

REPORT UPDATE

Application No: CM/34/25/PL

Reason for the Update / Changes

Reason for Update/Changes:

Consultation comments received from the Conservation Officer.

- The proposal will result in a change to the setting of Kents Farmhouse and the neighbouring barns, causing less than substantial harm as a result of development in their setting, in accordance with Paragraph 215 & 216 of the National Planning Policy Framework (2024). You will also need to consider the public benefits that the development may achieve as part of your assessment of the application.

Consultation comments received from the Parks and Landscape Officer.

- The proposed visitor centre and a large car park in the setting, could be viewed as a significant change from the current agricultural context, with a shift in use, from open farmland to visitor facilities, altering the character of the setting with the new proposed infrastructure wholly different from the existing agricultural field. From a landscape perspective the choice of plant species, materials and layout appear to have been sympathetically considered in the setting. No landscape objection subject to submission of detail landscape proposals.

A condition is included for landscaping detail to be submitted.

An additional letter of representation received noting concerns about the ecology on site and the methodology of the BNG statement.

Comments were received from the PROW team at WSCC regarding the road leading to the school to the north of the site boundary. They state that 'there would be benefits in upgrading the surface on this section of the Byway, as it provided access to the school. We do not currently have any plans to carry out works ourselves.'

It is important to note that they have not specifically requested that the upgrade is required as a result of the development.

An email was received which requested a condition be applied to control lighting as a result of birds in the area. No lighting is proposed but a condition is already included which requires any lighting be approved by the council.

They also requested a condition that requires the building be removed should be it no longer be necessary in the future. This would not be reasonable although any changes proposed in the future would require a planning application to determine if what is propose is acceptable.

Notes: Changes to recommendations, conditions and / or reasons for refusal will always be reflected in the recommendation section of the attached Officer's Report.

Recommendation Report for Planning Permission

REF NO: CM/34/25/PL

LOCATION:	Land South East of St Marys C of E Primary School Crookthorn Lane Climping
PROPOSAL:	Relocation of visitor facilities including car parking, toilets, cafe and ancillary development. This application is a Departure from the Development Plan, may affect the setting of listed buildings and is in CIL Zone 5 (Zero Rated) as other development.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to construct a detached building which will form a cafe along with visitor facilities, toilets and a car parking area with other associated development.
TOPOGRAPHY	The development is sought to replace existing facilities at Climping Beach that are subject to erosion from the sea. Predominantly flat.
TREES	There are numerous trees across the site, none are to be removed.
BOUNDARY TREATMENT	The site has bramble scrub, trees and hedgerow to the north and eastern boundary. To the west, there is an byway that runs between the fields.
SITE CHARACTERISTICS	The site covers an area of c. 2.3ha and consists of a rectangular shaped arable field. There is an existing access for vehicles onto the site from the northern boundary, although this is not formalised.
CHARACTER OF LOCALITY	The area is semi rural. There are sporadic detached properties to the north and east, with Climping Primary School to the north of the site.

REPRESENTATIONS

- Climping Parish Council - Do not object to the development in principle.
- This is a significant development in terms of scale and the area it covers.
 - It could be a valuable asset to the locality.
 - The architectural design is attractive, and it's clear that effort has been made to integrate the scheme with its surrounding environment.
 - The distance from the beach could deter some visitors from walking. This could lead to ongoing parking pressures on Climping Street, where enforcement is already an issue.
 - Increased traffic is inevitable, particularly with the introduction of a new car park.
 - While there is mention of school-related parking provision, more clarity is required on how this will operate in practice.
 - The application is noticeably light on detail concerning transport impacts, especially regarding the Church Lane roundabout and how traffic flows will be managed, particularly from the west.
 - Further information is needed on how the car park will be managed. Specifically, it is unclear how the free parking for school parents will be regulated, or what impact this will have during peak school drop-off and pick-up times.
 - Informal one-way system: There is no mention of how the informal one-way system around the school

will be affected or maintained, which is a concern.

- A more detailed transport and access strategy is essential to fully understand and mitigate the potential local impact.

41 letters of objection from 35 people.

- It will not be safe for the children due to increased traffic flow.
- Visitors will not want to pay for parking and which will congest the road.
- The road is full of pot holes.
- Fail to see how this will be practical for beach users as it is a 10 minute walk to the site.
- The current car park is much smaller and the demand is not needed for a 130 space car park.
- A restaurant and visitor centre would require large delivery vehicles.
- The field is part of the Climping gap and it will reduce views.
- A consultation by the applicant did not include this site.
- Concerns about traffic management.
- There will be a negative impact on listed buildings that make up the rural farmstead of Kents Dairy.
- The proposal would bring noise and light pollution.
- Can the owner allocate some free parking for the school?
- There will be more traffic congestion.
- It is not a like for like replacement.
- Local consultation identified alternative sites which would be better.
- The facility is not near the sea and would overlook a car park.
- There would be no control preventing it from turning it into another use in the future.
- There is not a need for a community building as there is one in the new development at Church Lane.
- The proposal will cause harm to this rural area of the south coast.
- It is prime agricultural land.
- It will invite strangers near a school.
- It is outside the built up area boundary.
- It would set a precedent for development in the gap.
- It will harm the visual quality, tranquillity and open rural character of the site and area.
- The site should be somewhere with surveillance and regular footfall for safety.
- Habitat loss.
- It conflicts with the Climping Neighbourhood Plan.
- No overriding public benefit to outweigh the harm.
- The National Trust has a covenant on some land in Climping to preserve the landscape.
- Light pollution.
- Litter and anti-social behaviour.
- Power cuts are experienced in the area and this will increase with more demand.
- Do not see that the proposal has been advertised as potentially affecting a public right of way.
- The Byway is one of the very few PROW in the area which is open to local horse riders and the proposal puts this in a detrimental position.
- Views will be lost.
- There is no need for a visitor centre.

