



Planning Statement

Climping Mill, BN17 5RN Application for flood defences

February 2021

Contents

1.	Introduction	3
2.	Factual Background	5
4.	Planning Policy Context and Assessment	14
5.	Conclusions	19

1. Introduction

1.1 This Planning Statement has been prepared by Simply Planning Limited (SPL) on behalf of our client, Gary Love and is submitted in support of two full planning applications in respect of the land at Climping Mill, Climping. The application seeks retrospective consent for earth bunding with regard to flood defences, associated excavation of a pond and the installation of flood defence gates. The report also addresses a second application for additional flood defences and the installation of containers at the entrance to the site.

1.2 The description of development is proposed as follows:

Description of Development Application 1 - “Construction of site perimeter bunding and associated planting to protect against flooding and associated excavation of a pond (retrospective) and construction of flood defence gates”

Application 2 “ Installation of containers and additional bunding and associated landscaping to provide additional flood defences at the site entrance”.

1.3 This application follows the refusal of a similar application under reference CM/25/20/PL. The application was refused due to the lack of evidence to support the need case. It is however worth noting at the outset that:

- The application site is a listed building and is a residential home. The protection of the building and the safety of those who reside there should be a material consideration, perhaps the primary consideration;
- Whilst the application is for development, the development is only that which is required to protect the listed mills from flood risk and to provide a same residential home;
- There is significant evidence that the site has flooded previously and this has been very stressful and expensive for my client, this does not appear to have been considered in the previous application;
- There are no objections to the works from any of the leading officers on technical matters such as from the drainage engineer, the ecology officer, the coastal engineer or the conservation officer.
- The Environment Agency has no objection.
- There was only one objection from the adjacent landowner.

1.4 This statement should be read in conjunction with the following series of technical documents; the scope of which has been agreed with officers. The accompanying documents are listed as follows:

Document	Author
Plans	JBell
Landscape and visual impact assessment and trees	JBell
Flood Risk Assessment	Michael Barclay Partnership
Heritage Statement	Cogent Heritage
Ecology Report	Fathom Ecology / Lizard

1.5 This Planning Statement sets the planning context for the consideration of the application proposals and assesses the proposals against the relevant policies of the Development Plan, national guidance and non-statutory planning documents. The Planning Statement is structured as follows:

- **Section 2** sets out the factual background including a description of the application site and surrounding area, the planning history of the site and description of the proposed development.
- **Section 3** describes the proposal in detail.
- **Section 4** reviews the planning policy context against which the proposals should be judged.
- **Section 5** addresses the issues to be considered in assessing the proposed application.
- **Section 6** sets out the benefits of the scheme.
- **Section 7** draws our conclusions.

