

Recommendation Report for Planning Permission

REF NO: CM/57/21/PL

LOCATION: Climping Campsite
Brookpit Lane
Climping
BN17 5QU

PROPOSAL: Change of use from campsite to 2 No. holiday lets with associated building and landscaping alterations.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application is for change of use of the three existing buildings and associated landscaping. It proposes conversion of the following buildings: i) Main building - 2 self contained holiday let units, each with three bedrooms capable of sleeping 5 people. ii) Shower/toilet block - store for bicycles, garden furniture, parasols, barbecues, lawn mower, refuse bins etc. iii) Large shed - bad weather games room for table tennis, snooker etc. The triangular site is accessed by private track to the north. A vehicle parking and turning area will be created just inside the entrance gate.
SITE AREA	7000 sqm
TOPOGRAPHY	Predominantly flat.
TREES	There are several mature standing trees located along site boundaries. None of significance are affected by the development. The trees include Maple (Acer) and evergreen and are to be retained.
BOUNDARY TREATMENT	Site is enclosed by a gate, fencing and hedging varying in height between approximately 1m and 4m.
SITE CHARACTERISTICS	The site has been unused as a campsite for several years. The buildings are covered by overgrown vegetation and partially boarded up.
CHARACTER OF LOCALITY	Predominantly rural. Agricultural fields adjoin the site.

RELEVANT SITE HISTORY

CM/11/96	Redevelopment of existing holiday/study activity centre	Refused 28-02-97
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CM/1/75	Renewal Of Temporary Consent For Dining Hall/Kitchen And Toilets Block (Cm/3/70)	Approve 19-02-75
CM/3/70	Renewal Of Consent For Dining Hall Kitchen And W C	ApproveConditionally 18-02-70
CM/4/49	Improvements To Boys Summer Holiday Camp	ApproveConditionally 03-02-49

REPRESENTATIONS

Four Objections

- The FRA submitted is a desktop study undertaken by the applicant. This site sits in a vulnerable location of a vulnerable flood plain with a deteriorating coast. I should have thought at the very least the applicant would have a flood risk assessment prepared by a competent consultant who can provide a proper assessment of flood risk. The access road has a history of winter flooding
- Access is very narrow. The Fire Brigade objected due to the lane width, this alone should be grounds for refusal for this application.
- It is important that that any development ensures that hedgerows and existing standing trees are retained, and this should include the line of Elm trees that border each side of the narrow lane down to the campsite. This is a narrow lane and it is difficult to image how construction traffic and delivery vehicles will be able to access the site without the lane needing to be widened which could impact negatively on this line of Elms. This appears to be a reasonably healthy and comparatively mature line of young trees which border either side of the track.
- Incorrect certificate served.

COMMENTS ON REPRESENTATIONS RECEIVED:

A FRA has been submitted and it is agreed that it is not sufficiently detailed.
The comments of the Fire Brigade are noted and this forms a reason for refusal.
There are no proposals to remove any trees along the entrance track.
The correct notices and certificates have been completed and served. The application was restarted once the revised details were accepted.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

County Highways - No Objection

The site is on Brookpit Lane, an unclassified road subject to a speed restriction of 30 mph. The applicant proposes to utilise the existing vehicular access, with no alterations to this arrangement. There are no apparent visibility issues with the point of access on to Brookpit Lane. It is not anticipated that the change of use would give rise to a material intensification of movements to or from the site. The applicant proposes a parking area with provision for at least six car parking spaces. For holiday lets, it is expected a parking provision of one parking space per bedroom; therefore, WSCC is satisfied with the parking provision. The parking area is suitably sized to allow for on-site turning.

The site is in a relatively rural area that lacks immediate access to services/amenities. Littlehampton is in cycling distance of the site, providing a wider range of services for visitors to the holiday lets. Bus stops on the nearby A259 provide regular Coastliner services to Littlehampton and Chichester. Cycling is a viable option in the area. Conditions in respect of car and cycle parking and EVPs requested.