1 letter of no objection

- Greater clarity is required on school related parking will operate in practice.
- Parking should be for all school related activities such as visitors and events not just drop off/pick up.
- Current road surface on the lane in front of the school is unsuitable for both vehicular and pedestrian use and should therefore be considered as part of the development works.

18 letters of support.

- The original car park no longer exists due to erosion.
- It is not possible to rebuild in the original area due to flood risk.

- It will be safer for people to walk down a vehicle free path rather than on Climping Street.
- Children will be safer with the new car park used for school drop off/pick up.
- Sea level rise is wiping out the coast, the NPPF says to move it inland.
- The Black Horse is nearby and this will help bring trade to the area.
- This application provides a like for like replacement in a safer inland location.
- Loss of existing facilities.
- The proposal offers direct access to the A259, bypassing the village and congestion during peak hours.
- The new location removes flood risk experienced from the existing facility.
- No adverse impact upon Climping gap.
- It is not overdevelopment but replaces lost facilities in a better, sustainable location.
- The materials are reflective of the area and an improvement on the existing.
- It will help alleviate congestion.
- Residents have paid for a bund to protect their properties from flooding which are being degraded by traffic from Climping Street. The proposal would stop this.
- The site is better than the existing.

COMMENTS ON REPRESENTATIONS RECEIVED:

Each application is based on their own merits. The local consultation that took place to identify an alternative site was not conducted by Arun. The planning statement confirms that the car park can be used for school drop off/pick up with a certain amount of free parking.

Covenants are a private matter. The application does not impact the public right of way and this will still be accessible during and following the development. No objections or representations have been received from the British Horse Society.

The road outside the school and development site is not in the red edge and not owned by the applicant. Arun Mapping suggests this is WSCC Highways land who would be responsible to upgrades to its surface.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

WSCC Highways - No objection subject to a condition for a construction management plan.

ADC Ecology - No objection subject to conditions.

Environmental Health - No objection subject to conditions for contamination and lighting.

South Downs National Park Authority - No comment.

Southern Water - There is capacity in the local network to accommodate a foul flow. There are restrictions on tree planting near sewers, a condition should be included to ensure landscaping is appropriate with regards to public apparatus.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Outside built up area boundary
 Gap between Settlement (Littlehampton to Middleton)
 Biodiversity Opportunity Area (Climping to Houghton)
 2k buffer to SSSI (Climping Beach)

DEVELOPMENT PLAN POLICIES[Arun Local Plan 2011 - 2031:](#)

CSP1	C SP1 Countryside
DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions and alter to exist builds (res and non-res)
DSP1	D SP1 Design
ECCSP1	ECC SP1 Adapting to Climate Change
ENVDM4	ENV DM4 Protection of trees
ENVDM5	ENV DM5 Development and biodiversity
HERDM1	HER DM1 Listed Buildings
HERDM3	HER DM3 Conservation Areas
HERSP1	HER SP1 The Historic Environment
ENVDM3	ENV DM3 Biodiversity Opportunity Areas
QESP1	QE SP1 Quality of the Environment
SDSP3	SD SP3 Gaps Between Settlements
SODM1	SO DM1 Soils
TDM1	T DM1 Sustainable Travel and Public Rights of Way
TSP1	T SP1 Transport and Development
WDM2	W DM2 Flood Risk

<u>Clymping Neighbourhood Plan 2015 Policy CPN1</u>	Protect Community Facilities
Clymping Neighbourhood Plan 2015 Policy CPN10	Protection of high grade Agricultural Land
Clymping Neighbourhood Plan 2015 Policy CPN11	Quality of Design
Clymping Neighbourhood Plan 2015 Policy CPN12	Reducing the risk of flooding
Clymping Neighbourhood Plan 2015 Policy CPN14	Traffic and the Environment
Clymping Neighbourhood Plan 2015 Policy CPN5	Support and promote recreation and tourism
Clymping Neighbourhood Plan 2015 Policy CPN8	Protection of Trees and Hedgerows

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD11	Arun Parking Standards 2020
SPD13	Arun District Design Guide (SPD) January 2021

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans, The South Inshore & South Offshore Marine Plan and Made Neighbourhood Development Plans. The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal complies with relevant Development Plan policies in that it will not result in adverse harm upon the character of the area nor upon amenity, parking, biodiversity, trees, heritage assets or with regards to flood risk.

Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that

(2) in dealing with an application for planning permission the authority shall have regard to -

(a) the provisions of the development plan, so far as material to the application,

(aza) a post examination draft neighbourhood development plan, so far as material to the application,

(b) any local finance considerations, so far as material to the application, and

(c) any other material considerations.

OTHER MATERIAL CONSIDERATIONS

There are no other material considerations to be weighed in the balance with the Development Plan.

BIODIVERSITY NET GAIN

This application is liable for Biodiversity Net Gain (BNG) and the following is a summary of the key points:

A 12.1% net gain in habitats and a 39.1% net gain in linear units such as native hedgerow.

CONCLUSIONS

PRINCIPLE

The site is outside of the built up area boundary (BUAB) as defined by policy SD SP2 of the Arun Local Plan (ALP). Policy C SP1 seeks to protect the countryside although provides exemptions for development permitted outside the BUAB. Development can be in accordance with C SP1(f) if it is in accordance with other policies in the plan which refer to a specific use or type of development. In this case, the proposal seeks development for the use of visitor and tourism use which is relevant under ALP policy TOU DM1. The principle of development may be acceptable and will be assessed against relevant development plan policies.

Climping has a made Neighbourhood Plan (CNDP) with policy CPN 1, CPN 5, CPN 8, CPN 10, CPN 11, CPN 12 and CPN 14 of relevance.