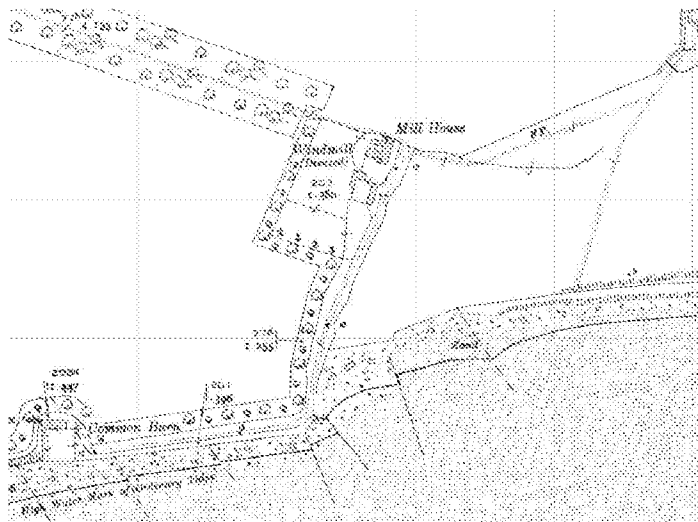
2. Factual Background

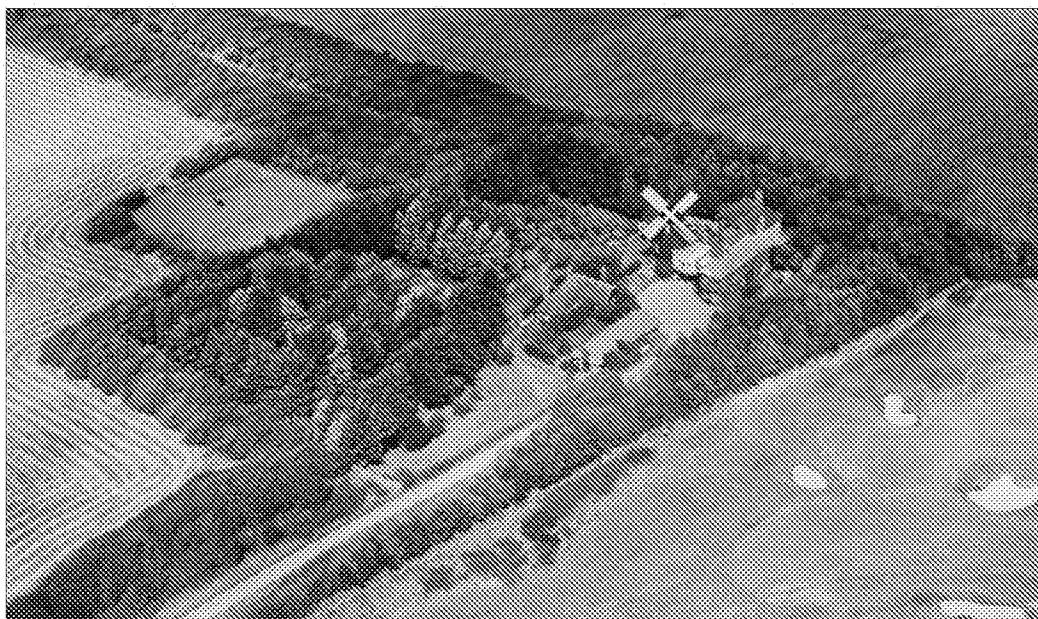
Introduction

- 2.1 In October 2020 SPL was instructed to help compile this application following the refusal of a similar application ref CM/25/20/PL. The application was refused for 4 reasons – lack of visual impact assessment and potential impact on settlement gaps, lack of evidence of coastal flooding, impact on ecology and existing habitats and lack of information regarding heritage impact.
- 2.2 It was agreed with the case officer that any new application should focus on an evidenced based approach to the need for the works prior to the assessment of harm from which a balanced decision could be made. It was agreed that the application should:
1. Prove the case for the works with regard to the risk of flooding and why the proposed mitigation is appropriate;
 2. Having identified and justified the need case for the proposed solution, what are the potential benefits of the works?
 3. Assess and quantify any potential impacts on landscape and heritage;
 4. Weigh any harm from the assessments taken at point 3 against the need for the protection and the potential benefits
 5. Assess any other impacts that can be quantified and potentially mitigated.

The Application Site and Surrounding Area

- 2.3 The application site is 1.4 ha and is located in a rural area between two major contributions at Middleton-on-Sea and Littleton. Whilst the Mill is currently in a generally open area, historically the boundaries of the site were significantly lined with trees. This is discussed further in the heritage report.





Appendix 3.3: An oblique aerial photo from the SE, 1952.



Appendix 5.2: Google Earth satellite image, 2016. © Google.

- 2.4 In 2018 the site appears to be heavily landscaped on the boundaries and it could therefore be said that a tree lined boundary for the site is both a historic and modern day character for the site in the wider landscape. The site does not and has not had historic hedgerows and as set out in the landscape report, the site has not been managed for many years and as a result, there were lots of dead and diseased trees on site which have subsequently been removed.

- 2.5 The application proposes the retention of flood defences in the form of bunding which has been heavily planted with young trees, many more than previously existed at the site. These trees will continue to grow and to provide additional protection against flooding and will replace the historic trees on site which were in need of replacement due to disease. The planting on site has begun and will continue. The bunding has already started to assimilate into surrounding landscape in much the same way as the adjacent golf course. Photos of the site are contained within the landscape and visual impact assessment, but the bunds appear as part of an undulating landscape and are not visually intrusive, appearing as part of the open landscape with a tree lined boundary to the site, the historic landscape state. The bunds do not appear as “development” between the two major conurbations and cannot therefore be described as affecting the gap between the two major settlements. This is discussed further in section five of this report.



Background to the Scheme

- 2.6 Questions have previously been raised about the flood risk to the site. The EA maps for planning are based on 2016 data and show the site to be primarily in flood zone 1 with some areas of flood zone 2 inside the boundaries of the site at the entrance. Flood zone 3 comes up to the boundary of the site. The data for these maps is now 5 years out of date and there is significant evidence of the site flooding on several occasions.
- 2.7 The EA holds more up to date hydrology and flood risk information known as Product 4 Data. This shows that the site is at significant risk of flooding and that this risk will rise with climate change and the gradual or complete failing of strategic flood defences, although it also acknowledges that there is a risk of flooding to the site even with the flood defences in place. The anecdotal evidence also demonstrates a high risk.

