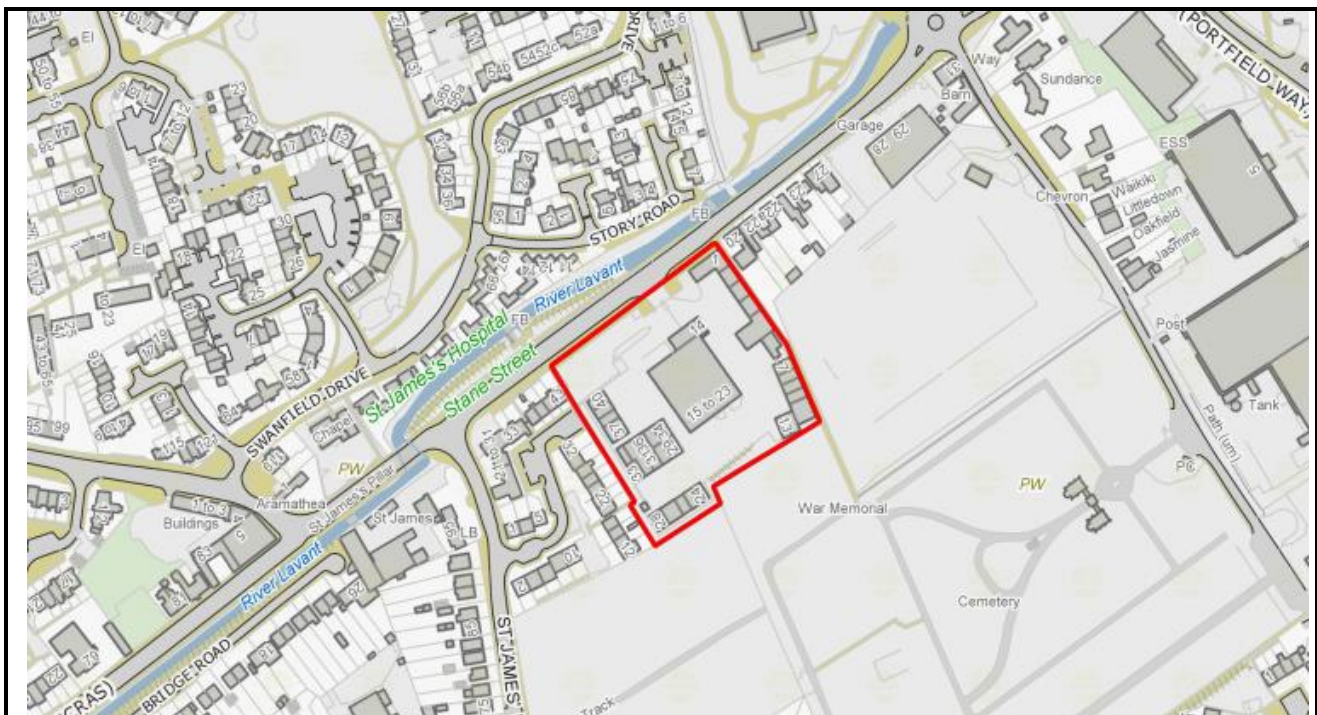



Parish: Chichester	Ward: Chichester East
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CC/22/00786/FUL

Proposal	Construction/installation of a LV switch room for the St James Industrial Estate.		
Site	St James Industrial Estate, Westhampnett Road, Chichester, West Sussex PO19 7JU		
Map Ref	(E) 487293 (N) 105340		
Applicant	Chichester District Council	Agent	Mr Rowland Griffin

RECOMMENDATION TO PERMIT



	NOT TO SCALE	Note: Do not scale from map. For information only. Reproduced from the Ordnance Survey Mapping with the permission of the controller of Her Majesty's Stationery Office, Crown Copyright. License No. 100018803
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1.0 Reason for Committee Referral