TOURISM RELATED DEVELOPMENT

ALP policy TOU DM1 and CNDP policy CPN 1 and CPN 5 are relevant.

The site is outside the BUAB. When assessing tourism facilities in this location they are expected to be of small scale, quiet informal recreation to be acceptable. An application should demonstrate that it is compatible with its countryside setting and sensitively designed to minimise potential impact on the countryside.

The proposal would be of a small scale, consisting of only one single storey building. The building is of a traditional design and has been sensitively designed for its location.

Climping has a cafe, toilets and car park nearer to the coast which is being eroded by the sea. The planning statement notes the intention is to provide a larger community facility with better access and more opportunities for use by residents and visitors to Climping and to improve the visitor experience by providing information boards regarding the coastal environment. The proposal would have indoor seating to enable use all year round and a meeting room. A new car park is proposed alongside the building. The existing car park can be full in summer months and much of its capacity has now been eroded. The car parking provision seeks to prevent parking on Climping Street.

CNDP policy CPN 1 seeks to protect community facilities. Climping Beach Car Park & Cafe is included in this policy for protection. It states that proposals to sustain or extend the viable use of existing community facilities and the development of new facilities will normally be supported if they comply with other policies in the plan. The existing facility is at risk of being lost to the sea, with the site already having been exposed to coastal erosion and the proposal seeks to extend the viable use by relocating it elsewhere. Policy CPN 5 seeks small scale recreational and tourism facilities. The single storey building would be of a small scale and is proposed for recreational/tourism facilities and would provide a car park, in compliance with these policies.

The proposal would provide new tourism/visitor facilities in compliance with ALP TOU DM1 and CNDP policies CPN1 and CNP5.

DESIGN AND VISUAL AMENITY

ALP policy D DM1 sets out 13 design aspects of which applications should be assessed against. These include: Character, Appearance, Impact, Innovation, Adaptability, Crime Prevention, Trees, Public realm, Layout, Public Art, Density and Scale. Policy D SP1 states all development proposals should seek to make efficient use of land but reflect the characteristics of the site and local area.

The building is to the western end of Crookthorn Lane. There is limited development to this side of the road, with the closest property approximately 180m to the east at Kents Yard. The building is set back by approximately 10m to the northern boundary with existing trees and hedging retained. This helps to screen the development from the wider area. The building is approximately 40m from the western boundary. There will be a gravel footpath which will join with the existing track to the west and this will provide a pedestrian link to the beach to the south and school to the north.

The access to the site will be from the north via an existing opening which will be upgraded to provide a formal vehicular entrance and enable vehicular access onto the field. This is to the corner of Crookthorn Lane and Bread Lane.

The building would be single storey with barn hips and will feature a gable projection to the north. Materials consist of flintwork, with some elements of wood cladding with a red/brown clay tiled roof. The southern elevation will have glazed doors. The design proposes small windows similar to that of blind openings which are a traditional feature associated with historic buildings. The building is of an attractive design which appears appropriate for its countryside setting and it would maintain a rural appearance which is in keeping with surrounding properties, through its use of materials and traditional slit windows.

The size of the building appears appropriate for its use and location.

Alongside the new building, the plan shows car parking for 130 cars, an outdoor seating area and a BBQ area. This introduces intensification of the area. The car parking would consist of grass parking bays on reinforced turf mesh, with oak sleepers to separate spaces and a flint hoggin road to the access lanes. The primary surface material for pedestrian and vehicular circulation would consist of a reinforced gravel. The materials used in the car parking are appropriate and it does not use significant amounts of hardstanding which ensures it does not adversely affect the rural character of the area or appear too urban in design. There would be a buffer between the edge of the site and the retained agricultural field to the south with the planting of trees and shrub to help screen the site.

There will be a height restriction barrier and vehicle entrance gates which will be constructed from oak posts. Plans have also been provided to show the signage to be used across the site. These will also be of oak.

The Arun Design Guide (ADG) refers to rural development and states 'Incorporates architectural forms and features that predominate in the surrounding area'. 'Responds to the existing landscape by considering orientation, key views and natural features'. 'Responds to the existing scale and massing of the surrounding built environment, emulating this scale in the majority of cases'. The proposal complies with the ADG with the design in keeping with the surrounding area in terms of its overall appearance and scale.

CNDP policy CPN 11 refers to quality of design and provides criteria that new development should consider to ensure it protects and enhances local character. The proposal complies with this policy. The design has taken cues from the nearby area and features materials that are traditional to rural buildings and those in the vicinity.

The building is acceptable in design and scale with regards to its location and use and would comply with relevant policies.

GAPS BETWEEN SETTLEMENT

ALP policy SD SP3 permits development in the gap subject to compliance with certain criteria including; it does not undermine the physical or visual settlements, cannot be located elsewhere, maintains character and does not compromise the integrity of the gap in terms of coalescence.

The site is situated in the Littlehampton and Middleton-on-Sea gap.

The policy requires the development can not be sited elsewhere. The existing site is subject to flood risk and is no longer useable and this covers much of the land to the south of the site which discounts a large amount of the parish, unlikely to be suitable for new development. The facilities are intended to service Climping Beach and its residents and as a result of flood risk and gap settlement, the alternative available sites are limited. The planning statement states that a consultation was held with residents in the area to gain insight on 5 potential sites for the relocation of the facilities. The favoured option was discovered to have significant archaeological activity in the area which resulted in this option being disregarded. Of the other options considered, whilst no specific planning assessment has taken place, from the details submitted, these locations appear more isolated than the proposed. The agent has demonstrated that alternative locations have been considered and due to other constraints identified, it is accepted that the development could not be sited elsewhere. Policy CPN1 of the CNDP identifies Climping Beach Car Park & Cafe as a community asset. The building needs to be close to the current location in the parish to meet the recognised need generated by local residents and tourists.

