

Our ref.; MW/SA/Riverside/Variation_Condition

13th January 2020

Planning Services,
Arun District Council,
1 Maltravers Rd,
Littlehampton,
BN17 5LF

Willis & Co.

Chartered Town Planners
30 The Causeway
Chippenham
Wiltshire
SN15 3DB

Dear Sir,

Section 73 of the Town and Country Planning Act 1990
Variation of condition 2 in relation to planning permission ref;
BE/10/50/Q at Riverside Caravan Centre, Shripney Road, Bogor Regis,
PO22 9NE

We are instructed by the applicants, the Riverside Caravan Centre (Bognor) Ltd., to prepare and submit this application to vary condition 2 in respect of planning permission ref; BE/10/50/Q at the above property to allow the whole site to be occupied for 12 months of the year. Please find enclosed in support of this application:

- The completed application form and certificates;
- A location plan numbered DWG 01;
- Planning permission ref; BE/10/50/Q;
- Planning permission ref; BE/33/09;
- Planning permission ref; BE/12/13;
- Flood Risk Assessment prepared by Herrington Consulting Ltd dated September 2019;
- Flood Evacuation Plan prepared by Herrington Consulting Ltd dated September 2019; and
- The appropriate application fee of £234 payable to Arun District Council.

1.0 Background and discussion of planning history and permissions

1.1 As you will be aware the planning permission that is the subject of this variation of condition application was granted planning permission for the permanent planning consent for a caravan site on 27th April 1961 under ref; BE/10/50/Q.

1.2 The Riverside Caravan Centre is a family run tourist business having been created in 1952. It is a key part of the local Bognor Regis economy. The park accommodates approximately 650 caravans and accompanying facilities. These facilities comprise of:

- A clubhouse which provides live entertainment and refreshments and food;
- A restaurant and a café;
- A shop;
- Bars and function rooms;
- An arcade;

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- A library;
- A laundrette;
- Swimming pools; and
- Children's indoor and outdoor planning areas.

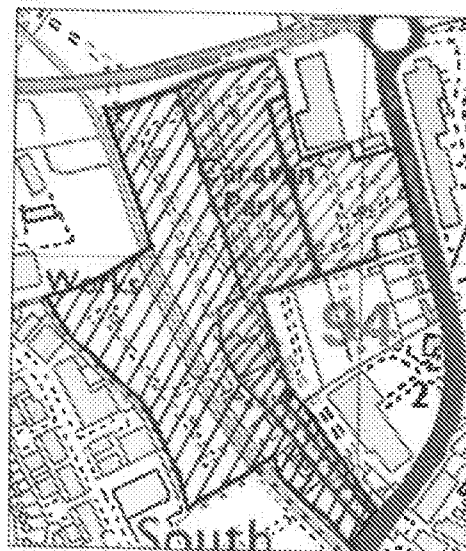
1.3 Since planning permission ref; BE/10/50/Q was granted two other planning permissions have been granted. There have been numerous applications on the site but these two, in addition to ref; BE/10/50/Q, are the ones relevant to this application. They are:

1.4 **Planning Permission ref; BE/33/09** - Continuance of use without compliance with condition no.2 imposed under planning permission BE/10/50 'Q' relating to the extension of permitted holiday season. This application relates to an area of land to the east of the site. This application was granted on 15th July 2009; and

1.5 **Planning Permission ref; BE/12/13** - Application for variation of condition 2 of planning consent BE/10/50 'Q' to extend the permitted holiday season for a further 2 months allowing for holiday use between 01 March & 02 January each calendar year. This application was granted on 13th May 2013.

1.6 In the officer's report for ref; BE/12/13 it was noted that the site is within the built up area boundary where development is acceptable in principle subject to normal development control criteria.

1.7 Although these planning permissions were successful we consider that they have provided the planning unit with an unnecessarily complex planning history with effectively three different areas on the site having three different occupancy conditions. To summarise these differences:



Not to Scale

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1.8 The planning history of the site and the decisions that have been issued seem to confuse matters as to what the occupancy periods actually are over the whole site.

1.9 Having read the planning history it is our understanding that the most western part of the site (hatched in blue) has an occupancy of 8 months between 1st March and 31st October each year; the central part of the site (hatched in green) has an occupancy of 10 months between 1st March and 2nd January each year (approved under ref; BE/12/13); and the most eastern part of the site (hatched in red) has a 12 month (all year round) occupancy (approved under ref; BE/33/09).

