

Design & Access / Heritage Statement

**Erection of security fencing around perimeter of site
Clymping Mill, Clymping Street, Clymping, BN17 5RN**

Introduction

Murphy Associates, a specialist planning, urban design and heritage based consultancy with nearing 28 years experience in the respective fields has been appointed by Mr G Love to act as the planning agent with respect to planning and listed building applications at Clymping Mill.

The following statement has been prepared in support of a planning application to erect security fencing around the perimeter of the site which is required to:

- meet HSE requirements
- provide safety of those working on site
- protect the site and buildings from unauthorised access
- protect the public from harm

The Town and Country (General Permitted Development) Order 2015 (as amended) PART 4 'Temporary buildings and uses' Class A – temporary buildings and structures
Permitted development states that:

"A. The provision on land of buildings, moveable structures, works, plant or machinery required temporarily in connection with and for the duration of operations being or to be carried out on, in, under or over that land or on land adjoining that land."

And that :

"A.1. Development is not permitted by Class A if—

- (a) the operations referred to are mining operations, or
- (b) planning permission is required for those operations but is not granted or deemed to be granted."

This advice was provided Mrs Headley-Smith of Arun District Council who has more recently been informed that operations are being carried out on site. Those operations involve localised repairs to flint walls which do not require planning permission or listed building consent but nevertheless are 'operations'.

Since the applicant has stopped works that may be deemed to have required listed building consent and as advised, has lodged a pre-application submission via DGC Historic Building Consultants LTD. Ms Gardner submitted a very thorough schedule of work on a room by room basis for the designated listed building and the curtilage listed buildings. That submission was made on 10th April 2018 and as yet, no formal written advice has been forthcoming. The time taken has exceeded the statutory period for the determination of formal applications – 8 weeks.

In the meantime and with works halted, apart from repairs, the historic buildings are vulnerable to the weather with water ingress and high winds resulting in deterioration of fabric. When the query of security fencing was raised with the LPA, we indicated that there had been a series of break-ins with damage and thefts occurring. In one break-in dated 3rd May 2018 (crime reference 47180064207) the CCTV system was damaged and at least £3000 of equipment and items stolen. There have been other trespasses where damage was sustained to the buildings and lead was stolen. Crime references can be obtained for these incidents if required.

Irrespective of the break-ins, the LPA are completely and undeniably aware of the vulnerability of the site, particularly given its remote location and the easy access that can be achieved from the two public footpaths that run along the south east and north east boundaries of the site and breaches in sea defences which enable easy trespass and entry to the site along the private access road.

Despite being aware of the vulnerability of the site and buildings, along with exposure resulting in deterioration, the Officer appointed to respond to the pre-app has provided no direction nor advice to date. In fact that last communication was non-committal when asked when a formal response would be issued. This hiatus has meant that the applicant has been left with no option but to erect security fencing as the presence on site is limited. Contractors are not content leaving any equipment on site for fear of it not being there the following day. Therefore and in any event, the only work being carried out involves repairs carried out using hand tools.

Bearing in mind that the ‘operations’ associated with repair work does not require planning permission or listed building consent, there is a greyness as to the requirement for planning permission for security fencing. There is also an opportunity for the LPA to exercise sensible discretion and common-sense by accepting that repairs constitute operations that falls between the gaps. As such the LPA should be working with the LPA to ensure the listed buildings are protected and preserved thus meeting the statutory duty set out in s16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

That being said, we submit this formal application for security fencing. This Supporting Statement addresses the design and access issues as well as relevant planning policy, having regard to the requirements of Article 8 of the Town and Country Planning (Development Management Procedure) Order 2015. The details of the proposals will be described and appraised having regard to the following aspects:

- **Physical Context** – explains the physical context of the site and its surroundings;
- **Planning Context** – the planning history of the site and broad policy requirements;

- **Use** – the purpose of the proposed additional accommodation;
- **Amount** – the extent of development on the site;
- **Scale** – the physical size of the development;
- **Layout** – the relationship of the proposed extension and alterations to neighbouring properties;
- **Appearance** – details of materials, style and impact upon the visual amenities of the area;
- **Landscape** – impact of the proposal on the existing landscape;
- **Access** – access and parking provision.
- **Heritage** – consideration to preserving and/or enhancing the historic and architectural interest.

