

Recommendation Report for Planning Permission

REF NO: EP/180/18/PL

LOCATION: Building West of
131 Sea Road
East Preston
BN16 1PD

PROPOSAL: Change of use of boat store & sail loft (Sui Generis) to a single residential dwelling (C3 - Dwellinghouse) & part change of use of former dinghy pen to caravan site (Sui Generis)

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	In terms of the sail loft building, some works are proposed to the external appearance of the building, to provide habitable space and windows to serve proposed rooms within the property. The works have already been undertaken.
	The proposal would include the provision of an open plan living, dining and sitting room and 3 no. bedrooms.
SITE AREA	0.02 hectares.
RESIDENTIAL DEVELOPMENT DENSITY(NET)	20 dwellings per hectare.
TOPOGRAPHY	Predominantly flat.
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Flint wall to Sea Road. 1.2m high wall to the east and a close-boarded fence at approximately 1.8m height to the north. To west close boarded fencing to boathouse.
SITE CHARACTERISTICS	Site is located in corner of caravan park. The application property is located at entrance to caravan park. The caravan park contains 12 caravan pitches. To the east Ramblers and Ramblers Cottage are 2 storey with windows facing onto the site. Ramblers is divided into flats. No.129 Sea Road is also 2 storey with a balcony on the south elevation. A public footpath abuts the sites most eastern boundary.
CHARACTER OF LOCALITY	This is a predominantly residential area, located close to the beach, with a Dinghy compound to the south. Dwellings vary in height and size in locality and are mainly detached.

RELEVANT SITE HISTORY

EP/120/18/PL	Change of use of boat store & sail loft (Sui Generis) to 1 No. dwelling (C3 Dwelling house).	Withdrawn 21-11-18
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EP/131/10/	Erection of a single detached dwelling and associated car parking. Repositioning of caravan pitches - Resubmission of EP/40/10	App Cond with S106 06-04-11
EP/139/03/	Boat store & sail loft (Re-submission of EP/111/03)	ApproveConditionally 09-01-04
EP/98/90	Use of land for 12 touring caravans	ApproveConditionally 13-12-90

Condition 4 on the previous approval EP/139/03 for the boat store/sail loft:

The building shall be used as a boat store/sail loft in connection with the Caravan Park, Sea Road, East Preston only and for no other purpose.

Reason: To safeguard the amenities of the neighbouring properties and to ensure the provision of adequate off street parking space in accordance with policies G1, T14 of the West Sussex Structure Plan, DEV1 of the West Sussex Structure Plan Deposit Draft and GEN7 of the Arun District Local Plan.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

East Preston Parish Council

Objection:

The Parish were unable to conclude what has changed since January 2004 when Planning Application EP/139/03 was granted with the restrictive condition on its use as a boat store/sail loft in connection with the Caravan Park. Nothing has changed about the neighbouring properties to justify this Change of Use.

9 Letters of Support two from the occupiers of the host premises and two letters of no objection:

- Support the change of use to domestic dwelling.
- Similar footprint and in keeping with surrounding properties.
- Provides additional surveillance of the Caravan Site.
- Would enhance the surroundings.

COMMENTS ON REPRESENTATIONS RECEIVED:

The Parish Council representation is noted and has been considered in the conclusion section of this report.

Letters of support are noted.

CONSULTATIONS

Engineers (Coastal Protection)
 Engineering Services Manager
 Environmental Health
 WSCC Strategic Planning
 Environment Agency

CONSULTATION RESPONSES RECEIVED:

WSCC Highways. No objection:

- No alterations to the existing vehicular access is proposed.
- Visibility appears sufficient.
- No recorded injury in data records for past 5 year. No other evidence that existing access is operated unsafely.
- No material increase in vehicle movements as a result of the residential development.
- Adequate parking is provided for size of dwelling in the locality.
- Sufficient space has been provided for turning, and for vehicles to exit in a forward gear.
- Site located in a sustainable location close to local amenities.

The proposal would not severely impact on the operation of the Highway network and therefore meets Para 109 of National Planning Policy Framework.

ADC DRAINAGE ENGINEERS - No comment.

Engineers (Coastal Protection) - No comment.

ENVIRONMENT AGENCY

Following the submission of further information - no objection subject to appropriate condition.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Within the Built up area boundary.