The proposal is located close to existing development with a school and dwelling directly to the north of

the site. As a result, the building would not appear as an isolated feature in the landscape or undermine the visual settlement.

The proposal maintains the character of the area through its choice of design and use of sympathetic materials such as the soft landscaping to the parking area which is favoured over a traditional hardstanding car park. The singular building does not compromise the integrity of the gap nor form a coalescence with suitable separation between existing development, but not too such an extent that is isolated in nature. A Landscape Character Assessment has been submitted with the existing character described as open intensively farmed farmland. A number of enhancements are proposed to integrate the site into the existing landscape. This includes retention of existing habitats to the northern, western and eastern perimeters to the site and the addition of native shrub and tree planting to the southern boundary.

It is acknowledged the existing facility which the proposal seeks to replace is located outside the built-up area boundary and within the settlement gap.

The policy context further states at 7.4.5 that the designation of gaps is not intended to rule out all development but to allow for appropriate, small-scale development which is in keeping with the rural nature of the gaps. The development complies with this statement.

The proposal complies with ALP policy SD SP3 and preserves the gap between the settlements.

RESIDENTIAL AMENITY

ALP policy D DM1 states proposals must have minimal impact to users/occupiers of nearby properties/land and policy QE SP1 requires all development to contribute positively to the quality of the environment and ensure development does not have a significantly negative impact on residential amenity.

The site is not in close proximity to residential properties and the building would not give rise to adverse overbearing, overshadowing or overlooking upon amenity. The closest property is Amberley Court to the north. There is a first floor side facing window within the gable end of this property which faces onto the field. Views are however intersected by substantial planting along the boundary which is to be retained and views are unlikely to be achievable with sufficient separation between the sites.

The building would serve a cafe/visitor facility and have a large car park. This would result in increased traffic movements which are likely to bring increased noise and disturbance to an area that is semi-rural in nature. This is not considered to be significant with some of these trips already in existence as people use the existing facilities albeit these would have resulted in trips further inland on Climping Street. There have been concerns raised regarding the use of the car park after hours and the use attracting anti-social behaviour. The car park will have a height restriction barrier and vehicular entrance gates which will be locked outside of opening hours. This will help to prevent access to the site. The existing car park operated in a similar manner.

Many of the comments received noted there is congestion along this road which appears largely as a result of the school opposite during drop off and pick up. The statement has noted that it would provide free parking to accommodate those dropping off/picking up from the school. This will help alleviate some of the traffic problems that occur as the vehicles would be accommodated within a dedicated parking area rather than blocking up the narrow lane.

As the site is situated approximately 1km from the beach, those using the car park would have to park up and walk to the beach. There is an existing track which can be utilised. This would relocate pedestrian traffic from Climping Street which does not feature pavements and would be safer for users.

Existing trees along the eastern boundary will be retained to ensure privacy and with suitable separation at around 180m there will be no adverse harm to properties to this boundary. Lighting will be conditioned to ensure it is appropriately placed and does not result in unacceptable light spill towards amenity.

The proposal will comply with ALP policies D DM1 and QE SP1 and not result in demonstrable harm upon neighbouring amenity.

PARKING and HIGHWAYS

ALP policy T SP1 seeks to ensure development provides safe access on to the highway network; contributes to highway improvements (where appropriate) and promotes sustainable transport. CNDP policy CPN14 seeks to ensure that it does not result in harm on highway safety or living conditions of residents.

Entry to the new site will be via an existing access off Crookthorn Lane which will be formalised. This will be 5m in width, with a gate set back from the highway. The road can accommodate two way movements and has good access to the main road. Crookthorn Lane has no formal pavement however the site is close to a number of PRoWs. A byway open to all traffic (BOAT) is located to the west of the site and removes the need for pedestrians to walk on the road. This will provide direct access from the site and car park to the beach. Concerns were raised that this will hinder horse riders using the road. Whilst there may be more traffic using the BOAT, it is permitted for all users.

The existing car park at Climping Beach is largely unusable and is situated behind a large bund, with no formal bays and poor quality surface, this is predominately due to coastal erosion. This was accessed from Climping Street which is narrow and has no footpaths. The development would transfer those visiting Climping Beach from Climping Street to Crookthorn Lane.

The visitor centre and toilets proposed are expected to be ancillary to the cafe, although new trips may be generated to visit the cafe. The transport statement notes comparisons from the existing car park to establish expected vehicular trips to the new facility are difficult as no records have been made and given its current condition, trips are reduced. However the highest usage is during the summer months and weekends between May to end of the September, which is to be expected.

An automated traffic count was undertaken for 7 days to determine vehicles speed and volumes in the vicinity of the site. This showed vehicle volumes were generally low but peaked at school drop off/pick up at speeds less than 30mph. No accidents have been recorded on Crookthorn Lane. The transport assessment concludes that any additional trips generated by the proposal is expected to be minimal.

With regards to the parking provision required, Arun Parking Standards SPD requires 1 space per 5sqm of public areas. The cafe/visitor area will have an internal area of 78sqm and require around 16 spaces. The existing car park was able to accommodate around 300 vehicles although much of this land has been eroded. The new car park will have space for 130 cars and overspill if necessary. A height restriction barrier will be installed to prevent larger vehicles entering the site and overnight stays. The barrier can be opened if required for emergency vehicles. The car park will have the same opening times as the cafe and will be locked outside of these hours to prevent anti-social behaviour between 8pm-7am.

The application stated the car park can be utilised for school drop off/pick up. This would move traffic from parking on the street, which was observed along Crookthorn Lane, primarily during the school drop off/pick up times. The proposal should make the school drop off/pick up safer as the cars will be parked in the car park rather than on the street. As the school traffic would be passing the site regardless of the development, this use will not increase traffic levels on the surrounding local roads but instead will make it safer for all users by providing somewhere for vehicles to wait off the carriageway.