1.10 Having researched the history of the site we consider that although there have been variations of the original 1961 planning permission (ref; BE/10/50/Q) this only related to specific areas of the site and that the original permission is still the only permission that relates to the use of the site as a whole as a caravan site.

1.11 However, when permission is issued to vary a condition it usually supersedes the permission whose condition has been varied.

1.12 This means that the latest permission to vary the condition is ref; BE/12/13. The problem with this is that there is not a condition found within BE/12/13 that limits the time of occupation of the site with the only condition relating to occupancy requiring the caravans not to be occupied as a person's sole residence and for an up-to-date register of names and home addresses of the occupants being made available to the Local Planning Authority. This is a condition that usually relates to 12 month occupancy. The only reference to the site having a limit on the period of occupancy is in the description which states that the holiday use shall be between 1st March and 2nd January each calendar year.

1.13 From reading the description and the conditions of approval ref; BE/12/13 one may conclude that this permission does actually permit the occupancy for 10 months of the year to the site as a whole without a specific area of the site noted in the decision notice. However, when looking at the permission and application as a whole the submitted location plan shows that the 10 months occupancy relates to the central part of the site. The previous permission ref; BE/33/09 relates to the eastern part of the site.

1.14 As the applicant would like to use the whole site for a period of 12 months and there is no process to amend a description we consider that, considering the confused planning history of the site, the simplest way to achieve this is to vary condition 2 of the original 1961 permission ref; BE/10/50/Q which we consider is the only permission that relates to the whole site as edged in red on the location

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plan enclosed with this submission; effectively a re-submission and amendment of planning application ref; BE/12/13 in relation to the whole site.

1.15 Condition 2 of planning permission BE/10/50/Q states (a suggested condition is found in section 3.0 of this document):

"(2) No caravan stationed on the site shall be occupied before 1st March or after 31st October in each year and all caravans shall be removed from the site or to an approved storage area before 31st October in each year, except that a caravan placed on an approved hard-standing may be stored on that standing."

1.16 Of course if the Council consider that permission ref; BE/12/13 to be the application that is relevant then we are happy to discuss this during the determination process.

1.17 So to be clear; currently each area of the site can have occupancy for varying periods of the year and this is not suitable or conducive for the simple and successful running of the enterprise. The applicant requires that the whole site is to be occupied for 12 months of the year as discussed in this statement.

1.18 Any new permission created by this application submission will then remove the need for the other planning approvals and replace them which will effectively provide a new single planning permission for the whole site. This removes any ambiguity from the site and provides a single clear and concise planning permission that is easily understood by all.

1.19 We consider that as part of the site already has the benefit of 12 months occupancy (ref; BE/33/09) that the principle of an all year round use has already been established.

1.20 To be clear caravans, although not all are used over 12 months of the year, are, in the main, found on the site all year round so if the use of the whole site is extended all year around the amount of caravans found on the site over the year will not increase in any way.

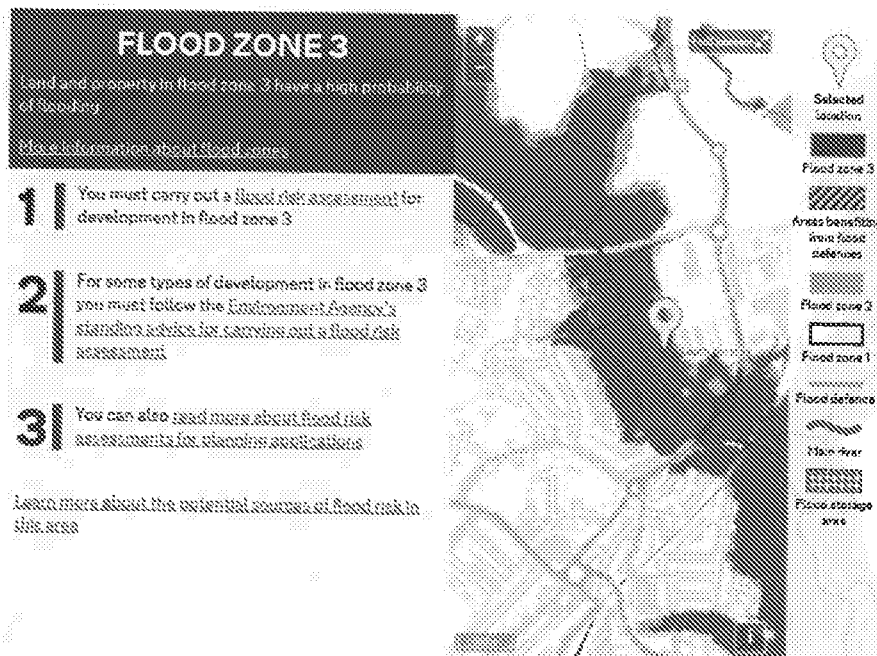
1.21 The park currently employs numerous members of staff throughout the year and this proposal will not only help to sustain the existing levels of employment but will also allow the workforce to be expanded which can only be of benefit to the economy of the local area and to the business.