Natural England - No Objection

Drainage Engineer - No Objection

Due to the scale, location and type of application we have no conditions to request. Any alterations to surface water drainage must be designed and constructed in accordance with Building Regulations. If a surface water connection is required to the watercourse then the applicant should be aware that Ordinary Watercourse land Drainage Consent will be required.

Environmental Health - No Objection

Request conditions in respect of contamination and construction hours.

Environment Agency - Objection

The FRA does not comply with the requirements for site-specific flood risk assessments, as set out in paragraphs 30 to 32 of the Flood Risk and Coastal Change section of the planning practice guidance. The FRA does not adequately assess flood risks posed by the development.

Fire Service - Objection

The nearest fire hydrant is 420m away, 330m further than the 90m distance required for a commercial premises. An additional fire hydrant will be required. Information is required to show there is sufficient width for a fire appliance to gain access to within 45m of the property or 15% of the perimeter. The minimum access width required is 3.1m through a gateway and 3.7m between kerbs or the edge of the access track and capable of supporting 12 to 18 Tonne axial weight of a fire appliance. Sections of the access route appear to be less than 3m wide. Without sufficient access width a fire appliance would not be capable of attending the holiday lets in the event of any fire or emergency.

Economic Development Officer - Support

On the basis that this will provide year round, quality visitor accommodation.

Ecology Officer - Objection

Bat survey required prior to determination. The Preliminary Ecological Appraisal (Dec 2021) states the building could provide suitable roosting habitats. The precautionary approach for reptiles is acceptable. Mitigation for hedgehogs and birds could be conditioned.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designation applicable to site:

Outside Built Up Area

Within Settlement Gap

Flood Zone 3

Biodiversity Opportunity Area

DEVELOPMENT PLAN POLICIES

Arun Local Plan 2011 - 2031:

CSP1	C SP1 Countryside
DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
HDM4	H DM4 Conversion of rural buildings for residential use
TOUDM1	TOU DM1 Tourism related development
SDSP1	SD SP1 Sustainable Development
SDSP3	SD SP3 Gaps Between Settlements
TSP1	T SP1 Transport and Development
TDM1	T DM1 Sustainable Travel and Public Rights of Way
ENVDM5	ENV DM5 Development and biodiversity
QESP1	QE SP1 Quality of the Environment
WDM2	W DM2 Flood Risk
WDM3	W DM3 Sustainable Urban Drainage Systems
ECCSP2	ECC SP2 Energy and climate change mitigation

<u>Clymping Neighbourhood Plan 2015 Policy CPN10</u>	Protection of high grade Agricultural Land
Clymping Neighbourhood Plan 2015 Policy CPN5	Support and promote recreation and tourism
Clymping Neighbourhood Plan 2015 Policy CPN12	Reducing the risk of flooding
Clymping Neighbourhood Plan 2015 Policy CPN11	Quality of Design
Clymping Neighbourhood Plan 2015 Policy CPN14	Traffic and the Environment
Clymping Neighbourhood Plan 2015 Policy CPN9	Protection of Natural Habitats

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 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 Clymping Neighbourhood Plan policies have 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 conflict with relevant Development Plan policies in that it would have an adverse impact on visual amenity and the rural character and an unacceptable flood risk and potential adverse impact on bats and it has not been satisfactorily demonstrated that the buildings are capable of conversion.

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

BACKGROUND

The site was a children's campsite in the summer months from the 1930's to 2003. It consisted of a main building with kitchen and communal eating facilities, a shower and toilet block, and a large shed for storage of provisions and equipment. Sleeping for the children was in tents along the Western side of the site. The site closed in 2003 due to the reduced demand and has been dormant for the last 18 years. The site has electricity and mains water services to it, along with foul drainage.

PRINCIPLE

The development plan in the determination of this application consists of the Arun Local Plan (ALP) and Climping Neighbourhood Plan.