Discussions have taken place between the owner and School Governors and it has been agreed that the car park will be offered to the parents and school visitors free of charge during term time (Monday to Friday). A permit system will operate or automatic number plate recognition (ANPR) to ensure this is monitored. During term time (Monday to Friday) a specific area of the car park (the six most western rows) will be made available exclusively for school use between the hours of 7am to 8pm. This equates to 91 spaces being exclusively available for the school during those times. This is a positive and is acceptable and will be conditioned.

The site plan demonstrates an area for cycle parking to encourage the use of sustainable transport methods and is positive. EV chargers are also shown. The roundabout at Church Lane/A259/Crookthorn is subject to improvement with a new roundabout approved under CM/1/17/OUT. A new cycle crossing has been approved as part of these works which will further improve cycle access to the beach.

WSCC Highways have reviewed the application and have no objection. They welcome the use of EV charging and cycle hoops, noting the site links well into existing cycle infrastructure on the A259 and along Crookthorn Lane to the bridge over the River Arun. They note it will have community benefits as the school can use the car park in the mornings and at drop off times to alleviate parking issues experienced by the school.

It is acknowledged that the car park proposed is large, however the existing originally accommodated double the amount of spaces and it will be available to service a number of users including the cafe, the school and those using the beach and other amenities in the area and is acceptable. It would not result in a significant increase in traffic, in addition to which is experienced nearby from the school and users of the existing facilities.

Subject to conditions, the proposal is in compliance with ALP policy T SP1 and the Arun Parking Standards.

AGRICULTURAL LAND

ALP policy SO DM1 states the use of Grades 1, 2 and 3a of the Agricultural Land Classification for any form of development not associated with agriculture, horticulture or forestry will not be permitted unless the need for the development outweighs the need to protect such land in the long term.

CNDP policy CPN 10 restricts development on the best and most versatile agricultural land, unless it can be demonstrated there are special circumstances which may include an overriding need for the development in the proposed location and development on the site is demonstrated as the most sustainable option or that it conforms to other statutory national and local planning policies.

The site forms a section of an arable field. The remainder of the site to the south would be retained as arable land. The application states the soil is Grade 2 and this is confirmed on the Agricultural Land Classification Provisional (England) dataset from Defra. The proposal is on agricultural land which is currently farmed and forms part of a larger holding. The applicant states the loss of a small area of the wider field does not significantly affect the overall viability or productivity of the farm.

As the application results in the loss of Grade 2 agricultural land, this will need to be weighed in the balance. Arun has a high proportion of BMV land with Grades 1 and 2, representing around 40% of agricultural land in the district and Grade 3a a further nearly 30%. Any development outside built-up areas is more than likely to contain some land of at least medium through to excellent quality.

A soils management plan has been submitted. Subsoil will only be stripped where the building is to be constructed and where the entrance is to be formalised. Top soil removal will be minimal and a soil

resources plan has been provided which shows existing topsoils will be retained on site and redistributed further south on remaining arable fields. The soils would be immediately redistributed and would not need to be moved elsewhere or stockpiled.

The policy states that development will not be permitted unless the need for the development outweighs the need to protect such land. The development seeks to replace existing facilities. The facility being replaced is recognised as a community facility in the Neighbourhood Plan and is sought for protection and there is need an identified need for it in this location, away from flood risk. This weighs in favour of the development.

The application demonstrates soils will be retained on the wider site and the loss of a small area of the wider site is outweighed by the benefits of the scheme in compliance with ALP policy SO DM1 and CNDP policy CPN 10.

FLOODING and DRAINAGE

ALP policy W DM2 relates to flood risk. CNDP policy CPN 12 reducing the risk of flooding.

ALP policy W DM3 states all development must identify opportunities to incorporate a range of Sustainable Urban Drainage Systems (SUDS) as appropriate to the size of development.

The proposal is in Flood Zone 1, and is at low probability of flood risk. There is an area of surface water on Crookthorn Road to the east of the access to the site however this will not pose adverse harm in terms of flood risk to future users and access and egress could be achieved safely.

The site consists of undeveloped land. It is proposed all surface water runoff is to be discharged to ground via infiltration. The roof area is to be collected before being discharged through the use of an infiltration basin and paved routes will be drained via porous surfaces. The car parking will be have permeable pavers designed for grass car parking.

With regards to foul water drainage, this will be discharged into an existing foul water sewer approximately 500m to the west of Climping Street. Due to the distance between the sewer and the site, a package pumping station is proposed. This is contained below ground. Southern Water confirmed there is capacity in the network for a connection. Any new connections to the public sewerage system will require a Section 106 connection application to be approved by Southern Water. This will be conditioned.

Due to the location and size of the building, it would not be at risk of flooding and drainage will be dealt with as part of building regs.

Subject to conditions to secure foul water drainage, the proposal would not result in an increase in flood risk and would accord with ALP policies W DM2 and W DM3 and CNDP policy CPN 12.

TREES

ALP policy ENV DM4 and policy CPN 8 of the CNDP relates to the protection of trees and hedgerows.

There are a number of trees situated predominately along the north and eastern boundary consisting of Elm, Oak and Hornbeam. These vary between category B,C and U. There is a group of good to moderate value of mixed species of trees to the east. There is a group of category A Poplar trees. These are off site within the boundary of Kents Yard. There are no TPO trees on site.

No trees are proposed to be removed to accommodate the proposal and no hard surfacing or building will take place within the trees root protection area (RPA).

There may be potential negative impacts on trees when it comes to the installation of services. A condition will be applied which requires details to be submitted should this be the case.

Tree protection barriers will be used across the site to safeguard the trees and their RPA which will be conditioned to be installed prior to commencement.