1.1 Chichester District Council is the applicant.

2.0 Site and Surrounds

- 2.1 St James Industrial Estate extends to approximately 1.2ha and is located south-east of Westhampnett Road (A285) and approximately 123m from the roundabout with St James Road to the south-west; within the defined Settlement Boundary of Chichester. The site was previously developed in the early 1980s around the old 1950s Chichester District Council (CDC) depot, to provide accommodation for small start-up businesses. The industrial estate previously comprised 40 no. small industrial units (within B1, B2 and B8 Use Classes) with a total floor space of some 3,753m². Planning permission was granted in January 2022 (ref.21/03391/FUL) for the redevelopment of the existing industrial estate, including demolition of the existing buildings. At the time of the site visit, construction was well underway.
- 2.2 This application specifically relates to a small area within the wider site, located to the eastern side of the site entrance/exit. The site is accessed by the sole entrance/exit point on Westhampnett Road. A mixture of residential and commercial (including large supermarkets) development lies further to the east. Approximately 15 metres to the east lie Nos. 21, 22 and 22a Westhampnett Road, which are designated grade II listed buildings.
- 2.3 The site is predominantly located within Flood Zone 1; with only the very northern edge of the site boundary partially falling within Flood Zone 2 (all the buildings and the north (front) boundary wall are located within Flood Zone 1). The River Lavant runs in an east-west direction to the northern side of Westhampnett Road and here the land moved into Flood Zones 2 and 3.

3.0 Proposal

- 3.1 The application seeks planning permission for the construction of a Low Voltage (LV) switch room associated with the St James Industrial Estate.
- 3.2 The proposed switch room would measure approximately 2.5m in height, 3m in width and 2.9m in depth and would be constructed largely from Glass Reinforced Polymer (GRP), in a basalt grey colour to all sides. The structure would be finished with a flat roof, with a pair of hinged doors to the western elevation.

4.0 History

20/01914/FUL	PER	Redevelopment of the existing industrial estate, including demolition of the existing buildings. The scheme provides approximately 4448m ² (47877ft) of lettable industrial space all under B1(b), B1(c) and B8 use classes with 5 no. replacement buildings.
21/01391/FUL	PER	Redevelopment of the existing industrial estate, including demolition of the existing buildings. The scheme provides approximately 4448m ² (47877ft) of lettable industrial space, use classes E(g)(ii) and E(g)(iii) (formally known as use classes B1(b), B1(c)) and use class B8 with

		5 no. replacement buildings - Variation of Condition 1 of planning permission CC/20/01914/FUL- changes to Block 1 from one single large unit into 10 smaller units and associated works.
21/01701/DOC	PER	Discharge of Condition 3 of planning permission CC/20/01914/FUL - Construction and Environmental Management Plan (CEMP).
21/02090/DOC	SPLIT	Discharge of conditions 11, 12, 15 & 18 to permission 20/01914/FUL.
21/02262/DOC	PER	Discharge of condition 3, 11, 13 and 17 from planning permission CC/21/01391/FUL.
21/02538/DOC	SPLIT	Discharge of conditions 5 (Surface Water Drainage) and 7 (Ground Levels) from Planning Permission CC/21/01391/FUL
21/02840/DOC	PER	Discharge of Conditions 6 (piling/foundation design) and 8 (scheme to deal with contamination) of planning permission CC/21/01391/FUL.
21/02876/DOC	PER	Discharge of condition 14 of permission 21/01391/FUL.
21/03264/NMA	APPRET	Non-material amendment to Planning Permission CC/21/01391/FUL - Elevation drawings have been revised to include the brick plinths and canopies that were omitted from the previous, approved drawings.
21/03340/DOC	PER	Discharge of condition 5 and 12 form planning permission CC/21/01391/FUL.
21/03391/FUL	PER	Redevelopment of the existing industrial estate, including demolition of the existing buildings. The scheme provides approximately 4448m ² (47877ft) of lettable industrial space, use classes E(g)(ii) and E(g)(iii) (formally known as use classes B1(b), B1(c)) and use class B8 with 5 no. replacement buildings. Variation of Condition 1 of planning permission CC/20/01914/FUL - changes to Block 1 from one single large unit into 10 smaller units and associated works and to regularise the conditions of permission CC/21/01391/FUL to reflect conditions contained in permission CC/20/01914/FUL.

21/03469/DOC	PER	Discharge of Conditions 9 (Phase 2 Intrusive Investigation Report) and 10 (Remediation Scheme) of planning permission CC/21/01391/FUL.
22/00020/NMA	PER	Non-material amendment to planning permission 21/03391/FUL, to revise elevation drawings detailing the removal of brick plinth walls and canopies.
22/00902/DOC	PER	Discharge of Condition 8 (boundary treatments) of planning permission CC/21/03391/FUL.