1.22 This was an opinion shared by the Council's Tourism Development Officer, Margaret Murphy, when determining application ref; BE/12/13 as she stated that she would support the extended occupation period as she *"would see this as a positive move to extend the potential for a welcome boost to visitor spend during the traditional quieter months of the year."* The further lengthening of the occupation period would further boost the amount of visitors visiting the

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area in the quieter months which will be of benefit to the local economy and tourist trade.

1.23 When determining planning permission ref; BE/12/13 the Environment Agency had no objection in principle but as the site is found within Flood Zone 3 a Flood Risk Assessment and Evacuation Plan was required.



1.24 A report was duly submitted and the company, Herrington Consulting Limited, who prepared the report, have updated both the Flood Risk Assessment (FRA) and the Evacuation Plan which were previously approved. These reports are enclosed and the conclusions suggest that the variation of the condition will be suitable from a flooding point of view, will not be impacted by flooding nor create a risk of flooding. The assessments will be totally adhered too as was the case with the previously submitted applications.

1.25 We do not feel it necessary to repeat the findings of the updated FRA and Evacuation Plan and refer the planning officer to the reports.

2.0 Relevant National and Local Policies

2.1 National Planning Policy Framework (NPPF)

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2.2 The National Planning Policy Framework, February 2019 is relevant to new proposals and encourages local planning authorities to support sustainable development. The following paragraphs from the NPPF are considered to be particularly relevant to the determination of this planning application.

2.3 The NPPF encourages local planning authorities to support sustainable development. The following paragraphs from the NPPF are considered to be particularly relevant to the determination of this planning application.

2.4 **Paragraph 11** of the NPPF states at *"Plans and decisions should apply a presumption in favour of sustainable development"*. It suggests that planning permission should be granted unless any adverse impacts would be so significant as to outweigh the benefits of the development, when assessed against the policies in this Framework taken as a whole. It is considered that the proposed development accords with this paragraph.

2.5 **Paragraph 80** states that *"Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development."*

2.6 **Paragraph 81** states in point d) that policies should *"be flexible enough to accommodate needs not anticipated in the plan, allow for new and flexible working practices (such as live-work accommodation), and to enable a rapid response to changes in economic circumstances."*

2.7 Allowing the whole caravan park to operate for a year-long season will support economic growth to the business and the local economy. The proposals will benefit the local economy by not only increasing local jobs at the caravan park but through additional tourists spending more in the local area especially during the quieter, off-peak times of the year. This is a sentiment which was agreed by the Councils Tourism Development Officer when they were consulted on planning permission ref; BE/12/13.

2.8 The site is only located a short distance from Bognor Regis and in close proximity to Chichester and through the attraction of tourists to the area would help to support the viability and vitality of the local settlements and its associated services. Bognor Regis provides tourist attractions itself and is found in close proximity to numerous other tourist attractions in the area which can be found at <https://www.dayoutwiththekids.co.uk/things-to-do/south-east-and-london/west-sussex/bognor-regis>

2.9 **Paragraph 109** suggests that development should only be refused on highways grounds if there would be a severe and unacceptable impact on highway safety, or the residual cumulative impacts on the road network would

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be severe. Within this context, priority is given firstly to pedestrian and cycle movements; and secondly, as far as possible, to facilitating access to high quality public transport. It also requires development to address the needs of people with disabilities and reduced mobility, to create places that are safe, secure and attractive, allows for the efficient delivery of goods and be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations. The development that that is being proposed will not have an unacceptable impact on highway safety.