Subject to conditions, the proposal would comply with ALP policy ENV DM4 and CNDP policy CPN 8 and would not result in harm on the trees on site.

BIODIVERSITY

ALP policy ENV DM5 requires that proposals achieve a net gain in biodiversity and protect existing habitats on site. Policy ENV DM3 relates to biodiversity opportunity area. This should retain and sympathetically incorporate locally valued and important habitats and designed in order to minimise disturbance to habitats.

No external lighting is proposed at the site in order to retain the dark skies in this locality which is a positive. A condition will be included to ensure that if any is proposed at a later date this can be controlled in terms of its illuminance levels, location and light spill.

The proposal has been supported by a Preliminary Ecological Appraisal (PEA).

Within 1km of the site is Climping Beach SSSI. The site is a stretch of coast with a vegetated shingle beach, behind which is a sand dune system. This supports important populations of wintering birds and the numbers of wintering sanderling. The site is situated within the boundary of the Arun Valley Special Protection Area (SPA) Impact Risk Zone (IRZ). This IRZ identifies foraging areas for Bewick's Swans. The conservation objectives are to maintain the favourable condition of their habitat, with reference to marsh, lowland neutral grassland, wet woodland. The land is farmed and in the absence of suitable foraging and roosting habitat, it is not considered the development would result in direct disturbance upon Bewick's Swans.

There was 1no. pond found within 500m of the site during the desk study. This was fully dry at the time of survey. It is accepted that, unless connected by highly suitable habitat, most great crested newts tend to stay within 250m of breeding ponds. Therefore, there is a negligible chance they would be present on-site.

Although not large and fully mature, many from the line of trees were heavily covered in ivy, so it is possible roost features were obscured during the ground level analysis. However as none are to be removed, the development would not impact upon bats.

The large amounts of scrub, tall grass, brash and log piles provide high suitable on-site habitat for reptile species. Further surveys were considered necessary and these were undertaken between July and September. This found the site supports a low population of common lizard of the same species and does not qualify as a Key Reptile Site. A juvenile was found and a breeding population is likely. Mitigation measures are proposed to ensure that no reptiles are harmed. Arun's ecologist has confirmed this is acceptable and has no objection to the proposal.

A mandatory 10% biodiversity net gain is also required on site. A 12.1% net gain in habitats and a 39.1% net gain in linear units such as native hedgerow will be delivered. As this is significant, it needs to be secured for 30 years through a S106 agreement and habitat management and monitoring plan (HMMP).

The application has identified various mitigation measures to ensure it does not result in adverse on

biodiversity and enhancements will be implemented on site which include the planting of natives trees, shrubs and wildflower, log piles, bird and box boxes and invertebrate boxes.

The proposal delivers an excess of 10% net gain in BNG and provides a number of enhancements across the site. Subject to conditions and a S106 to secure BNG, the proposal complies with ALP policies ENV DM3 and ENV DM5.

HERITAGE IMPACT

ALP policy HER SP1 and HER DM2 relate to heritage assets, both listed and locally listed buildings.

Paragraph 208 of the NPPF states Local Planning Authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

Paragraph 213 of the NPPF states 'Any harm to, or loss of, the significance of a designated heritage asset (from its

alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

- a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;
- b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

There are a number of grade II listed buildings in the area, with the closest being Kents Farmhouse approximately 230m from the development to the east. This building has significance associated with the historic farmstead nature of the area.

Views of the listed building from the site are limited to the roof and it is expected that additional planting will reduce this further. The other assets in question are not visible from the vicinity of the proposed cafe/visitor centre. The cafe/visitor centre itself, is not expected to harm the setting of the asset due to the design which corresponds strongly with the landscape and local distinctiveness.

The car park will have some impact on the setting of the historic farmstead, though this is from a distance. The impact the car park has upon the assets also vary depending on the volume of use which will vary throughout the day and year.

The proposal is modest in size and with vegetation retained around the boundary it is unlikely to have an adverse impact upon the setting of nearby heritage assets. The historic assessment submitted by the applicant specifies the development will result in less than substantial harm.

Paragraph 215 of the NPPF states where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

The public benefits of the application include a new cafe/visitor centre with toilets. The car park will support the use of the existing school by allowing parking for certain times of the day to accommodate waiting traffic. The existing cafe is recognised as a community asset and as the application seeks to replace these facilities, this is a benefit to the community.

The public benefits would outweigh the limited harm that arises and the development complies with ALP

policies HER SP1 and HER DM2.

SUMMARY

Whilst the site is outside the built up area boundary, the principle of development is acceptable under C SP1 (f) as it is in accordance with other policies in the plan which refers to a specific type of development in this case, for tourism and visitor facilities under ALP policy TOU DM1.

The proposal delivers a well designed building which seeks to replace existing facilities which are recognised as a community asset and are being lost to coastal erosion. The proposal would also provide a betterment to the existing parking in the area by permitting the use of the car park for school use which is adjacent to the site. These are public benefits for the local community and it will also help to bring visitors to the area which will further support other local establishments.

Weighing all matters together, the benefits of the application outweigh the limited harm and the development is in compliance with the development plan as a whole.

The recommendation is that the Planning Committee delegate the decision to the Group Head of Planning, with authority to:

Grant permission subject to the conditions and informatives as set out in the report and subject to the satisfactory completion of a legal agreement to secure monitoring for BNG.

HUMAN RIGHTS ACT

The Council in making a decision should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as Arun District Council to act in a manner, which is incompatible with the European Convention on Human Rights.

Consideration has been specifically given to Article 8 (right to respect private and family life) and Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for approval of the grant of permission in this case interferes unreasonably with any local residents' right to respect for their private and family life and home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for approval is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

In assessing this proposal the following impacts have been identified upon those people with the following protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation).