- 2.8 We have been advised that the site has flooded five times over the last ten years. Whilst the EA maps the edge of flood zone 3 at the road entrance to the site, flooding from Storm Ciara and Storm Dennis pushed water further into the site through the site entrance. There was significant damage from the flood water which is demonstrated on the photos below. It should be noted that there is risk to life from flooding and serious risk of damage to buildings which are a heritage asset and statutory listed. This is a material factor weighing in support of the proposals.
- 2.9 The flood risk evidence is discussed further in the next section and in the submitted flood risk assessment.



3. The Proposed Development

3.1 This section provides an overview of the Proposed Development. The scheme has been designed to respond to the site's boundary and to protect the site by providing protection to my client's home and garden from the very real flood risk to the site from coastal flooding.

3.2 The application seeks full planning permission for:

"Application 1 - "Construction of site perimeter bunding and associated planting to protect against flooding and associated excavation of a pond (retrospective) and construction of flood defence gates"

Application 2 "Installation of containers and additional bunding and associated landscaping to provide additional flood defences at the site entrance".

The Need for Flood Protection

3.3 As previously stated, it was considered that the previous application was not submitted with sufficient evidence regarding flood risk. That said, it should be noted that there was no objection to the application raised by the EA or by Arun's flooding engineer.

3.4 The Flood Zones for Planning are based on 2016 data. There is both evidence of flooding since that date and EA Product 4 Data which demonstrates that this flood zone mapping is out of date.

3.5 The future flood risk for this site is further complicated by a decision by the EA to not improve strategic flood defences. In 2015 The EA and Arun DC produced the River Arun to Pagham Flood and Coastal Erosion Risk Management Strategy. In summary, the findings were that the non-legal frontage of the beach, where my client's site sits, was too expensive on a cost/benefit basis to continue to maintain or improve flood defences. With regard to Climping the report explains that the EA will do the minimum and will continue to patch up existing flood defences, but when this becomes impossible or too expensive the patching will stop. The report is clear that this will result in more flood occurrences.

3.6 At paragraph 3.1.7 the report states that "There is a significant risk of breach/erosion in several locations, as summarised in Table 3-1. This risk of breach and overtopping is likely to increase with sea level rise." "3.1.8 The rate of future landward erosion will increase with continued loss of beach material and subsequent failure of coastal defences." This is a clear statement that flooding is going to get worse as climate change results in sea level rises and as the current flood defences fail. My client's site is within the agricultural hinterland and residential properties referred to below in the extract from the report setting out the consequences of the chosen "do nothing" solution.

3.7 My client would prefer that the EA were working on improving strategic flood defences on the area, but as this has been dismissed on a cost/benefit assessment, it is left to my client to protect his property.

Table 3-1 Vulnerable Points, Primary Risk and Consequences of Doing Nothing

Frontage	Location of Vulnerable Point*	Primary Risk	Do Nothing Timescales and Consequences
Climping and River Arun West Bank**	Climping Beach	Breach	- The shingle ridge is likely to have breached within ten years. Once established and with sea level rise this breach would allow a progressive increase in flood risk to the agricultural hinterland and some residential properties. - Following the breach low lying land at Climping will be at greater risk of tidal inundation. The extent and frequency will depend on the top (sill) level of the beach. There is uncertainty what level will naturally develop. Flooding would also be affected by rising sea levels, such that regular annual inundation would occur in 2014 for a 3.3m AOD sill and by 2060 similar flooding would occur with a 3.7m AOD sill. Our analysis looked at a range of sill levels and outcomes, please refer to Appendix P. - The floodplain between Climping and the River Arun is hydraulically linked with a common low point at Rope Walk. This means that from the breach point at Climping, tidal waters would flow across the floodplain towards Rope Walk.
	Bunds north of A259 and Rope Walk	Breach	- Breach of the River Arun West Bank frontage is likely to occur within ten years. - Do Nothing would result in an increase in flood risk with sea level rise resulting in predicted annual tidal inundation by 2060.

