

Case Officer's Report (Delegated Decision)

County Matter Waste Planning Application

Description of the Proposal: Application for the erection of two container units, to be used as a re-use shop and storage, along with the provision of associated car parking bays and minor site layout amendments.

Site Address: Worthing Household Waste Recycling Site Willowbrook Road, Worthing, BN14 8NA

Application No: WSCC/043/23

Local Member: Councillor Caroline Baxter (Worthing East); Councillor Dawn Smith (Broadwater)

Local Council: Adur Worthing District Councils

Site Location and Description

The application site is located in east Worthing, within the Built-Up Area Boundary as defined within the Worthing Local Plan (2023). The site comprises an operational Household Waste Recycling Facility and occupies a plot to the north of the Teville Stream and Willowbrook Road. The site is located on elevated ground, with open fields to the north and east, and Hambridge Trading Estate to the south and west. The site is enclosed by metal palisade fencing and litter netting along the northeastern boundary while the southern boundary consists of mixed vegetation.

The site is not located within an area designated for its landscape, historic or ecological significance. The area along the southern site boundary lies adjacent to Teville Stream and an area that is at high risk for flooding (Flood Zone 3). The land to the east is identified as a Local Wildlife Site (Lower Cokeham) and an allocated employment site (A5, Decoy Farm) comprising 14,000m² of employment land abutting the northern and western site boundaries.

Relevant Planning History

- WB/548/06 - Development of a modern replacement household waste recycling site, to accept bulky household waste and recyclable materials (application approved 22/11/2007);
- WB/595/06 - To extend the time limit to allow operations on existing permission WB/1414/04 to continue at the existing Worthing HWRS until 31st March 2008 (application approved 22/11/2007);
- WB/935/08 - To allow operations at the existing Household Waste Recycling Site in Worthing to continue for an additional 19 months (application approved 21/11/2008);

- WSSC/005/12/WB - Variation of condition 9 of planning permission WB/548/06 to allow the reception of fly-tipped waste and recyclable materials and household bulky waste and recyclable materials collected by Adur and Worthing Council Services (application approved 14/05/2012);
- WSSC/058/19 - Installation of litter netting and associated infrastructure (application approved 05/11/2019).

Proposed Development

Planning permission is sought for the installation of two container units within the northeastern corner of the site and associated parking and access provision. The proposed development would occupy the existing area of hardstanding which is currently being used for bin storage.

The smaller of the two units would be used as the on-site re-use shop, measuring approximately 9.7m in length, 3m wide and 2.6m in height. The unit would be accessed on its southern side, with the access incorporating a 12:1 gradient access ramp and handrail, be finished in blue (RAL 5010) and incorporate a window on each elevation.

The larger container unit would be used for the secure storage of the collected reusable goods prior to their sale within the shop. This unit would comprise a blue storage container, measuring approximately 12.2m in length, 3.4m wide and 2.9m in height. This container would be located immediately to the south-east of the proposed re-use shop.

The proposal also includes the provision of 6 additional parking spaces immediately to the southwest of the re-use shop; the northernmost of would provide a disabled/accessible bay, measuring 2.4m wide by 4.8m long with an access zone of 1.2m around it. A new kerb is proposed to the west of the parking spaces which would measure 8m in length and would incorporate a 1.8m high palisade fence with a lockable gate.

Environmental Impact Assessment

The proposal falls within Schedule 2, Part 13 (b) '*changes and extensions*', to an authorised and implemented Schedule 2 development – in this case the Household Waste Recycling Site was previously development within Schedule 2, Part 11 (b) '*Installations for the disposal of waste (unless included in Schedule 1)*'. For such developments, the 'indicative screening threshold' set out in the Annex to the Planning Practice Guidance (PPG): Environmental Impact Assessment is a development area exceeding 0.5 hectares or is within 100m of any controlled waters, which is the case for this application.

Taking into account the scale/nature of physical development, the controls in place through the planning and Environmental Permitting Regulations and the criteria in Schedule 3 of the EIA Regulations, it is considered that the proposal does not have the potential for significant environmental impact within the meaning of the EIA Regulations. EIA is not therefore required.

Relevant Planning and Other Policies

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications are determined in accordance with the statutory development plan unless material considerations indicate otherwise (as confirmed in paragraph 2 of the National Planning Policy Framework ('the NPPF')).