The proposal would have a neutral impact on the protected characteristics.

SECTION 106 DETAILS

The BNG will be secured through a S106 agreement to secure the habitats for 30 years.

CIL DETAILS

This application is not CIL liable.

RECOMMENDATION**APPROVE CONDITIONALLY SUBJECT TO A SECTION 106 AGREEMENT**

- 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 approved shall be carried out in accordance with the following approved documents:

- Proposed Block Plan - 1642/DP101
- Proposed Site Plan - 1642/DP102
- Proposed East and South Elevation - 1642/DP105
- Proposed North and West Elevation - 1642/DP106
- Proposed Roof Plan - 142/DP104
- Proposed Details and Materials for Signage - 1642/DP110
- Proposed Details and Materials - 1642/DP108
- Proposed Details and Materials - 1642/DP109
- Proposed Soil Plan - 1642/DP111
- Soil Management Plan - September 2025
- Landscape Masterplan - DWG-010 P2

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 of the Arun Local Plan.

- 3 No development shall take place until a Construction and Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority in consultation with WSCC Highways. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. This shall require the applicant and contractors to minimise disturbance during demolition and construction and will include (but not be limited to) details of the following information for approval:

1. The anticipated number, frequency and types of vehicles used during construction,
2. The method of access and routing of vehicles during construction,
3. The parking of vehicles by site operatives and visitors,
4. The loading and unloading of plant, materials and waste,
5. The storage of plant and materials used in construction of the development,
7. The erection and maintenance of security hoarding,
8. The provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway including the provision of temporary Traffic Regulation Orders),
9. Details of public engagement both prior to and during construction works.

A named person shall be appointed by the applicant to deal with complaints, shall be available on site and their availability made known to all relevant parties.

No demolition/construction activities shall take place other than from 08:00 hours until 18:00 hours (Monday to Friday) and from 08:00 hours until 13:00 hours (Saturday) with no work on Sunday or Bank/Public Holidays.

Reason: In the interests of the safety/amenity of nearby residents and occupiers of any nearby noise sensitive premises and in the interests of highway safety in accordance with policy D DM1 and QE SP1 of the Arun Local Plan and the NPPF. This is required to be a pre-commencement condition because it is necessary to have the construction site set-up agreed prior to access by construction staff.

- 4 All activity at the site is to be carried out in strict accordance with the Arboricultural Impact Assessment and Method Statement (Lizard Rep-001 June 2025) Tree protection fencing shall be erected on site prior to commencement of the development.

If there is deemed to be a need for any Utility Service Route connections to bisect retained tree Root Protection Areas/Zones, then prior to their installation a bespoke Method Statement prepared by an Arboricultural Expert must be submitted that stipulates how this can be achieved without adverse impact on tree roots. Written approval and confirmation of acceptance of this Methodology must be issued before any works are commenced out on site.

Reasons: To comply with BS5837:2012 and policy ENV DM4 of the Arun Local Plan to ensure retained trees are afforded due respect and appropriate levels of protection such that their ongoing health and vitality is not compromised, and they can continue to enhance the landscape and amenity of the area. This is required to be pre-commencement to ensure trees are safe prior to construction works.

- 5 Prior to the commencement of the development the developer must advise the Local Planning Authority (in consultation with Southern Water) of the landscaping proposals in proximity of public apparatus in order to protect it in accordance with Southern Water's guidance.

Reasons: To ensure protection of below ground infrastructure in compliance with policy INF SP1 of the Arun Local Plan. This is required to be pre-commencement so that it can be assessed prior to development starting.

- 6 No development above damp-proof course (DPC) level shall take place until there has been submitted to, and approved by, the Local Planning Authority, a landscaping scheme including details of soft landscaping. The approved details of the landscaping shall be carried out in the first planting and seeding season, following the occupation of the building, and any trees or plants which, within a period of five years from the completion of development, 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 the Local Planning Authority gives written consent to any variation.

Reason: In the interests of amenity and of the environment of the development in accordance with policy D DM1 of the Arun Local Plan.

- 7 1. Prior to the commencement of development but after the approval of the Biodiversity Net Gain Plan a 30-year Habitat Management and Monitoring Plan (HMMP) for the provision of a minimum 10% Biodiversity Net Gain (BNG) shall be submitted to and approved in writing by the Local Planning Authority. The HMMP shall be based upon Natural England's Habitat Management and Monitoring Plan Template (HMMPT) and shall include the HMMPT Companion Document and a list of what will form part of the Habitat Management and Monitoring Reports submitted for Part 2 of this condition.

2. From the date of last occupation, or the date that the BNG creation and enhancement works

have been completed, whichever is the earliest, a BNG Habitat Management and Monitoring Report must be submitted to and approved in writing by the Local Planning Authority by years 1, 2, 3, 4, 5, 10, 20, 30.

The development shall proceed on the basis of all approved documents and timings as approved under 1. and 2. for the duration of the HMMP.

Reason: To ensure measurable net gains to biodiversity and in accordance with the Environment Act 2021 and policies ENV SP1 and ENV DM5 of the Arun Local Plan. This must be a pre-commencement condition because it relates to the creation and retention of biodiversity net gain in accordance with schedule 7A to the Town and Country Planning Act 1990.

- 8 Prior to the first use of the building hereby approved the existing cafe and toilet block site at Climping Beach, Climping Street and shown on the plan 'Existing and Proposed Location Plan - 1642/DP113' shall be permanently closed.

Reasons: To ensure that the development replaces the existing facility and does not result in an additional building in accordance with policy QE SP1 of the Arun Local Plan.

- 9 No development above damp-proof course (DPC) level shall take place unless and until a detailed colour schedule of materials and finishes to be used for external walls and roofs of the proposed building have been submitted to and approved in writing by the Local Planning Authority and the materials so approved shall be used in the construction of the building/extension.