- 3.8 It is therefore recognised by the EA and Arun that there is significant flood risk from coastal flooding at Climping and this is likely to increase as flood defences fail over time and are not replaced. Sea level rises and storm occurrences are difficult to predict but it is recognised that there is a significant risk of further breaches of existing flood defences on this section of coast and a recognition that this is likely to increase in risk in the future.
- 3.9 The report finds at paragraph 3.3.4 that there is “one Scheduled Monument; Littlehampton Fort, and several listed buildings in the Strategy area, which could be affected by flooding. “ Whilst not specifically named, we consider that my client’s site is one of the listed buildings at risk of flooding within the strategy area.
- 3.10 The submitted flood risk report sets out the EA Product 4 data on the site. The EA do not hold records of flooding events, but they acknowledge that a flood in 2020, which caused significant damage to my client’s site, was caused by a breach in the coastal defences.
- 3.11 The EA Product 4 data demonstrates that with both defended and undefended the site is at risk of flooding across the whole site. On this basis we expect that when the EA flood zones for planning map is updated that the site will be in flood zone 2 or even 3. As such there is a clear need case for flood defences.

The Proposal

- 3.12 The main part of the proposal is the resubmission of an application for the refused application for the retention of the bunding on the perimeter of my client's site and installation of a gate to protect the entrance to the site which is arguably the area of the site at the greatest risk of water ingress. Structural support for the gates is required in the form of storage containers which are proposed to facilitate flood defences whilst maintaining access to the site. The main flood risk is from the sea. The location most at risk is the entrance to the site where coastal flood water will initially arrive. The gates and support for the gates in the form of containers which are able to withstand the rising water pressure and wave impact are recommended. The containers are attached to the ground with heavy concrete bases and then covered in bunding and planting to reduce potential visual impact.
- 3.13 These are the only identified appropriate engineering solutions that my client is able to undertake at a reasonable cost, an approach similar to the EA, and on land within his control. The submitted flood risk report identifies that the EA product 4 data shows that the whole site is at risk from coastal flooding and therefore it is required that the whole site is defended.
- 3.14 The scheme proposes a planted flood risk bund which is approximately 3m deep and which varies in height depending on the topography of the site to protect against the flood risk. The top of bund is 1.4-1.8m above existing ground. The height from ground to top of bunds varies according to site topography, but all bunds are to be minimum 5.06 AOD. The bunds were designed to comply with GTA Civils Flood Risk Assessment, December 2017, which states: "The flood risk profile of this site is High – with coastal flooding being the worst source. The highest predicted flood level is 4.76 AOD [by 2115]." The existing topography of the site has levels Above Ordnance Datum of between 3.0 and 4.2m so the bunds are between 2.06 and 0.86m above existing ground level.
- 3.15 The updated Product 4 data shows that the risk is actually slightly higher at 4.82m which demonstrates that the risk is actually increasing. It is still considered that the planted bunds will provide flood defences.
- 3.16 The bunding is set into the landscaping and provides additional planting to mitigate any visual impact, although the shape, height and size of the bunding are considered, after assessment, to have no visual impact on the surrounding area, particularly when viewed from long distances, and specifically in relation to the open and historic character of the area. As the bunding assimilates into the landscape and plants continue to grow on and around the bunding, any visual impact will; be reduced further. There will be no impact on the openness of the site and as the bunding will not appear as development, there can be no impact on the settlement gap.
- 3.17 In addition, as set out in the heritage statement, there is a history and an established character for the area of a densely planted boundary to the Mill site. This will be maintained and enhanced with the proposals which will replace dead and diseased trees across the site.
- 3.18 The soil for the bunding has been taken from site by building a pond. This reduces the environmental impacts of the proposal by sustainably sourcing local materials that have no impact of carbon footprint, traffic impact or geological effects due to importing different soils into the area. As set out in the Heritage Report, it is evidenced that ponds were a common feature of the Parish in the mid 19th Century. The pond has been built on land which is not part of the historic layout of the Mill plot. This land has no meaningful historic relationship with the Mill, and it is considered that the creation of a pond has no effect on anything that is significant about the mill, or its associated buildings.

- 3.19 The applications also propose a gate which is tethered to the ground with containers and concrete plinths which are proposed/required to withstand the pressure and force of coastal flooding which hits the site at the entrance. The containers are also bunded and planted to reduce any visual impact.
- 3.20 In this regard the application scheme:
1. Seeks to respond to the site's topography and boundaries and minimises off site earth movement;
 2. Provides site specific flood risk protection, in the absence of strategic EA intervention, against an identified and quantified increasing coastal flood risk which has the potential to damage my clients home, risk life and impact the heritage of the listed Mill;
 3. The bunding is not intrusive within the landscaping and has been designed to provide a planted boundary to the site which has been a historic landscape characteristic feature of the site and surrounding area;
 4. The proposed planting reduces the visual impact of the bunding and is also provided to replace dead and diseased trees that have been removed across the site. The bunding is considered necessary because of the identified flood risk. The bunding will not appear as "development" in the landscape and will not affect the strategic gap, similar in nature to the adjacent man made golf course;
 5. The flood risk measures will ensure safety and a high-quality living environment for current and future residents whilst also protecting the integrity and value of the historic buildings on site and maintaining them in active use. There is a serious risk that if the Council do not enable residents to protect their property, from an increased and rising flood risk, that the buildings will remain vacant, and derelict and that they will be lost forever.;
 6. The proposed gates and containers are also required due to the identified, quantified and growing coastal flood risk and the need to provide additional protection at the weakest part of the site where coastal flooding is most likely to occur at force.