The Council is requested to consider this Statement alongside the submitted plans and this demonstration that the proposed development accords with the relevant planning policies and is acceptable in all respects. In the circumstances, it is considered that there should be no impediment to the granting of planning permission for the security fencing and having regard to its temporary nature.

Physical Context

Clymping Mill, its associated building and site is located in a coastal position within proximity to Climping to the west and Littlehampton to the east. It occupies a large site which is accessed via a private road leading off Climping Street in an easterly direction. The site comprises the windmill and Mill House, Mill Cottage; Mill Thatch, Mill Lodge, former classrooms and ancillary storage buildings. Two public footpaths form the south east and north east boundaries. Beyond the public footpath to the south east is part of the Littlehampton Golf Course. To the north east and north west are agricultural fields.

Planning Context

The site of Clymping Mill is located within designated countryside and also within a Strategic and Local Gap (Policy Areas 10 and 11). Whilst not subject to any further landscape designations, the site does also have a relationship with a 'Site of Local Importance for Nature Conservation Area' which is positioned to the east with land designated to the north east as a 'Priority Habitat for Coastal Sand Dunes'.

Use

The existing buildings including ancillary buildings fall within Use Class C3. This use will not change as a result of the proposed security fencing.

Amount

The Clipex security fencing will extend around the perimeter of the site with access gates across the access.

Scale

The Clipex security fencing will stand to a height of 2 metres.

Layout

The position of the fencing will seek to avoid interference with trees.

Appearance

The Clipex security fencing comprises slim silver coloured metal posts, with small rectangular wire grids attached to high tensile line wiring, also silver in colour. Overall, visually lightweight and transparent.

Landscape

The Clipex security fencing is visually light and therefore would not appear intrusive in the landscape. Existing vegetation will be retained.

Access

The security fencing will ensure access, both pedestrian and vehicular will be controlled. Only authorised entry will be permitted. Security signage will be attached to the fencing as advance warning to persons including workers of the site security, the need to report to the site office and to be in possession of and wearing the appropriate PPE.

There is one formal car parking area to the south east corner of the site. Where vehicular access is permitted, vehicles will park in this area. This area will also allow vehicles to turn within the site and exit in one forward motion.

Heritage

The site contain a designated listed building, curtilage listed walls and other buildings. Under normal circumstances a statement of heritage significance would be required. However as the security fencing is by its very nature temporary, it would be disproportionate to require an assessment of significance when it will eventually be removed. Nevertheless and having regard to the content of the NPPF, is considered that the fencing being of a temporary nature would not cause harm or any harm that would be permanent or lasting.

A HER report is attached as a formality.

Conclusion

Having regard to the fact that the LPA are required to ensure that listed buildings are afford the appropriate level of protection, then the provision of security fencing to 'protect' the buildings on site is considered to accord with the statutory duties set out in s66 of the 1990 Act. It is also considered that the LPA, in failing to accept that repair works are operations that do not require any formal permissions/consents has placed undue pressure on the applicant to submit a formal application. At the same time and bearing in mind the lack of direction in respect of proposed works, it is well within the power of the LPA to exercise discretion and allow the applicant to erect fencing without having to go through the formal planning application procedure.

That being said and given the vulnerabilities of the site and the buildings, to keep the buildings safe from further damage, prevent further break-ins and thefts and keep both workers and the public safe should be recognised.

It is hoped that the LPA will seek to ensure that this application is determined with expedience and do not put the applicant to any unnecessary expense and undue delays.

Should the appointed Case Officer require any further information, details or clarification of matter, please do not hesitate to contact the agent.

Ms Eimear Murphy

BSc (Hons) EP DipUD PGDip HistBldgs MRTPI IHBC

Director - Murphy Associates.