2.10 To be clear the use of the whole site as a caravan park/centre has been established for many years with various sections of the park being permitted various seasons of occupancy; 8 (blue hatched), 10 (green hatched) and 12 (red hatched) months. This application seeks to allow the whole site to be used all year around, for 12 months, and therefore the only increase in traffic movements to and from the site will relate to an additional 4 months for the most western part of the site and an additional 2 months for the central part of the site. The additional months of usage will relate to off-peak times of the year which will mean that although traffic movements may increase, this will not be by a significant amount, and can certainly not be considered to be severe. Additionally, we consider that however small the increase in tourists using the site over the year this will be of benefit to the area and local economy and this benefit outweighs any harm.

2.11 It is also worthy of note that local shops, such as a Tesco, Sainsbury, M&S food, McDonalds, to name a few are found nearby on a business park and are within walking distance meaning that it is unlikely that any tourist using the caravan park will need to drive to obtain their food.

2.12 **Section 14: Meeting the challenge of climate change, flooding and coastal change** seeks to encourage the increased use and supply of renewable and low carbon energy.

2.13 **Paragraph 148** sets the overall vision, by stating; *"The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure"*.

2.14 In respect of flood risk, this section advises that where appropriate, applications should be supported by a site-specific flood risk assessment and that developments incorporate sustainable drainage systems, unless there is clear evidence that this would be inappropriate. Major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. A Flood Risk Assessment is included in this statement to which we

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refer the planning officer. Due to the nature of the proposals the existing drainage system will remain unaltered and will be used as it presently is. It is a suitable and efficient system.

2.15 Adoption Arun Local Plan 2011-2031 (July 2018)

2.16 Policy SD SP1 - Sustainable development – “When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will work pro-actively with applicants to jointly find solutions which mean that proposals can be approved wherever possible and to secure development that will contribute to the social, economic and environmental conditions south of the National Park through to the coast and throughout its settlements (both coastal and inland). This presumption will not be applicable where development requires an Appropriate Assessment or where consideration of the need for one is being undertaken.”

Comment: This policy re-iterates the content of the NPPF and it is clear that the proposal will contribute to the social and economic conditions of Bognor Regis and surrounding area.

2.17 Policy SD SP2 - Built-up Area Boundary Built Up Area – This policy states “Boundaries are defined for the main towns and villages in the District and shown on the Policies Maps. Development should be focused within the Built Up Area Boundaries and will be permitted, subject to consideration against other policies of this Local Plan.”

Comment: The application site is found within the built up settlement boundary of Bognor Regis and within walking distance to local shops, attractions, facilities and services. It therefore accords with this policy.

2.18 Policy EMP SP1 Strategic Economic Growth – This policy aims to “promote the sustainable growth of the District’s economy to meet the varying needs of different economic sectors”.

Comment: It is clear that by allowing the Riverside Caravan Centre to open all year round it will support the district’s economy both directly by providing local jobs for local people on the caravan site and indirectly by increasing the number of tourists on the site throughout the year which will support local services, shops and facilities; that is the local economy.

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2.19 Policy EMP SP2 Economic Growth Areas – This policy encourages local employment opportunities in the Bognor Regis Economic Growth Area.

Comment: This policy supports the Bognor Regis Economic Growth Area to which The Riverside Caravan Centre adds and currently provides local job opportunities. The proposals will allow additional jobs to become available for local people.

2.20 Policy TOU SP1 Sustainable tourism and the visitor economy – This policy suggests that *"Sustainable tourism development will be encouraged where it protects as well as promotes the main tourism assets"*.

Comment: It is clear that the extension of the period of occupation of the application site will encourage tourism in the area which, in turn, will protect the surrounding tourist assets.

2.21 Policy TOU DM1 Tourism related development – This policy states that *"proposals for development, including expansion, which are likely to attract visitors (such as leisure or cultural facilities) will be supported provided that they (Inter Alia):*

- a. are in accessible locations;*
- b. are accompanied by workable and realistic travel plans;*
- c. address visitor management issues; and*
- d. achieve good design.*

Larger scale proposals will generally be directed towards the Economic Growth Areas of Littlehampton and Bognor Regis...

...Change of use of camping and caravan sites to other uses, including permanent residential use, will not be permitted, unless the site is allocated for other development within the Local Plan..."

Comment: It is clear that the proposed extension to the occupancy season on this established caravan park accords with the points of this policy. It is in an accessible location, has established visitor management and is of a good design. The site being found in Bognor Regis also accords with this policy and supports the local economy.

