

Recommendation Report for Planning Permission

REF NO: P/108/18/PL

LOCATION: Church Farm Holiday Village
Church Lane
Pagham
PO21 4NR

PROPOSAL: Erection of housekeeping building within existing maintenance yard. This application affects the setting of a listed building.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Single storey pitched roof building sited at edge of mobile home holiday park. The proposed materials are grey cladding. The building would be 4.4m high 7.312m wide and 18.521m long. The proposed use of the building is as a housekeeping store.
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Wall and fencing to both neighbouring boundaries.
SITE CHARACTERISTICS	Large holiday park with mobile homes and a number of related buildings including a nearby entertainment complex.
CHARACTER OF LOCALITY	Generally residential with a variety of building types and design.

RELEVANT SITE HISTORY

P/54/17/PL	Extension of the occupancy period at Church Farm Holiday Village by one month to allow occupation between 1 March & 30 November in any year.	App Cond with S106 29-09-17
P/84/16/PL	Installation of 22 no. caravan bases for 22 no. static caravans with associated car parking, pedestrian footpaths, internal access road, landscaping & infrastructure above & below ground.	App Cond with S106 14-12-16

Planning history noted - there are many applications on the site.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Pagham Parish Council

Pagham Parish Council

No objection but would like to see additional screening such as evergreen planting as in residential area.

One letter of objection

What are the working hours?

What is the height?

What plans are there to screen the building to block noise.

COMMENTS ON REPRESENTATIONS RECEIVED:

Whilst the building would be visible in the street scene particularly Marlet Way the height and appearance of the building is not considered to cause such harm (given the context of other development on site) that screening above that which exists is necessary.

The operating hours have been confirmed by the applicant and no objection has been raised via Environmental Health.

The height of the building is listed earlier in the report - it would not have an adverse overshadowing or overbearing impact on the neighbouring residential properties.

The existing boundary treatment is to remain.

CONSULTATIONS

Engineering Services Manager

Engineers (Drainage)

Environmental Health

Economic Regeneration

CONSULTATION RESPONSES RECEIVED:

Environmental Health:

What are hours of use of building? There have been issues in the past.

Are there plans to store food in the building?

Economic Development

No comment

Engineers

No objection - no conditions required

Conservation Officer

The application is for a housekeeping building within an existing maintenance yard. The existing yard is well used and contains a brick barn which is identified as a listed building. This building is an indication of

a former use of the site/local area i.e. agricultural. However, there has been extensive development in the local area which has affected the setting of this listed building.

The proposed structure will be in close proximity to the listed building, and could potentially further erode its setting. However, due to the existing level of modern development around the building, it is considered that the proposal will have a neutral impact, in this particular instance.

COMMENTS ON CONSULTATION RESPONSES:

The applicant has responded to Environmental Health confirming the hours of use and the proposed storage use. Environmental Health have responded to confirm that they have no further comments to make.

Other consultee comments are noted.

POLICY CONTEXT

Designation applicable to site:

Within built up area

Pagham Harbour Access Management Zone A;

Grade II Listed Buildings;

Adjacent to Site of Specific Scientific Interest;

Flood Zones 2/3;

Special Control of Adverts;

Archaeological Interest Area;

Class C Road;

Permitted development restriction;

Protected Coastal Area; and

No public sewer

DEVELOPMENT PLAN POLICES

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

DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
ENVDM2	ENV DM2 Pagham Harbour
HERDM1	HER DM1 Listed Buildings
QEDM1	QE DM1 Noise Pollution
TOUDM1	TOU DM1 Tourism related development

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

PDS	Pagham Parish Council's Village Design Statement by PaghamPC
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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 Neighbourhood Development Plan

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.

Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation(Reg.14).

Pagham Parish does not have an adopted Neighbourhood plan but has an emerging version so the relevant policies will be taken into account as will the Pagham Village Design Statement.

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 building by reason of its size, position design and use would not cause demonstrable harm to the amenities or character of the area or the ecological interests of the neighbouring Pagham Harbour or the neighbouring building.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

PRINCIPLE

The application site is located within the built up area boundary, where the principle of development is acceptable subject to accordance with the relevant development plan policies, as stated in SD SP2 of the Arun Local Plan. In this case, the key policies are discussed below.

Policy SD SP2 of the Arun Local Plan states that development should be focused within the Built Up Area Boundary, and will be permitted subject to consideration against other policies in the Local Plan.

Policy D DM1 sets out 13 design aspects of which applications should be assessed against. These include: Character, Appearance, Impact, Innovation, Adaptability, Crime Prevention, Trees, Public realm, Layout, Public Art, Density and Scale.

Policy HER DM1 seeks to preserve listed buildings and their settings.

Policy ENV DM2 seeks to only permit development in exceptional circumstances where the developer is able to demonstrate there will be no detrimental effects on Pagham Harbour with regard given to policy ENV DM1 which seeks to protect sites of biological and geological importance.

Policy QE DM1 seeks to prevent noise pollution.

Policy 1 of the Pagham Neighbourhood Development Plan states that development within the built up area boundary will be approved if it accords with other provisions of the Neighbourhood/development plan.

Policy 5 supports the expansion of businesses subject to criteria.

DESIGN AND VISUAL AMENITY

The building is site on the corner of two roads and whilst there are some boundary treatments including tree planting it is visible from the street scene. The height of the building would not dominate the area but it would have an impact on the area. However there are other larger buildings nearby and due to this and the position of the proposed building it is not considered that there would be such an impact on the visual amenities of the locality that refusal could be justified.

The proposed development is considered to be in accordance with D DM1 of the Arun Local Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed building is sited in a position where it would be seen from residential properties. However due to its height and position it is not considered that there would be any adverse impact on their amenity and therefore would comply with D DM1 of the Arun Local Plan.

Listed Building

The proposed building would affect the setting of a grade 2 listed building. The Conservation Officer has stated that there is no objection to the proposal and the proposal therefore complies with HER DM1.

Pagham Harbour

The building is sited within a large holiday park. The building is modest in size and located within a compound adjacent to some larger buildings and would provide for the running of the park rather than additional trips/visitors etc. It is therefore considered that the impact on the special interests of Pagham Harbour are insignificant and would not lead to detriment to the protected status of the area.

SUMMARY

The proposed development is deemed to accord with relevant development plan policies and as such is 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 permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

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

4183-105, 4183-110 A, 4183- 210 A, 4183- 230 and 4183 - 220

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

- 3 The building shall not accept deliveries or be used for activities which generate noise audible at surrounding properties other than between these hours:-

07.45 and 20:00

Reason: To safeguard the amenities of the neighbouring properties in accordance with Arun Local Plan policy QE DM 1.

- 4 **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.