5.0 Constraints

Listed Building	NO
Conservation Area	NO
Rural Area	NO
AONB	NO
Strategic Gap	NO
Tree Preservation Order	NO
EA Flood Zone	FZ1
- Flood Zone 2	NO
- Flood Zone 3	NO
Historic Parks and Gardens	NO

6.0 Representations and Consultations

6.1 WSCC Highways

No objection.

6.2 CDC Archaeology Officer

No objection.

6.3 CDC Drainage Engineer

No objection.

6.4 CDC Environmental Protection Officer

Further comment received 09.05.2022

The agent has confirmed (email dated 09.05.2022) there will be no noise emitting plant installed within the LV switch room. The switch room will only house incoming electric switch gear and meter. As such there is no need for further noise assessment.

Original Comments received 09.05.2022

Land contamination

The development is located within an industrial estate. A statement on remediation was submitted with application 21/03469/DOC. Providing the above development is constructed so as not to compromise the remediation being carried out across the wider site, no further comments on land contamination are required.

Noise

Details of the predicted noise from the proposed plant should be submitted so that the need for a noise impact assessment can be assessed.

Lighting

It is assumed that there will be no need for lighting on the development, the wider industrial estate lighting should cover this building as well.

6.5 Third Party Representations

None received.

7.0 Planning Policy

The Development Plan

7.1 The Development Plan for the area comprises the Chichester Local Plan (CLP): Key Policies 2014-2029, the CDC Site Allocation Development Plan Document and all made neighbourhood plans. There is no made Neighbourhood Plan for Chichester City at this time.

7.2 The principal planning policies relevant to the consideration of this application are as follows:

Chichester Local Plan: Key Policies 2014-2029

Policy 1: Presumption in Favour of Sustainable Development

Policy 2: Development Strategy and Settlement Hierarchy

Policy 3: The Economy and Employment Provision

Policy 8: Transport and Accessibility

Policy 10: Chichester City Development Principles

Policy 11: Chichester City Employment Sites

Policy 26: Existing Employment Sites

Policy 39: Transport, Accessibility and Parking

Policy 40: Sustainable Design and Construction

Policy 42: Flood Risk and Water Management

Policy 49: Biodiversity

National Policy and Guidance

7.3 Government planning policy now comprises the revised National Planning Policy Framework (July 2021), which took effect from 20 July 2021. Paragraph 11 of the revised Framework states that plans and decisions should apply a presumption in favour of sustainable development, and for decisions-taking this means:

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

7.4 Consideration should also be given to the following paragraph and sections: Sections 2, 3, 4, 6, 7, 8, 9, 10, 11, 12, 14, 15 and 16 and Annex 1. The relevant paragraphs of the National Planning Practice Guidance have also been taken into account.

Chichester Local Plan Review Preferred Approach 2016 - 2035 (December 2018)

7.5 Chichester District Council adopted the Chichester Local Plan: Key Policies 2014- 2029 on 14 July 2015. The Council is currently reviewing and updating its Local Plan as required by Regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012, to provide up to date planning policies which are consistent with the National Planning Policy Framework (NPPF) 2021. The Council consulted on the Local Plan Review 2016-2035 Preferred Approach (LPR) document between December 2018 and February 2019 under Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012. Following consideration of all responses to the consultation period, significant work has been identified. The Local Development Scheme timetable anticipates that the Local Plan will be submitted to the Secretary of State for Examination in 2022 and it is currently anticipated that the new Local Plan will be adopted in Spring 2023. This timetable is currently under review.

7.6 Relevant policies from the published Local Plan Review 2035 Preferred Approach are:

Part 1 - Strategic Policies

S1 Presumption in Favour of Sustainable Development

S2 Settlement Hierarchy

S3 Development Strategy

S12 Infrastructure Provision

S13 Chichester City Development Principles

S14 Chichester City Transport Strategy

S20 Design

S21 Health and Wellbeing

S22 Historic Environment

S23 Transport and Accessibility

S27 Flood Risk Management

S28 Pollution

Part 2 - Development Management Policies

DM8 Transport, Accessibility and Parking

DM9 Existing Employment Sites

DM16 Sustainable Design and Construction

DM18 Flood Risk and Water Management

DM23 Lighting

DM24 Air Quality

DM25 Noise

DM26 Contaminated Land

DM27 Historic Environment

DM29 Biodiversity

Other Local Policy and Guidance

7.7 The following Supplementary Planning Documents are material to the determination of this planning application are:

- Surface Water and Foul Drainage SPD (September 2016)
- The CDC Design Protocol (December 2013)
- CDC PGN3: Design Guidance for Alterations to Dwellings and Extensions (September 2009)