The final point mentioned above relates to the caravan parks not being used for a permanent residential use. Although it is proposed to extend the 12 month occupancy of caravan park to the whole site we suggest that a suitable condition shall be included to ensure that the caravans are occupied solely for holiday purposes only and shall not be occupied as a person's sole or main place of

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residence. The owners/operators shall maintain an up-to date register of the names of owners/occupiers of individual home addresses, and their home addresses (as suggested later in this document). This will control the use of the site and ensure that it is not used for a permanent residential use.

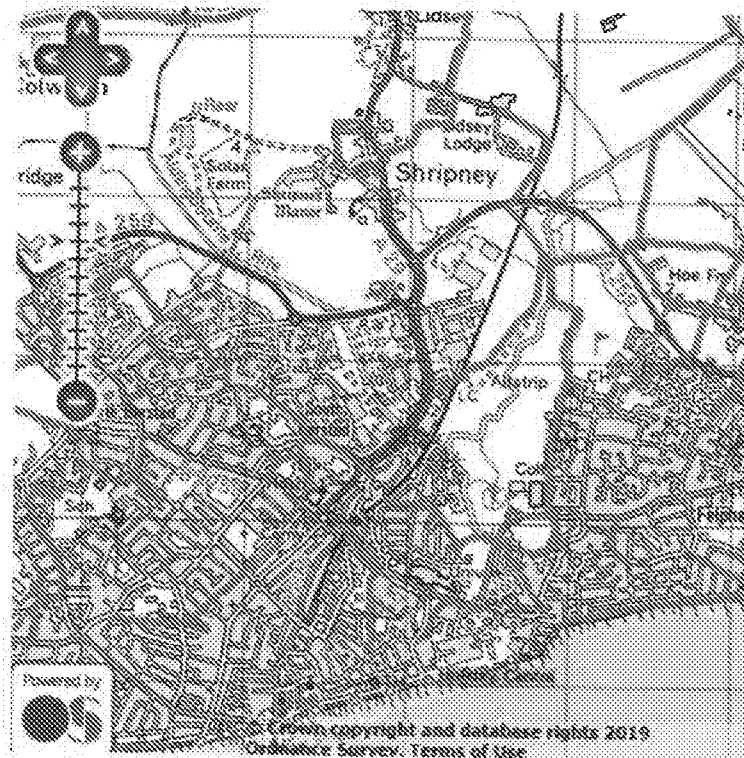
2.22 Policy T SP1 Transport and Development – This policy seeks to "ensure that growth in the District strengthens Arun's economic base, reduces congestion, works to tackle climate change and promotes healthy lifestyles; the Council will ensure that development: provides safe access on to the highway network; contributes to highway improvements and promotes sustainable transport, including the use of low emission fuels, public transport improvements and the cycle, pedestrian and bridleway network."

Comment: The site is found within walking distance to numerous services, facilities, attractions and shops. The occupants of the caravan park do not have to rely on the use of private motor vehicles. Having said that as part of the caravan site is already used all year around, part for 10 months and the remainder for 8 months of the year we do not consider that the use of the whole site for a 12 month period (to extend the period of occupation over off-peak periods) would significantly increase the volumes of traffic on the local highway and certainly not in an severe way as stipulated in paragraph 109 of the NPPF. We consider that the benefits that the additional tourists will bring to the area far outweigh the minimal amount of additional vehicles movements on the local highways.

2.23 Policy T DM1 Sustainable Travel and Public Rights of Way – This policy suggests that "new development must ensure ease of movement, prioritising safe pedestrian and cycle access to the green infrastructure network and access to public transport and community transport services where a need has been identified. Access to alternative modes of transport including public transport services, the public right of way and cycle networks, must be available and accessible to all members of the community."

Comment: Not only is the site found within close proximity to a retail park and numerous services, shops and attractions but, as is shown by the map extract below, there are numerous footpaths around the application site and surrounding area. The application site will not encourage the reliance of private vehicles with walking and cycling routes readily available. The site is also found in close proximity to numerous bus stops, for example, at North and South Bersted which are all around 300 metres from the caravan park.

