

Recommendation Report for Planning Permission

REF NO: CM/53/21/PL

LOCATION: 1-4 The Piglets
Climping Street
Littlehampton
BN17 5RG

PROPOSAL: Installation of ground source heat pump to provide heating and hot water to 4 No. Holiday Lets. This application is in CIL Zone 5 (zero rated) as other development.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	This application seeks to regularise the installation of the ground source heat pump which was installed at the time the conversion works took place. It had been incorrectly assumed that the installation of the ground source heat pump was permitted development. However, it does not meet the criteria for permitted developments as set out in Class L of the General Permitted Development Order.
	None of the installation is visible. It is all buried below ground within the camping field to the north of the holiday lets. The works are linear in shape covering approx. 100m length and 7m width.
TOPOGRAPHY	Predominantly flat.
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Hedges to field and footpath.
SITE CHARACTERISTICS	The existing buildings are converted former piggeries.
CHARACTER OF LOCALITY	Predominantly rural. Residential properties to south along Climping Street fronting the road.

RELEVANT SITE HISTORY

CM/7/17/PL	Change of use of permitted office building (B1 Business) to 4 No. visitor residential accommodation units (C1 Hotels). This application affects the setting of a Listed Building.	ApproveConditionally 23-05-17
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Permission was granted in 2017 for 4 holiday lets by change of use (CM/7/17/PL). The planning conditions were discharged and works to form the holiday lets were completed last summer. The holiday lets have been successfully operating since then.

REPRESENTATIONS

Climping Parish Council - No Objection.
 Concern regarding noise. Relevant assessments should be carried out.

COMMENTS ON REPRESENTATIONS RECEIVED:

A condition regarding noise levels is imposed in accordance with the comments of the environmental health officer.

CONSULTATIONS**CONSULTATION RESPONSES RECEIVED:**

Environmental Health Officer - No Objection.
 Request condition imposed regarding noise levels.

COMMENTS ON CONSULTATION RESPONSES:

- comments noted. Requested condition has been imposed.

POLICY CONTEXT

Designation applicable to site:
 Outside Built Up Area Boundary
 Within Settlement Gap

DEVELOPMENT PLAN POLICIES

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

SDSP1	SD SP1 Sustainable Development
SDSP2	SD SP2 Built-up Area Boundary
SDSP3	SD SP3 Gaps Between Settlements
DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
ECCSP2	ECC SP2 Energy and climate change mitigation
ECCDM1	ECC DM1 Renewable Energy
ECCSP1	ECC SP1 Adapting to Climate Change
TOUDM1	TOU DM1 Tourism related development

[Clymping Neighbourhood Plan 2015 Policy CPN5](#) Support and promote recreation and tourism

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans 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.

The relevant Climping Neighbourhood Plan has been considered.

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 is considered to comply with relevant Development Plan policies in that there would be no adverse effect on visual or residential amenity, the character of the area or integrity of the Gap.

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

It is considered that there are no other material considerations to be weighed in the balance with the Development Plan.

CONCLUSIONS

PRINCIPLE OF DEVELOPMENT

The heat pump provides energy for heating and hot water to the 4 holiday lets reducing mains energy usage and offsetting carbon emissions.

Ground water heat pumps are a renewable source, producing electricity which emits no pollution, produces no greenhouse gases and uses no finite fossil-fuel resources, offers very real benefits in savings in CO2 emissions and reducing the impact of greenhouse gases on climate change.

The application site is outside the built-up area boundary of Climping as defined in the Local Plan and Neighbourhood Plan. Policy SD SP2 of Arun Local Plan states that development should be focused and permitted subject to consideration against other policies of the Local Plan. Policy ECC DM1 supports proposals for appropriately located renewable energy development and their ancillary development. The location and principle of a ground heat pump installation is therefore accepted. The installation is below ground and has no impact on the integrity of the Settlement Gap or the visual separation of settlements and does not therefore conflict with the aims of policy SD SP3.

Part 14 of the NPPF para 158 states that local authorities should when determining planning applications for renewable and low carbon development, local planning authorities "approve the application if its impacts are (or can be made) acceptable."

RENEWABLE ENERGY POLICIES

Policy ECC DM1 of the Arun Local Plan states that planning permission will be granted for renewable energy developments subject to a number of criteria, including no significant adverse impacts on landscape, habitats, the historic environment and residential amenity including visual, noise and odour.

The development is not visible, being located below ground and has no impact in terms of visual amenity and impact on the character of the area and settlement gap and would be acceptable in terms of these criteria.

The proposal would also accord with Arun Design Guide, Part K which requires all new development to be designed to reduce energy demand and carbon emissions in line with national and local standards including the Arun Local Plan and encourages incorporation of low and zero carbon (LZC) technologies and clear commitments to comprehensive energy monitoring and transparency of performance.

VISUAL AMENITY/LANDSCAPE CONSIDERATIONS

The development will not be visible in the surrounding landscape being located below the ground. The development accords with Policy ECC DM1 of Arun Local Plan in that the site is the most appropriate location for the installation.

Thus the visual amenity of the area will not be compromised and the proposal would be an acceptable form of development outside the built up area boundary in accordance with policy D DM1 and DSP 1 of Arun Local Plan.

RESIDENTIAL AMENITY CONSIDERATIONS

The installation is also not located adjacent or close to any existing homes and will therefore have limited impact on residential amenity. A condition is imposed in respect of external noise levels to ensure any noise does not cause harm to the nearest residential properties. The environmental health officer has raised no objection on this basis. The proposal is therefore compliant with policies D DM1 and QE SP1 of Arun Local Plan.

TOURISM

In terms of tourism policies it is considered that the proposal is compliant with policy TOU DM1 of the Local Plan in that it would be an appropriate small scale ancillary addition which does not detract from the character of the area and supports the efficient and sustainable operation of an existing tourist accommodation facility. The installation also complies with policy CPN5 of Climping Neighbourhood Plan in that it is small in scale, the siting, scale and design have regard to the rural character and are in keeping, there are no adverse impacts on traffic, residents or the character of the Gap.

CONCLUSION

Climate change targets have strengthened recently placing even more emphasis upon the value of renewable energy resources. The application is therefore recommended for approval subject to the following conditions.

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.

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 The development hereby approved shall be carried out in accordance with the following approved plans:
 Location Plan 1214/LDC100 Rev 01
 Site Plan 1214/LDC102 Rev01
 Block Plan 1214/LDC101 Rev 01

 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.
- 2 The noise level from the ground source heat pump and associated plant shall not exceed 50dB (A) at the closest elevation of the nearest residential dwelling.

 Reason: To protect the amenity of local residents in accordance with Policy QE DM1 of the Arun Local Plan.
- 3 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure)(England) Order 2015. 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.