Arun Local Plan key policy considerations in the determination of this application are SD SP1, SD SP2 and C SP1. Policy C SP1 states that Outside the Built-Up Area land will be defined as countryside and will be recognised for its intrinsic character and beauty.

The site is outside of the built up area boundary (BUAB) as specified by policy SD SP2 which seeks to focus development in the built up area. Due to the location outside of the BUAB development in this location would be in conflict with locational requirements of policy C SP1. The site also lies in within a Settlement Gap between Littlehampton and Middleton.

Policy C SP1 states development in the countryside will only be permitted where it relates to certain criteria which includes for the diversification of the rural economy or in accordance with other policies in the Plan which refer to a specific use or type of development.

The proposal would be related to tourism so potentially accords with policy C SP1 if any approval was restricted to this use and there was no adverse impact on the visual amenities of the locality. No extensions are proposed and the restricted use of the premises would have no adverse impact on the intrinsic character and beauty of the area in accordance with policy C SP1. Activity levels associated with

the use would increase since the holiday use was abandoned in 2003 but they would not be significantly greater than that which existed when the site operated. The level of use and number of occupiers is restricted by the number of bedrooms. There would be an adverse impact on rural amenity resulting from fenestration changes to the main building which give the building an urban appearance which is out of keeping with its rural location.

Policy SD SP3 - The site is within the settlement gap between Littlehampton and Middleton on Sea. The policy seeks to prevent coalescence and retain the separate identity of settlements and to protect generally open and undeveloped denture of gaps between settlements. The proposal would have no adverse visual impact on the gap in terms of the bulk of the buildings and would be compliant with this policy. It relates to conversion of existing buildings with no extensions or increase in height proposed and does not increase built form within the site or seek use all year round.

The National Planning Policy Framework

Paragraph 11c requires that proposals that accord with up to date development plan policies should be approved without delay.

The NPPF generally seeks to promote effective use of all land (para 117) and gives weight to proposals that develop under-utilised land (para 118(d)). Whilst outside the defined BUAB, contrary to Policy C SP1, there needs to be a demonstrable harm to the aims of this policy. The aims of this policy are to preserve the character and beauty of the countryside and to manage the urban/rural fringe.

Para. 119 requires planning policies and decisions to promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously developed or brownfield land.

Para 120 d) states planning decisions should promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively.

Policy SD SP1a encourages the reuse of Previously Developed Land which this site is defined as. The Government have relaxed permitted development rights, including changes to agricultural buildings to be used for residential (C3) use together with some building works to facilitate conversion under Class Q. This guidance demonstrates the Government are supportive of rural conversions and the introduction of unrestricted residential housing in rural locations. This is a material consideration.

SUMMARY OF PRINCIPLE ISSUE

For the reasons set out below development of the site to provide 2 additional holiday lets does not accord with the relevant up to date policies in the ALP and is in conflict with para 11c) of the NPPF.

VISUAL AMENITY

The site is bounded by natural hedgerows on the North and West sides which will be maintained and managed to give seclusion from the nearby public footpaths. The east side is more open and bounded by Ryebank Rife, and will be kept that way as the public footpaths are more distant. There are mature trees around the perimeter of the site which will be maintained.

Within the main building two windows on the north elevation would be removed while openings on the south elevation would be altered to incorporate two new sets of powder coated aluminium bifold doors.

The windows are currently single glazed metal Crittall that will not accommodate double glazing and would need replacing, but they are not being replaced on a like for like basis. These would be replaced with powder coated aluminium tilt and turn windows with double glazing. The wooden shed would have the addition of 2 aluminium bifold doors in the exposed West elevation.

These changes to the fenestration are not considered to be in keeping with the rural appearance of the building or the character of the area. The Arun Design Guide Part N refers to Building Conversions and supports the use of under-utilised, redundant or derelict buildings throughout the District to ensure they do not remain vacant but are able to enjoy a new lease of life through sensitive conversion and adaptation. However it states conversions must protect the original character and appearance of buildings through careful use of considerate materials, preservation of distinctive features, sensitive placement of additional floors, and minimal internal and external alterations and extensions.