7.8 The aims and objectives of the Chichester in Partnership Community Strategy 2016-2029 which are relevant and material to the determination of this planning application are:

- Maintain low levels of unemployment in the district
- Prepare people of all ages and abilities for the work place and support the development of life skills
- Develop a local workforce that meets the needs of local employers
- Support local businesses to grow and become engaged with local communities

8.0 Planning Comments

8.1 The main issues arising from this application are considered to be:

- i. Principle of development
- ii. Design and impact on visual amenity and character of the area
- iii. Residential amenity

i. Principle of development

8.2 The principle of development to redevelop the industrial estate has been established by the granting of application CC/21/03391/FUL.

ii. Design and impact on visual amenity and character of the area

- 8.3 The proposed switch room would measure approximately 2.5m in height, 3m in width and 2.9m in depth and would be constructed largely from Glass Reinforced Polymer (GRP), in a basalt grey colour to all sides. The structure would be finished with a flat roof, with a pair of hinged doors to the western elevation. A condition is recommended to ensure the proposed development is constructed in accordance with the materials specified within the application form and plans.
- 8.4 Whilst the design of the proposal is utilitarian in appearance, due to its modest height, set-back position of approximately 14.5m (from the highway), behind a 3.8m high brick wall with landscaping, and when viewed within the context of the industrial estate, it is considered the proposed switch room would only give rise to oblique views, gained from the access and would be read within the context of the wider industrial estate. Furthermore, the switch room is sufficiently set back (approx. 2.3m) from the main access route, to allow the hinged door to fully open without impeding the access. As such it is considered the proposal would be in-keeping with the character of the industrial estate and therefore acceptable in terms of design and appearance.

iii. Residential amenity

- 8.5 The NPPF states at Paragraph 130 that planning should ensure a good quality of amenity for existing and future users [of places].
- 8.6 Given the limited scale of the proposed development, the intervening structures, and a separation distance of approximately 33m from the nearest residential properties, it is not considered the proposal would give rise to any adverse impacts upon the amenities of adjoining occupiers. The agent has confirmed (email dated 09.05.2022) that there will be noise emitting plant installed within the LV switch room. The switch room is only to house incoming electric switch gear and a meter. On this basis the Council's Environmental Protection Officer has confirmed that there is no need for further noise assessment and no objection is raised to the proposal.

Human Rights

- 8.7 The Human Rights of all affected parties have been taken into account and the recommendation to permit is considered justified and proportionate.

Conclusion

- 8.8 For the reasons set out above, the proposal is considered to be in accordance with the relevant local and national planning policy and associated guidance. Having also had regard to all other material considerations it is recommended that, subject to the conditions set out below, permission is granted.

RECOMMENDATION: PERMIT subject to the following conditions and informatives:-

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 permitted shall be carried out in accordance with the plans listed below under the heading "Decided Plans"

Reason: For the avoidance of doubt and in the interests of proper planning.

3) The development hereby permitted shall not be constructed other than in accordance with the materials specified within the application form and plans, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that a harmonious visual relationship is achieved between the new and the existing developments.

Decided Plans

The application has been assessed and the decision is made on the basis of the following plans and documents submitted:

Details	Reference	Version	Date Received	Status
PLAN - PROPOSED SITE PLAN	P0867-RHP-CS-XX-PL-A-1500	C4	19.04.2022	Approved
PLAN - LOCATION PLAN	P0867-RHP-CS-ZZ-PL-A-1000	P3	19.04.2022	Approved
PLAN - PROPOSED SWITCH ROOM LOCATION PLAN	P0867-RHP-CS-XX-PL-A-1010	P9	19.04.2022	Approved
PLAN - PROPOSED SWITCH ROOM FLOOR PLAN AND ELEVATIONS	VR20		19.04.2022	Approved

INFORMATIVES

1) 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.

For further information on this application please contact Jane Thatcher on 01243 534734

To view the application use the following link - <https://publicaccess.chichester.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=R9AVGNERMNB00>