Landscape and Ecology

- 3.21 The scheme was previously supported by an ecology assessment which is resubmitted for completeness. It should be noted that the ecology officer had no objection to the previous application. Following assessment it has been determined that there will be no impact on the existing trees which remain on the site, although my client is willing to accept a condition that if in the growing season and for the first 5 years, it is apparent that the bunding has affected existing trees or hedging, that these will be replaced.
- 3.22 It should also be noted that the proposed scheme provides for significant new planting. This is considered to be more than sufficient to provide amelioration for any impact which is considered to be caused due to the installation of the bunding. It should be noted that the trees on site are not protected and my client does not require any permission to remove the planting on site. Some trees were removed to facilitate the installation of a boundary fence. Some dead or diseased trees have also been removed. It is considered that the planting of the bunding is a significant environmental and biodiversity improvement to the site.
- 3.23 It can be seen as a potential positive effect that the new pond on site may be suitable for greater crested newts in the future, this is an ecological benefit that should be taken into account as a material consideration.
- 3.24 The submitted landscape impact assessment provides further detail on the site and the net biodiversity gains in relation to habitats and planting proposed. In accordance with the Strategy for the West Sussex Landscape produced by West Sussex County Council in 2005 the scheme retains existing woodland which is carefully thinned with the removal of deadwood. In addition, over 3000 locally-sourced mixed indigenous trees have been planted along the earth bunds to establish a biodiverse hedge around the property.

- 3.25 In accordance with Chapter 4, County-wide landscape Guidelines, the scheme includes the planting of native trees and shrub species. In discussion with the LA Landscape Officer, it is hoped to replace the dead and dying Elms with the recently hybridized disease resistant Lutece Elm which will restore the characteristic Sussex skyline in time. In addition it is proposed to plant Native Black Poplars to contribute to the Sussex Black Poplar Partnership, run by the Sussex Wildlife Trust.
- 3.26 As noted above, extensive tree planting will add great value to the biodiversity of the property, providing nesting and foraging opportunities for birds, mammals and insects as well as wildlife corridors around and across the site, connecting to the existing woodland to the north, and is therefore in accordance with policy ENV DM5 and achieves a net gain in biodiversity. The excavated the pond, once planted, also provides a great benefit to the general biodiversity in the area.
- 3.27 A planting strategy has been put in place to ensure early planting of trees and hedges during construction to mitigate any visual impact and to encourage woodland management planning by encouraging the appropriate management of shelterbelts by expanding the range of tree and shrub species and removing overmature conifer species where necessary. The scheme includes the planting of a significant number of mixed indigenous hedgerow plants around the perimeter of the site to significantly enhance biodiversity and create wildlife corridors. The row of over mature conifers which stood on the north west edge of the site have already been removed.

4. Planning Policy Context and Assessment

- 4.1 This section of the Planning Statement outlines the national and development plan policies which are relevant to the determination of this application.
- 4.2 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that when determining a planning application, regard is to be had to the Development Plan and that determination shall be made in accordance with the Development Plan, unless material considerations indicate otherwise. The Development Plan for the application site comprises the following:
- Arun Local Plan
 - West Sussex County Council Waste and Minerals Plan
 - Climping Neighbourhood Development Plan
- 4.3 The tables below provide a summary of the relevant planning policies and a comment on how they apply to the consideration of the flood risk protection application.