Reason: To enable the Local Planning Authority to control the development in detail by endeavouring to achieve a building of visual quality in accordance with policies D DM1 and D SP1 of the Arun Local Plan.

- 10 No part of the development shall be first occupied until the cycle parking spaces have been provided in accordance with the approved plan 'Proposed Details and Materials - 1642-DP109 Rev 2'. The spaces so provided shall be retained in perpetuity.

Reason: To provide alternative travel options to the use of the car in accordance with policy T SP1 of the Arun Local Plan.

- 11 The development shall not be brought into use until the parking spaces (including EV spaces and chargers) as shown on 'Proposed Site Plan - 1642/DP102' have been provided. The spaces so provided shall be retained in perpetuity.

Reasons: To ensure parking is provided in the interests of amenity and to mitigate against adverse impacts on local air quality and to promote sustainable travel, in accordance with policy QE DM3(c) of the Arun Local Plan, the Arun Parking Standards SPD and the NPPF.

- 12 If any outdoor lighting is proposed, details shall be submitted to and approved in writing by the Local Planning Authority prior to any part of the new development being first brought into use/occupied.

The recommended lighting specification shall use LED's (at 3 lux) with the recommended spectrum being 80% amber and 20% white with a clear view, no UV, a horizontal light spread of less than 70 degrees and a timer. A 3D plan of the illumination level should be supplied so that the Local Planning Authority can assess the potential impact on protected species.

Reason: To allow the Local Planning Authority to discharge its duties under the Conservation

of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 (as amended), s40 of the Natural Environment and Rural Communities Act 2006 (Priority habitats and species) and policy ENV DM5 of the Arun Local Plan.

- 13 Prior to any development above damp-proof course (DPC) level, a Biodiversity Enhancement Layout, providing the finalised details and locations of the enhancement measures contained within the (Preliminary Ecological Appraisal -00- PEA 19/06/25), shall be submitted to and approved in writing by the Local Planning Authority.

The enhancement measures shall be implemented in accordance with the approved details prior to first occupation of any part of the development and all features shall be retained in that manner thereafter.

Reason: To enhance protected and priority species and habitats in accordance with policies ENV SP1 and ENV DM5 of the Arun Local Plan and to allow the Local Planning Authority to discharge its duties under the NPPF and s40 of the Natural Environment and Rural Communities Act 2006 (Priority habitats and species).

- 14 The premises, car park and outdoor areas shall not be open for trade or business except between the hours of 7am to 8pm Monday to Sunday (including Bank holidays).

Reason: To safeguard the amenities of the neighbouring properties in accordance with policies D DM1, QE DM1 and QE DM2 of the Arun Local Plan.

- 15 During term time (Monday to Friday) a specific area of the car park (the six most western rows) will be made available exclusively for school use between the hours of 7am to 8pm as shown on the plan Proposed School Parking - 1642/DP112. This equates to 91 spaces being exclusively available for the school during those times.

The car park will be offered to the parents and school visitors free of charge during term time (Monday to Friday).

Reasons: In the interests of the safety/amenity of nearby residents in accordance with policy QE SP1 of the Arun Local Plan.

- 16 No industrial, commercial or trade goods shall be loaded, unloaded, or otherwise handled and no vehicles shall arrive at or depart from the application site outside the hours of 7am to 8pm Monday to Friday, 8am to 7pm on Saturdays or at any time on Sundays or recognised public holidays.

The applicant should review the Planning Noise Advice Document - Sussex, November 2023: <https://www.arun.gov.uk/download.cfm?doc=docm93jjm4n19846.pdf&ver=24686>.

Reason: To protect the amenity of local residents in accordance with the policy QE DM1 of the Arun Local Plan.

- 17 The car park will be locked outside of its opening hours between 8pm to 7am Monday to Sunday (including bank holidays).

Reasons: To protect the amenity of local residents in accordance with policy QE DM1 of the Arun Local Plan.

- 18 The building shall be used for a cafe/visitor centre and for no other purpose (including any other purpose in Class E of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any other Statutory Instrument revoking and re-enacting that Order).

Reason: To enable the Local Planning Authority to maintain control in the interests of the amenities in accordance with policies D DM1 and QE DM1 of the Arun Local Plan.

19 The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition (the biodiversity gain condition) that development may not begin unless:

1. A Biodiversity Gain Plan has been submitted to the planning authority, and
2. The planning authority has approved the plan.

This permission will require the submission and approval of a Biodiversity Gain Plan before development is begun.

For guidance on the contents of the Biodiversity Gain Plan that must be submitted and agreed by the Council prior to the commencement of the consented development please see the link: <https://www.gov.uk/guidance/submit-a-biodiversity-gain-plan>

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 (as amended).

20 INFORMATIVE: The applicant should note that under Part 1 of the Wildlife and Countryside Act 1981 (as amended), with only a few exceptions, it is an offence for any person to intentionally take, damage or destroy the nest of any wild birds while the nest is in use or being built. Birds nest between March and September and therefore removal of dense bushes, ivy or trees or parts of trees etc. during this period could lead to an offence under the act.

21 INFORMATIVE: This notice does not give authority to destroy or damage a bat roost or disturb a bat. Bat species are protected under Section 39 of the 1994 Conservation (Natural Habitats etc) Regulations (as amended), the 1981 Wildlife and Countryside Act (as amended) and the 2000 Countryside and Rights of Way Act. It is illegal to damage or destroy any bat roost, whether occupied or not, or disturb or harm a bat. If you are aware that bats roost in a tree(s) for which work is planned, you should take further advice from Natural England (via the Bat Conservation Trust on 0345 1300228) or an ecological consultant before you start. If bats are discovered during the work, you must stop immediately and contact Natural England before continuing.

22 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). 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.