The key policies in the development plan that are material to the determination of the application are summarised below. In addition, reference is made to relevant national planning policy and other policies that guide the decision-making process and which are material to the determination of the application.

West Sussex Waste Local Plan 2014

- Policy W3: Location of Built Waste Management Facilities
- Policy W11: Character
- Policy W12: High Quality Development; and
- Policy W19: Public Health and Amenity

Worthing Local Plan 2023

- Policy SP1: Presumption in Favour of Sustainable Development;
- Policy SS2: Site Allocations;
- Policy DM5: Quality of the Built Environment;
- Policy DM8: Planning for Sustainable Communities/Community Facilities;
- Policy DM15: Sustainable Transport and Active Travel, and;
- Policy DM16: Sustainable Design

National Planning Policy Framework (December 2023)

- Paragraph 11: Presumption in favour of sustainable development;
- Paragraph 47: Determining applications in accordance with the development plan;
- Paragraphs 55-58: Planning conditions and obligations;
- Paragraph 85: Building a strong, competitive economy;
- Paragraphs 114-117: Transport and considering development proposals, and;
- Paragraphs 123-127: Making effective use of land.

Consultations

County Councillor: Dawn Smith – Support.

Adur Worthing District Council: No comments received.

Natural England: No comment.

Nature Space Newt Officer: No likely impact on great crested newts or their habitats.

South Downs National Park Authority:

WSSC Highways: No objection following submission of additional information in relation to accessible parking bay.

WSSC Drainage: No comments received.

WSSC Ecology: No objection.

Representations

None received.

Consideration of Key Issues

The main material considerations in relation to this application are:

- need for the development;
- location of the development;
- siting, scale and appearance, and;
- impacts on residential amenity.

Need for the Development

The proposal seeks to install a portacabin and associated storage container within the grounds of an existing Household Waste Recycling Site (HWRS) for the resale of reclaimed waste from the site. As the use of this structure would remain incidental to that of the application site, the proposal would support the ongoing operation of the established HWRS that is safeguarded for waste use.

The sale and re-use of waste from the new facility will help divert useable items from being disposed of to landfill or from facing other forms of recovery and move the management of waste up the waste hierarchy, in accordance with paragraphs 1 and 7 of the National Planning Policy for Waste (October 2014).

It is considered that there is a demonstrable need for the development, consistent with the principle of net self-sufficiency, and it would promote the management of waste up the waste hierarchy. Therefore, the proposal would support both local and national waste management policies and the need for the proposal is afforded substantial weight in the planning balance accordingly.

Location of the Development

Policy W3 of the WLP requires that proposals for new facilities within the boundaries of existing waste management sites to enable the transfer, recycling and recovery of waste will be permitted unless (i) the current use is temporary and the site is unsuitable for continue waste use and (ii) the continued use of the site for waste management purposes would be unacceptable in terms of its impact on local communities and/or the environment.

The proposed re-use shop and associated infrastructure would be a permanent addition to the operational waste management facility and all parts of the proposal would remain within the boundary of the existing waste site. There is currently no reason to suggest that the continued use of the site for waste management purposes

would be unacceptable in terms of its impact on local communities and/or the environment, subject to the consideration of the proposal against relevant Development Management Policies of the Waste Local Plan, as discussed later in this report.

Therefore, given the proposed development is suitably located within an operational waste site, it is considered that the location of the development is acceptable in principle as per Policy W3 of the Waste Local Plan and afforded great weight in the planning balance.

Siting, Scale and Appearance

The proposed structures would remain entirely within the boundary of the northeastern corner of the existing waste site and would occupy a cumulative area of approximately 58m² on existing hardstanding. The structures would stand 2.4m and 2.9m tall and appear utilitarian their design, which would remain of a consistent scale when considered amongst other containers and buildings within the context of the wider application site and surrounding area.

Therefore, it is considered that the proposed development would be suitably sited and of an acceptable scale and appearance for the site to which it relates. As a result, the proposal is considered to comply with relevant development management policies of the Waste Local Plan (namely policies W11 and W12) and policy DM5 of the Worthing Local Plan and is afforded moderate weight in the planning balance accordingly.