Arun Local Plan

Policy	Summary	Comment
SD SP1 – Sustainable Development	The policy confirms the council will take a positive approach that reflects the presumption in favour of sustainable development as outlined in the NPPF.	The introduction of flood risk bunding is an appropriate engineering solution to meet an identified flood risk. It is unfortunate that my client is having to protect his own land in the absence of an economic strategic solution, but the proposed bunding, using on site soils, creating a new pond habitat and providing significant new planting is a sustainable proposal and therefore a positive approach should be applied.
C SP1 – Countryside	Policy C SP1 highlights that land outside of identified Built-up Area Boundaries is defined as open countryside. Open countryside is recognised for its intrinsic character and beauty. The policy outlines a number of appropriate forms of development in Countryside locations, including development for: - Agriculture, forestry, horticulture etc. - Quiet, informal recreation - Green infrastructure - The diversification of the rural economy - Road and/or cycle schemes The policy also permitted forms of development with accord with other Local Plan policies which refer to a specific use of type of development	The provision of a planted flood risk bund and creation of a pond is considered to fall within works which should be considered appropriate in the open countryside. They are appropriate engineering solutions to meeting coastal flood risk identified by both the EA and Arun's engineers. Unlike the previous application, this application is supported by a landscape impact assessment which demonstrates that the works will not be harmful to the character, and appearance of the surrounding landscape. Any impact arising from the introduction of the gates or the containers needs to be balanced against the benefit of protecting a residential home and a listed building from flood damage. That said, these features are also proposed with landscaping mitigation.

Policy	Summary	Comment
SD SP3 – Gaps Between settlements	The policy identifies a number of gaps between settlements, including Littlehampton and Middleton Gap, and requires that the generally open and undeveloped nature of these gaps be protected to prevent coalescence and retain identity. The policy sets out a number of situations whereby development in these gaps would be acceptable, including if: - It would not undermine the physical and/or visual separation of settlements; - It would not compromise the integrity of the gap, either individually or cumulatively with other existing or proposed development; - It cannot be located elsewhere; and - It maintains the character of the undeveloped coast; or - If a subsequent DPD or NDP deems it appropriate through an allocation.	The submitted landscape concludes that the proposals will not impact the gap between Littlehampton and Middleton as the proposals are not visually prominent and have already assimilated into the landscape. Flood risk measures are required and the proposed protection is considered to be appropriate. The submitted Visual Impact Assessment finds that there is no impact on long distance views, particularly from public footpaths and vantage points. With regard to point (c) of the policy, the defences are needed to protect my client's home, they are related to the boundary of the site which is entirely appropriate in the absence of strategic flood defences and they cannot be located elsewhere. Bunding closer to the properties will divide my clients property and will have a greater impact on the setting of the listed buildings. The proposed bunding and associated landscaping on the boundaries is consistent with the historic and established character of the area.
LAN DM1 – protection of Landscape Character	The policy seeks to ensure development respects the characteristics and natural features of the relevant landscape character areas in which it is located. The policy requires development to respect historic character of settlements and take into account distinct identity and setting.	The proposed bunding is located in a similar location to the historic boundaries of the site which have in the past been marked out with planting and trees. The need for the defences in this location has been justified with reference to the flood risk arising in this area. The bunding and the subsequent planting on the bunding will result in the landscape appearing similar to the historic landscape situation and will not be incongruous in the landscape, appearing as a landscape feature and not built development. Any impact arising from the visual impact of a new gate supported by containers is mitigated by the associated bunding and landscaping and is outweighed by the need to protect my client's home and the heritage of the listed buildings.
D SP1 – Design	This is the general design policy for the district. It requires development to reflect the characteristics of the site and local area in their landscaping, scale and character. The policy states that development should be derived from a thorough site analysis and context appraisal and adherence to objectives informing sustainable design. Of relevance to these proposals, this includes climate change mitigation.	The scale and height of the bunds has been designed to protect from the identified flood risk. They are landscaped mounds which are not out of keeping with the character of the area. Bunds, dunes, bunkers and planted boundaries are a feature of the landscape in this locality.
D DM1 – Aspects of Form and Design Quality	Policy D DM1 expands on policy D SP1 and provides detailed design requirements.	The bunds have been designed to mitigate an identified and growing flood risk and need to be of a scale that will protect the

