cause for concern for surrounding residents seeking to help conserve the natural environment against development.
- 6.5 The clearing of the area prior to submission of the application has likely caused irrevocable damage to this scrubland. The development site, however, is not identified as a protected landscape of any specific interest and has likely been subject to development pressure from the owner following the approval of the main structure on site since its approval (under

DC/16/0643). While it would have been preferable to assess the impact the proposed development on the surrounding landscape prior to application submission, it is considered that, in its given state, the cleared area does not appear to cause appreciable harm to the surrounding landscape and so the addition of the storage structure would not exacerbate this impact.

- 6.6 With regard to Policy 26 of the HDPF, it is considered that the shed would allow for the sustained development of the related enterprise through the provision of more storage space. The structure would be of a scale appropriate to the countryside location and would not likely appear as a prominent feature within the surrounding landscape. The proposed structure would not likely facilitate an increase in activity in the countryside location as it would be used to supplement the existing practice on site. As a result, the proposal is considered to comply with Policy 26 of the HDPF.
- 6.7 Policy 31 of the HDPF identifies the importance of green infrastructure and biodiversity in the district and development should be supported where it is demonstrated to maintain or enhance the existing network of green infrastructure. In this instance it is clear the proposed development would neither seek to enhance or conserve the biodiversity of the area as the clearing of the green space around the footprint of the site had already occurred by the time of consideration of the application. The verges either side of London Road in this area already host a significant amount of scrubland and, while the loss of vegetation around the development site is not desirable, it is considered that a sufficient amount of green space remains to as to mitigate some of the disruption the development may have imposed on the surrounding fauna and flora. It is therefore considered that, on balance, the proposal is considered acceptable with regard to Policy 31.

Design and Appearance

- 6.8 Policy 32 of the HDPF identifies that development in the district is expected to be of a high quality design. This land was previously unused scrubland; adjacent to a busy highway and located a significant distance away from any settlement boundary. While the development may not complement the locally distinctive character and heritage of the district, it would comply with Policy 32 of the HDPF in that the proposed development would provide a complementary facility that appears suitable to the main enterprise on site.
- 6.9 The impact of the proposal was assessed during a site visit. The proposed development is within a location that does not appear to receive heavy amounts of through traffic and is set down from the adjacent A24 behind a scrubland verge. No neighbouring properties are within the immediate vicinity of the site and as the ground to which the proposal relates is on a lower elevation to the adjoining two highways the development would not likely appear visible within the wider public realm. Design features including the green exterior, mono-pitched roof and single storey design of the structure would help mitigate the impact of the extension and so it is considered that the structure would not cause an unacceptable level of detriment the character or identity of the surrounding area.
- 6.10 As no neighbours reside within the immediate vicinity of the development site, it is considered that the proposal would not cause an unacceptable level of detriment the amenities of any adjoining occupiers. The loss of screening from the A24 would be minor and, where present, any increase in noise pollution on neighbours to the west would be minimal. As a result of this, it is considered the proposal would not cause an appreciable level of harm to the amenities of any adjoining residents. The proposal would therefore be considered to comply with Policy 33 of the HDPF.

Other matters

- 6.11 The area to which the development would occupy is recorded to be of archaeological interest. As the proposed works would not warrant the implementation of foundations below slab level,

it is considered that the proposal would not disrupt any historically significant material if it were present. In any case it is noted that the wider site was assessed and mitigated for historic material before its development following approval under DC/14/1420. The proposal would therefore comply with Policy 34 of the HDPF.

6.12 As the site location plan incorporates the wider car sales site, all relevant conditions from the main planning permission controlling the use and appearance of the site are recommended, alongside a condition requiring the building and hardstanding to be used in conjunction with the main business only in the interests of visual amenity and highway safety.

6.13 **Conclusion**

While it is appreciated that the development has resulted in a loss of green space in order to accommodate another industrial building on the site, it is considered that the resulting detriment caused to the natural landscape character is not of an unacceptable degree as to warrant refusal of the application. Given the secluded nature of the development site set in a parcel of land between two roads, and its siting away from any surrounding places of residence, the proposal would not be considered to cause an unacceptable degree of disruption to the amenities of any surrounding residents.

7. **RECOMMENDATIONS**

To approve planning permission subject to the following conditions.

Conditions:

1 Plans list

2 **Standard Time Condition:** The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

3 **Pre-occupation Condition:** The use hereby permitted shall not be commenced unless and until full details of all hard and soft landscaping works, to include details of all trees, boundary planting and means of site drainage, have been submitted to and approved in writing by the Local Planning Authority. All such works as may be approved shall then be fully implemented in the first planting season, following commencement of the development hereby permitted and completed strictly in accordance with the approved details. Any plants or species which within a period of 5 years from the time of planting 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 otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory development and in the interests of amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015).

4 **Regulatory Condition:** The building and hardstanding hereby permitted shall be used for storage purposes only in association with the use of the site for car sales, vehicle servicing and repair works as approved under planning application DC/16/0643, and shall not be operated as a separate business.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of visual amenity and highway safety in accordance with Policies 33, 40 and 41 of the Horsham District Planning Framework (2015).

5 **Regulatory Condition:** The materials to be used in the development hereby permitted shall strictly accord with those indicated on the application form and supporting documents.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of visual amenity and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 6 **Regulatory Condition:** No work for the implementation of the development hereby permitted shall be undertaken on the site except between the hours of 08.00 and 18.00 on Mondays to Fridays inclusive and 08.00 hours and 13.00 hours on Saturdays, and no work shall be undertaken on Sundays, Bank and Public Holidays unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the amenities of nearby residents in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 7 **Regulatory Condition:** No vehicles, plant or machinery shall be operated, no process carried out and no deliveries taken or dispatched from the site outside the following times:-
- 0800 hours and 1800 hours on Mondays to Fridays
- 0800 hours and 1300 hours Saturdays inclusive,
No working on Sundays, Bank or Public Holidays.

Reason: To safeguard the amenities of nearby residents in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 8 **Regulatory Condition:** The car sales business shall not operate outside the following times:-
- 0800 hours and 1830 hours on Mondays to Saturdays
- 1000 hours and 1600 hours on Sundays, Bank or Public Holidays;

Reason: To safeguard the amenities of nearby residents in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 9 **Regulatory Condition:** No works requiring the use of machinery, power or hand tools shall take place in the open air.

Reason: To safeguard the amenities of nearby residents in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 10 **Regulatory Condition:** The doors to the unit shall be kept closed while machinery, power or hand tools are in use.

Reason: To safeguard the amenities of nearby residents in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 11 **Regulatory Condition:** No vehicle refinishing to take place without prior approval of the Local Planning Authority.

Reason: To safeguard the amenities of nearby residents in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 12 **Regulatory Condition:** No external lighting or floodlighting shall be installed without the prior written approval of the Local Planning Authority.

Reason: In the interests of the amenities of the locality and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 13 **Regulatory Condition:** Prior to first use of the building, two bird boxes shall be fitted onto the building and shall be retained as such thereafter.

Reason: To ensure appropriate ecological mitigation in accordance with Policy 31 of the Horsham District Planning Framework (2015).

Background Papers: DC/17/02756