Impacts on Residential Amenity

The application site is located adjacent to existing industrial units, and there are no residential receptors within the immediate vicinity of the site. The closest residential receptors are those located on the northern cul-de-sac of Oakleigh Road, 130m to the south of the site beyond the Hambridge Trading Estate units and a railway line. It is considered that the industrial units and distance from the application site would limit any potential views these residences would have onto the application site.

The allocated site to the northwest (Decoy Farm) provides for 14,000m² of employment space to be made available. It is not anticipated that this allocation would introduce any residential receptors to the vicinity of the application site. Given the operation of the re-use shop and associated storage container is not anticipated to generate any additional emissions from the site (such as odour, noise or dust), it is not likely that the proposal would have any significant impact upon the amenity of surrounding land uses.

Therefore, the proposal is considered to comply with relevant planning policies concerning the amenity of nearby land uses, namely policy W12 of the Waste Local Plan and DM5 of the Worthing Local Plan. This is afforded moderate weight in favour of the proposal in the planning balance.

Other Considerations

Other considerations in relation to this application are:

WSCC Highways had raised comment with regard to the layout of the original parking arrangement as submitted with the application. Following revision to the design of the parking bays, namely the reduction in available spaces from seven to six to allow for adequate spacing for the disabled/accessible bay, WSCC Highways were reconsulted on the application and have since confirmed that they have no objection to the proposed development.

Overall Conclusion

Overall, it is considered that the proposed development accords with the statutory development plan when read as a whole. Furthermore, there are no material considerations in this case that indicate a decision other than in line with the statutory development plan, that is, the granting of planning permission.

In favour of the proposal, the need for the development carries substantial weight, the location of the development carries great weight, the siting, scale and appearance carries moderate weight and the impacts on neighbouring amenity carries moderate weight. Therefore, on balance, it is considered that the benefits of the proposal significantly outweigh any disbenefits and, as such, the proposed development constitutes sustainable development (as defined in paragraphs 7 and 8 of the NPPF).

Recommendation (Delegated Decision)

For the reasons given above, it is recommended that planning permission is granted under delegated powers subject to the conditions set out in Appendix 1.



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Factors taken into account

Crime and Disorder Act 1998: No implications arise from this development.

Human Rights Act 1998: Article 8 of the European Convention safeguards the respect for family life and home whilst Article 1 of the first protocol concerns the non-interference with the peaceful enjoyment of private property. Both rights are subject to conditions and interference with these rights may be permitted if the need to do so is proportionate. In this particular matter, the interests of those affected by the planned development have been fully considered as have the relevant considerations which may justify interference with particular rights. All of these are set out within the body of the report and are examined in the context of relevant planning considerations.

Equality Act 2010: The County Council has a duty to have regard to the impact of any proposal on those people with characteristics protected by the Equality Act 2010. Officers considered the information provided by the applicant, together with the responses from consultees and determined that the proposal would not give rise to unacceptable material impact on individuals or identifiable groups with protected characteristics. Accordingly, no changes to the proposal were required to make it acceptable in this regard.

Date of Report: 26/02/2024	Case Officer's Name: Edward Anderson
	Case Officer's Signature: 
Date of Review: 12/03/2024	Reviewer's Name: Andrew Sierakowski
	Reviewer's Signature: 

Appendix 1: Conditions and Informative

Conditions

Commencement

1. The development to which this permission relates shall be begun not later than the expiration of 3 years from the date of this permission. Written notification of the date of commencement shall be sent to the County Planning Authority within 7 days of such commencement.

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

Approved Plans

2. The development shall not take place other than in accordance with the approved plans:
 - Elevations – Proposed Re-use Shop: (ref. WWB030400, dated 07/09/2023);
 - Elevations – Proposed Storage Container (ref. WWB030500, dated 07/09/2023);
 - Location Plan: (ref. WWB030100, dated 07/09/2023)
 - Site Layout – Proposed: (ref. WWB030300, dated 07/09/2023, received 22/02/2024);
 - Site Layout – Existing: (ref. WWB030200, dated 07/09/2023)

along with information submitted with the application submitted with the application including the Planning Statement (dated February 2024) save as varied by the conditions hereafter.

Reason: to secure a satisfactory development.

Informative

- A. The County Planning Authority has acted positively and proactively in determining the planning application by identifying issues of concern and considering whether planning conditions could be used to satisfactorily address them. As a result, the County Planning Authority has been able to grant planning permission, in accordance with the presumption in favour of sustainable development as set out within the National Planning Policy Framework.