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The following colours have been used for the coloured lines:

- solid red line: footpath;
- solid fuchsia line: bridleway;
- solid green line: restricted byway;
- solid blue line: byway open to all traffic

2.24 Policy W DM2 - Flood risk

Development in areas at risk from flooding, identified on the latest Environment Agency flood risk maps and the Council's Strategic Flood Risk Assessment (SFRA) , will only be permitted where all of the following criteria have been satisfied:

- a. The sequential test in accordance with the National Planning Policy Guidance has been met.**
- b. A site specific Flood Risk Assessment demonstrates that the development will be safe, including access and egress, without increasing flood risk elsewhere and reduce flood risk overall.**
- c. The sustainability benefits to the wider community are clearly identified.**
- d. The scheme identifies adaptation and mitigation measures.**
- e. Appropriate flood warning and evacuation plans are in place; and**
- f. New site drainage systems are designed to take account of events which exceed the normal design standard i.e. consideration of flood flow routing and utilising temporary storage areas.**

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The reports prepared as part of the criteria above must take into account contingency allowances, taking climate change into account as set out in Flood Risk Assessments: climate change allowances section of the NPPG.

In locations where strategic flood defence or resilient and resistant construction measures are necessary within the site itself, proposals will be required to demonstrate how measures have been incorporated as an intrinsic part of the scheme in a manner which is compatible with the latest Strategic Flood Risk Assessment.

All development proposals must take account of relevant Surface Water Management Plans, Catchment Flood Management Plans and related Flood Defence Plans and strategies such as the Lower Tidal River Arun Strategy. The council may require financial contributions from development on sites where measures to address flood risk or to improve the environmental quality of watercourses have been identified by these Plans and Strategies.

Comment: With respect to these requirements we refer the planning officer to the Flood Risk Assessment and Flood Evacuation Plan as prepared by Herrington Consulting Limited.

The reports support the proposal and the reports will be adhered to. We note that there is an existing use of the site and the application only relates to the extension of the period of occupation of parts of the site; it does not involve any building works or an increase in the number of caravans found on the site. The report concludes that the development will not be at risk of flooding or create a risk of flooding.

The FRA also suggests that *"the site currently has permission for occupancy for 10 months of the year and the proposals are simply to extend the occupancy period to 12 months (with the same planning use). Consequently, it is assumed that both the Sequential and Exception Test are not applicable."*

The caravans are already in situ and will not increase the level of flood risk.

3.0 Suggested Condition

3.1 We consider that condition 2 of planning permission could be varied to the following condition which will allow the caravan park to operate over a twelve month period but would also ensure that the caravans are not used permanently for a residential use. The suggested condition, or similar, could state:

"Although the caravans can be occupied at time during a 12 months period, in order to ensure that this is for tourist and not residential accommodation the caravans which are the subject of this application shall be occupied solely for

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holiday purposes only and shall not be occupied as a person's sole or main place of residence. The owners/operators shall maintain an up-to date register of the names of owners/occupiers of individual home addresses, and their home addresses, and shall make this information available at all reasonable times to the local planning authority.

Reason: *The use of the site for all year round residential occupation would conflict with SP2 and TM1 of the adopted Arun District Local Plan, on the use of caravans and on residential development."*

4.0 Summary and Conclusions

4.1 We consider that the UK tourist market is ever increasing with many caravan parks open all year round, especially in tourist areas such as Bognor Regis.

4.2 Those wishing to let or even buy holiday accommodation require as much flexibility in occupancy as possible with some desiring to holiday during off-peak times or outside of school holidays. Allowing flexibility all year around significantly enhances the desirability of the Riverside Caravan Park which ensures that it can be as competitive, successful and viable as possible.

4.3 As the business becomes more successful it will help to further support the local economy. Not only will the all year around use of the site allow additional employees to find work at the site but it will also mean that the local businesses and attractions will be supported through the direct spending of the tourists on local goods and services during off-peak times as well as peak times. This is important and was previously supported by the Council's Tourism Development Officer.

4.4 By allowing an extended, 12 month, season/period of occupancy on the whole of the Riverside Caravan Centre it will not only support the business and local economy but will also clarify, what can only be described as, a confusing planning history of the site and create a single simple planning permission which relates to all parts of the caravan park.

4.5 It is clear from the enclosed Flood Risk Assessment that the report concludes that the development will not be at risk of flooding or create a risk of flooding. A Flood Evacuation Plan was also prepared and is enclosed. Both reports will be adhered to.

I trust that this is satisfactory and I look forward to hearing from you in due course.

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Yours faithfully,



Stuart Anderson BTP MA MRTPI