CONVERSION

Policy H DM4 of Arun Local Plan relates to conversion of buildings for residential use outside the built up area and is one of the ALP up to date policies. The principle of conversion and change of use to habitable purposes cannot be accepted without it being satisfactorily demonstrated that the buildings are structurally sound, of permanent construction and capable of conversion without rebuilding or significant alteration. No structural survey has been submitted and the buildings have been empty for a number of years. This policy requirement has not been addressed. Arun Design Guide refers to the requirement for applications for conversions to include a Structural Survey (pre-refurbishment/demolition audit) and a Conversion Method Statement to be submitted to demonstrate the integrity of the building without the requirement for substantial works. It advises that if buildings have been unused for an extended period of time then they may not have been well maintained, which can come at the expense of their structural integrity. This is a critical factor in assessing whether conversion is a viable option. Further given the size and number of glazed door openings proposed the design of the altered buildings would adversely affect the visual amenities of the locality. It would adversely affect the character of the area and the conversion would not be sympathetic with regard to design. Arun Design Guide refers to the need for new doors and windows to be added sparingly, designed simply, and included within existing openings wherever possible.

The NPPF is supportive of rural conversions in that Paragraph 80 notes planning policies and decisions should avoid the development of isolated homes in the countryside with various exceptions which include conversions of redundant or disused buildings, but that they should enhance their settings. The proposal does not satisfactorily address this enhancement by providing elevations to the main building which do not reflect its rural setting.

TOURISM

Policy TOU DM1 refers to new accommodation outside the built up area boundary and requires it to be sensitively designed to minimise its impact on the countryside. The proposal does not meet these criteria given the number and design of the openings to the main block.

RESIDENTIAL AMENITY

Activity and noise associated with the proposal would be readily comparable with those generated by the former use of the site and the buildings are a sufficient distance from nearby residential properties to not cause material harm to their amenity. The proposal complies with policy D DM1 of the Arun Local Plan with respect to residential amenity.

Arun Local Plan policy D DM1 refers to the need for compliance with the Arun Design Guide.

The proposal includes a garden area for each unit divided by a timber screen and a larger communal area which is considered acceptable for the proposed use.

The proposal complies with ALP policy D DM1 and the Design Guide with respect to outdoor amenity space.

BIODIVERSITY

The development is bounded by agricultural fields and is not located on any type of protected land. There is a Site of Special Scientific Interest 0.6km south-east of the site. No Sites of Special Scientific Interest are to be significantly or adversely affected due to the nature of the development. The site lies in a Biodiversity Opportunity Area.

Policy ENV DM5 Development and Biodiversity seeks to achieve a net gain in biodiversity and protect existing habitats on site. Where there is evidence of a protected species a detailed survey and measures to avoid loss of species shall be incorporated into the development scheme. The Preliminary Ecological Appraisal (Dec 2021) states that the building could provide suitable roosting habitats.

The proposal could impact the biodiversity of the site given no bat survey has been submitted. The site is in an area designated as a Biodiversity Opportunity Area and the proposal would not be compliant in so far as the use could alter or disturb an existing bat habitat. The provision of bird/hedgehog boxes could be conditioned.

The proposal conflicts with ENV DM5 of the Local Plan and policy CPN9 of Climping Neighbourhood Plan which requires development which results in harm to existing and locally protected habitats be refused.

FLOODING

The site lies in an area at high risk of flooding in Flood Zone 3. The Flood Risk Assessment (FRA) advises that floor levels be raised to 300mm above the site ground level and the buildings will only be used as summer holiday lets. The Environment Agency objected. The FRA does not comply with requirements for site-specific flood risk assessments, as set out in paragraphs 30 to 32 of the Flood Risk and Coastal Change section of the planning practice guidance. The FRA does not adequately assess the flood risks posed by the development and conflicts with parts b and d of policy W DM2 'Flood Risk' of the Local Plan and policy CPN 12 'Flood Risk' of the Neighbourhood Plan which require submission of site specific FRA to demonstrate the development will be safe without increasing flood risk elsewhere and reduce overall flood risk and that appropriate mitigation and adaptation are incorporated in the scheme. The application is not compliant with policy W DM2 of Arun Local Plan and policy CPN 12 of the Climping Neighbourhood Plan.