Policy	Summary	Comment
	In particular it requires development to have regard to: Character, Appearance/attractiveness, Impact, Innovation, Adaptability, Crime prevention, Trees and Woodland, Solar Gain, Public Realm, Layout -movement, Layout legibility, Public art, Density, Scale, Aspects of Form and Design Quality.	site and not be washed away with the first flood event. As set out above the proposed bunds and their impact on the character and appearance of the site and surroundings are in keeping with the surrounding area, and bunds and gates are considered to be an appropriate engineering solution to meeting the flood risk. The bunds are landscaped to fit into the surrounding area. The gate and supporting containers are also designed to have a minimal visual effect on the character of the area or the landscape and any impact needs to be weighed against the significant benefits of mitigating flood risk and protecting listed assets.
ECC SP1	This policy confirms that the Council will support development which is located and appropriately design to adapt to impacts arising from climate change, such as the increased probability of tidal and fluvial flooding, water stress, and health impacts. Among others, the policy requires such development to take the following into account: - Location - Water efficiency - Layout and massing - Resilience of buildings and materials to extreme weather events - Capacity of drainage systems and incorporation of SuDS.	In accordance with Policy ECC SP1 the council should support this application to adapt and protect the site and the listed buildings from the impacts arising from climate change and the acknowledged increased probability of tidal flooding.
HER SP1 – The Historic Environment	The policy seeks to ensure development conserves and enhances the historic environment. Designated heritage assets are given the highest level of protection. Development considered to prejudice heritage assets and their settings will be refused.	As acknowledged in the previous application, in accordance with HER SP1 the flood risk protection will assist in protecting the listed buildings from damage from potential flooding in the future. It is accepted that the previous flood damage was extensive. The importance of preserving and protecting the heritage asset is a significant material consideration in the determination of this application. The benefits of which need to be weighed against and negative visual impacts arising. The resubmission is supported by a heritage statement to assess the impacts and balance the protection against any visual harm.
HER DM1 – Listed Buildings	Policy HER DM1 expands on HER SP1 relating solely to Listed Buildings and their protection. It requires proposals affecting a listed building to: a. Preserve or enhance the historic character, qualities and special interest of the building b. Be necessary and not harmful to historic integrity	As above. The heritage assessment sets out an assessment of the application works. The flood risk assessment and evidence regarding failing flood defences sets out the need for the works. The Heritage report finds that there is no significant

Policy	Summary	Comment
	c. Protect the architectural and historical integrity and detailing of a Listed Building's interior; d. Protect the special interest of buildings of architectural or historic interest; and e. Protect, and where possible enhance the setting of the building. f. (Our emphasis)	impact arising from any of the works. There is no impact from the bunding and minimal visual impact from the new gate and containers which is outweighed by the protection to the listed buildings that this development affords.
ENV DM3 – Biodiversity Opportunity Areas	The policy seeks to retain, incorporate and minimise disturbance to existing habitats. Within Biodiversity Opportunity Areas (BOAs) or where likely to have an impact on species or habitats within the BOAs, any application for planning permission shall include a properly conducted survey of the presence of that species and habitat and impact(s) that development may have on the BOA.	The resubmission is supported by a detailed landscaping strategy to demonstrate how the loss of biodiversity features and habitats have been mitigated and/or re-provided. It is considered that there is a net biodiversity benefit arising from significant new planting, removal of dead and diseased trees and the introduction of a new pond which will enhance the site's biodiversity.
ENV DM4 – Protection of Trees	The policy seeks to protect trees from damage or destruction. Loss of trees will be permitted if the benefits of the proposed development in a particular location outweigh the loss of trees. The policy requires proper provision to be made for the protection and management of trees, including the submission of a management plan / tree survey.	The application includes significant new tree planting as set out in the landscape appraisal.
ENV DM5 – Development and Biodiversity	The policy seeks to achieve a net gain in biodiversity and to protect existing habitats on site. It promotes the incorporation of biodiversity / landscape features and to seek to minimise adverse impacts on existing habitats. The policy also encourages the provision of new habitats.	The scheme provides for a new pond which will increase the biodiversity of the site. The new bunds will protect the site and the existing ecology from being washed away during a storm event. In addition the scheme provides for significant new tree and shrub planting which will mitigate any losses.

Climping Neighbourhood Plan

Policy	Summary	Officer Comments and Actions
CPN7 – Protection of Open Views	All development will be considered with regard to the need to protect the open landscape character of the countryside and beach.	Please see comments relating to SD SP3 and LAN DM1
CPN 8 – Protection of Trees and Hedgerows	Development requiring planning permission that damages or results in the loss of trees or hedgerows of arboricultural and amenity value will not be permitted unless the benefits of the proposed development outweigh the amenity value of the protected trees. Development proposals should be accompanied by a survey that establishes the health and longevity of any affected trees or hedgerows and a management plan to demonstrate how they will be so maintained.	Please see comments relating to ENV DM4

Policy	Summary	Officer Comments and Actions
CPM 9 – Protection of Natural Habitats	Development that results in harm to existing national and locally protected habitats will not normally be permitted. In some circumstances development proposals may be acceptable if accompanied by: - An independent assessment of the overall net environmental impact, and - Acceptable proposals to mitigate harm, or - Acceptable proposals for the provision of equivalent alternative habitats	Please see comments relation to ENV DM3
CPN 11 – Quality of Design	Policy CPN 11 seeks to ensure that new development, including, rebuilding is of a high quality of design and protects and enhances local character as assessed by the Clymping Character Assessment. Development proposals of poor design that fail to take the opportunities available for improving local character and quality of an area and the way it functions will not be permitted.	Please see comments relating to D DM1 and D SP1

5. Conclusions

- 5.1 Whilst the previous application was refused due to lack of supporting information it should be noted that there was **no** objection from any of the technical consultees who are best placed to judge such a technical application. To be clear there was no objection from – the Environment Agency, the Drainage Engineer; the Ecology Officer; the Coastal Engineer or the Conservation Officer.
- 5.2 If there is a criticism of the previous application, it is that it was perhaps assumed that the Council’s planning team was aware of the flooding risks to the site. The EA, the Coastal Engineer and the Council’s Drainage Engineer are all fully aware of the rising flood risk for the wider area and specifically the site. This application is now fully supported with new flood risk information which is based in the EA’s Product 4 data which is more up to date than the EAs Flood Maps for Planning which is 5 years old and is considered out of date.
- 5.3 The need for the application proposals are now fully justified with technical supporting information. The application is for the required protection to my client’s home to protect property and risk to life and the protection is additionally required to protect the listed buildings from the now demonstrated flood risk. These are material considerations which should be afforded substantial weight.
- 5.4 In taking a balanced assessment of the application the need and the substantial material benefits need to be weighed against any harm arising.
- 5.5 Following assessment it is considered that there is no harm to the Littlehampton Strategic Gap as the planted bunds will appear in the landscape in a similar way to the historic and existing boundary of trees around the site. It will not be viewed as ‘development’. This can be seen already as the planting grows on the bunds, but this will also improve in time as the significant planting grows and matures. There may be some minor visual impact arising from a new gate and container structure and some minor impact on the setting of the listed building but again this is mitigated by proposed bunding and planting and is weighed against the need to protect the site.
- 5.6 There is now significant and adequate submitted justification for the coastal flooding risk and the increasing risk as the strategic flood defences fail and are not replaced. This needs to be weighed against any visual impact arising, although it is not considered that the landscaped bunds will adversely affect any viewpoints or landscape character in the area as they will appear as the historic boundary of trees.
- 5.7 There are no identified impacts on existing habitats attributable to the landscaped bunds. There are no hedgerows being removed and the trees that have been removed were considered necessary with regard to site management and the installation of the new boundary fence (separate application). The trees on site are not protected and no consents were required for this work. The new bunds propose significant new planting and there will be a net biodiversity benefit arising from the maintenance of the site, thinning of overgrown and dead and diseased trees on site, significant new native planting and the addition of a new pond which is why the ecology officer had no objection to the previous scheme. This is a benefit to the scheme and should be weighed in the balance as such.
- 5.8 All development will be considered with regard to the need to protect the open landscape character of the countryside and beach. The height of the flood defences is at the minimum height recommended in the Flood Risk Assessment for predicted flooding by 2115 in order to protect the listed heritage buildings and

their occupants, and the natural qualities of the vegetated bunds and the ivy-covered flood wall are considered appropriate to the area and do not impede any open views.

- 5.9 The position of the bunds avoids damage to the great majority of existing trees on site, and most of the trees that have been affected by the earthworks are elms, that are either dead or dying. The applicant has planted more than 3,000 new indigenous trees along the bunds to mitigate any loss of tree cover, and intends to continue a tree planting strategy, planting disease-resistant elms and Black Poplars to generate a significant improvement in the biodiversity value of the property.
- 5.10 The submitted Heritage report finds that there is a long history of flooding, and flood defences, in the context of Climping Mill, with the footpath to the NE believed to have been a flood wall historically. The proposed flood defences, against the broader historic context, and the context of climate change and associated weather volatility and flood events in the 21st century, should not be surprising or remarkable.
- 5.11 No harm has been identified in relation to the proposed earth bunds or pond. However, it is considered that there would be low a degree of harm due to the proposed gates, well within the lower spectrum of less than substantial as described in the National Planning Policy Framework. Balanced against this low level of harm are heritage specific benefits, namely reducing (if not removing) risks of flooding to the listed mill and mill house. This would also sustain the significance of the buildings by ensuring their beneficial continual long term use. Therefore, the low level of harm would be outweighed by the heritage-specific benefits of the proposed development. On the whole, therefore, the assessment finds the proposed flood defences to be acceptable in heritage terms.
- 5.12 It is therefore concluded that there are no planning impacts that would outweigh the identified need for the flood defences. The bunding and the gates and supporting containers are both required to protect the site and the listed buildings from the identified flood risk and we therefore respectfully request that planning permission is expediently granted.



Lower Ground Floor
24 Charlotte Street
London, W1T 2ND