DEVELOPMENT PLAN POLICIES

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

DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
SDSP2	SD SP2 Built-up Area Boundary
TOUDM1	TOU DM1 Tourism related development
TSP1	T SP1 Transport and Development

[East Preston Neighbourhood Plan 2014 Policy 1](#)

Housing - General Principles

East Preston Neighbourhood Plan 2014 Policy 3

Design in Character Area Two

PLANNING POLICY GUIDANCE:

NPPF National Planning Policy Framework
 NPPG National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011-31, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area.

Made Plans in Arun District Council's Local Planning Authority Area are: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton.

The relevant policies in the East Preston Neighbourhood Plan have been considered in this report.

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 it would have no materially adverse effect on the visual amenities of the locality, established tourist facilities or the established character of the surrounding area.

OTHER MATERIAL CONSIDERATIONS

It is considered that the occupation of the site by a tied residential property to the Caravan Park is a material consideration to the planning case.

CONCLUSIONS

BACKGROUND

As confirmed by the applicant the boat store/sail loft was used as an ancillary storage use for the sailing club albeit the sailing club has ceased operation since 2016. Its use has therefore become redundant.

Notwithstanding this Arun District Councils understands that the siting of the sailing club is on land associated with the Caravan Park. The application also looks to seek the formal permission for the change of use of the former dinghy pen back to its former use as part of the caravan park.

It is also noted that the boat store has been converted to a residence with alterations to the external elevations including fenestration and added chimney fuel.

The change of use of the sails loft/boat store to (C3) residential is therefore subject to an assessment against the policies in the Arun Local Plan and Neighbourhood Plan.

PRINCIPLE

In this case the key Arun Local Plan policy considerations are D SP1 (Design), D DM1 (Aspects of Form and Design Quality), D DM2 (Internal Space Standards) and T SP1 (Transport and Development). These policies seek to ensure that development:

- Reflects or improves the character of the site and the surrounding area.
- Minimises the impact on neighbouring land/residents.
- Provides appropriately sized internal space standards.
- Provides safe access on to the highway network and incorporates appropriate levels of parking in line with West Sussex County Council guidance on parking provision.

In addition Policy 1 (Housing - General Policies), 3 (Design & Character Area Two) & 10 (Access to the Beach) of the East Preston Neighbourhood Plan and the National Planning Policy Framework (NPPF) are relevant to the determination of the proposals. Further, the South Inshore and Offshore Marine Plan July 2018 - Policies S-TR-1 & S-SIST-1 must be considered.

RESIDENTIAL AMENITY

The Officers note the concern of the Parish Council however, the proposal is not considered to give rise to a cramped and unneighbourly form of development by way of overbearing effect and overshadowing.

The building is of a limited height, 6.8m to ridge, 4.2m to eaves. Patio doors would be the only windows located in the south east elevation at first floor, including roof lights and ground floor windows in the south west and the north east elevations.

The distance and the height of the dwelling is not considered to result in a materially adverse impact to adjoining properties. No windows would be at a height or in a position to cause a material loss of privacy to adjoining properties namely no 129 and 131 Sea Lane.

CHARACTER, DESIGN & LAYOUT

Policy D DM1 - Aspects of form and design quality confirms that when considering any application for development the Council will have regard to the following aspects: character, appearance/attractiveness, impact, innovation, adaptability, crime prevention, trees and woodland, solar gain, public realm, layout, density, scale and aspects of form and design quality.

The site is located within an existing caravan park with no road frontage. Access and parking would be achieved via an existing gate. A small amenity area is indicated to serve the property. The curtilage would be defined by 1.8m high close-boarded fencing, and an existing flint wall occupying the western boundary abutting Sea Lane.

The building by virtue of its scale, and design is acceptable. There are limited fenestration changes proposed which would mean that it will not significantly impact on the appearance of the area or detract from it. This is reinforced by the fact that the neighbouring properties are in residential use (namely no.129 and 131 Sea Lane).

The plot size and amenity space is directly comparable with neighbouring no.131 Sea Lane and no.129 Sea Lane. Therefore officers consider the space surrounding the footprint of the building is comparable with surrounding dwellings. The development is in keeping with the character of the area and immediate street scene in accordance with policies D SP1, SD SP1, & D DM1.

INTERNAL & EXTERNAL SPACE STANDARDS

Policy D DM2 requires that internal space standards are in accordance with the Governments Technical Housing Standards (Nationally Described Space Standard). This will determine if a building is suitable for residential use.

In terms of the internal space, the proposed accommodation would provide 99.7 square metres of floorspace. This exceeds the requirements of the Nationally Described Space Standard, which state that a two bedroom property should provide at least 79 square metres, therefore is considered in accordance with Policy D DM2.

In terms of external space there are no policies setting out a direct dimension. However, in this case it is seen to be acceptable as it is comparable to other neighbouring properties and with the coast and local park in close proximity that available is sufficient.

HIGHWAYS

There are no changes proposed by way of access as the existing access point is to be retained and used. The Highways department consider visibility to be acceptable and highway safety will not be significantly impacted from the proposed change of use of the building.

In terms of the additional caravans to be stored this will replace a former use to store dinghies. The additional traffic flows to be generated by this use is not considered to be severe by the Highways section and accordingly consider it to be an acceptable proposal from a highway point of view.

TOURISM POLICY

Policy TOU DM1 - 'Tourism related development', seeks to protect the tourism offer in the district. In particular "the change of use of camping and caravan sites to other uses, including permanent residential use, will not be permitted, unless the site is allocated for other development in the Local Plan".

The proposal does not conflict with this policy on the grounds that the caravans will continue to operate and are proposed to be extended in number by the change of use of the former dinghy pen to station additional caravans. This aspect of the proposal is in compliance and in support of Policy TOU DM1 of the Local Plan.

FLOODING

Whilst the Councils Engineers have not commented on the flooding implications of this proposal given the site's close proximity to the sea, the Environment Agency (EA) have assessed the information submitted by the applicants and have raised no objection subject to condition.

IMPACT ON THE MARINE ENVIRONMENT

The proposal does not include development on the foreshore. The extension to the caravan park would take place on the land beyond an existing shack and hard standing and gravel which is not part of the beach shingle area. It is necessary to consider the impact of the proposal on the marine environment and the relevant policy consideration is the South Inshore and Offshore Marine Plan. Policy S-TR-1 states

'Proposals supporting, promoting or facilitating tourism and recreation activities, particularly where this creates additional utilisation of related facilities beyond typical usage patterns, should be supported'.

Policy S-TR-2 'Proposals that enhance or promote tourism and recreation activities will be supported. Proposals for development must demonstrate that they will, in order of preference: a) avoid, b) minimise, c) mitigate significant adverse impacts on tourism and recreation activities'.

Policy S-SIST-1 'Proposals, including in relation to tourism and recreational activities, within and adjacent to the south marine plan areas must demonstrate that they will, in order of preference: a) avoid, b) minimise, c) mitigate significant cumulative adverse physical disturbance or displacement impacts on highly mobile species'.

The proposal would not adversely impact on the marine environment or affect any marine habitat. It would expand an existing facility which benefits tourists in accordance with the policy.

CONCLUSION

It is therefore considered that for the reasons given above the proposal is acceptable and in accordance with relevant Development Plan policy. As such permission is recommended subject to the following conditions.

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 The development hereby approved shall be carried out in accordance with the following approved plans:

Location Plan Drw no.1
 Block plan Drw No.2
 Indicative Site Layout Drw No.3
 Ground Floor Plan Rev 1
 First Floor Plan Rev 1
 Proposed Front Elevation
 Rear Elevation
 Side Elevation (E)
 West Side Elevation

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 No part of the development shall first be occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details to be submitted to be approved by the Local Planning Authority.

Reason: To provide alternative travel options to the use of the car in accordance with policy TSP1 of the Arun Local Plan.

- 3 No part of the development shall be first occupied until the car parking has been constructed in accordance with the approved site plan. These spaces shall thereafter be retained at all times for their designated purpose.

Reason: To provide car-parking space for the use and in accordance with policy TSP1 of the Arun Local Plan.

- 4 No windows (other than those shown on the plans hereby approved) shall be constructed in

any elevation of roof pitch of the development hereby permitted without the prior permission of the Local Planning Authority on an application in that behalf.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies D DM1 f the Arun Local Plan.

- 5 The development shall be carried out in accordance with the submitted Flood Risk Assessment and plans (ref: Flood Risk Assessment- Proposed Development at 131A Sea Road, East Preston- The Civil Engineering Practice) and the following mitigation measures it details:

- Where viable and appropriate the retrofitting of flood resistance and reliance measures to the development are to be implemented by the owner of the dwelling.
- Ground Floor Finished levels of the dwelling are set at 5.67m AOD

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To prevent the increased risk of flooding in accordance with Arun Local Plan Policies WSP 1, W DM1, W DM2 & W DM3.

- 6 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 within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.