HIGHWAY CONSIDERATIONS

The site is sustainably located close to footpaths and cycle paths and bus stops. Access is via a partially hard surfaced private lane already serving 7 houses as well as the campsite. The lane is accessed from Crookthorn and Brookpit Lanes, at a bend in the road providing good sight lines in both directions. The final section of the access is narrow and grassed. Larger vehicles can access the campsite where there will be sufficient room for them to turn within the curtilage. County Highways have no objection in terms of highway safety or access. Provision for at least six car parking spaces is provided which meets the anticipated parking requirements associated with holiday lets of one parking space per bedroom. The parking area is suitably sized to allow for on-site turning to be achievable. The proposal provides safe access to the highway network and has access to sustainable forms of transport in accordance with policy T SP1 of Arun Local Plan.

The proposal would be compliant with policy CPN 14 - Traffic and the Environment of the Clymping Neighbourhood Plan in that activity levels associated with summer use would be comparable with the previous ceased use.

The Fire Authority have concerns about accessibility of the site in terms of access width and further information is required in this respect. It has not been adequately demonstrated that the site is safe in terms of fire safety and this forms a reason for refusal on the basis of the design/layout of the proposal.

SUSTAINABLE CONSTRUCTION

The buildings are to be upgraded to be energy efficient with the application of insulation, passive solar gain on the South side, and solar panels on the South facing roof slope producing year round electricity during daylight hours with a battery for night time electricity including car charging. The proposal accords with policy ECC SP2 of Arun Local Plan which seeks to achieve energy efficiency measures, promote energy efficiency and incorporate renewable energy systems.

CONCLUSION

The proposals is therefore recommended for refusal for the following reasons.

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), Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for refusal of permission in this case interferes with applicant's right to respect for their private and family life and their home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of neighbours). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for refusal 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.

CIL DETAILS

This application is not CIL Liable therefore developer contributions towards infrastructure will be required (dependant on any exemptions or relief that may apply) unless the occupation of the units is not restricted to holiday use.

RECOMMENDATION

REFUSE

- 1 Based on the information submitted the Local Planning Authority is not satisfied that the buildings are structurally sound, of permanent construction and capable of conversion without rebuilding or significant alteration or that the resultant buildings will not have an adverse effect

on the rural character of the area or be sympathetic to its setting in terms of its visual design in conflict with policies H DM4, TOU DM1, C SP1 and D DM1 of Arun Local Plan and policies CPN 5 and CPN 11 of Climping Neighbourhood Plan and Arun Design Guide.

- 2 The Flood Risk Assessment (FRA) does not comply with the requirements for site-specific flood risk assessments, as set out in paragraphs 30 to 32 of the Flood Risk and Coastal Change section of the planning practice guidance. The FRA does not adequately assess flood risks posed by the development. The FRA fails to consider how a range of flooding events (including extreme events) will affect people and property and take the impacts of climate change into account in conflict with policy W DM2 of Arun Local Plan and policy CPN12 of Climping Neighbourhood Plan.
- 3 Based on the information submitted it has not been adequately demonstrated that bat roosts do not exist within the site or that any existing or potential roosts would not be disturbed. The proposal conflicts with policies ENV DM5 of Arun Local Plan and policy CPN9 of Climping Neighbourhood Plan.
- 4 Based on the information submitted with the application it has not been satisfactorily demonstrated the site can be accessed by fire appliances or that adequate fire hydrants are available the proposal conflicts with policy D DM1 of Arun Local Plan.
- 5 **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 identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reasons for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal.