

PLANNING APPLICATION REPORT

**REF NO:** CM/46/22/PL

**LOCATION:** Bairds Farm Shop  
Crookthorn Lane  
Climping  
BN17 5SN

**PROPOSAL:** Erection of a substation, eight ultra-rapid electric vehicle chargers and associated electrical equipment within the car parking area of Maidenhead Aquatics Littlehampton. This application is in CIL Zone 5 and is Zero Rated as other development.

**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	This application seeks the installation of 8 EV charging points, (2 sets of 4 spaces) within existing car park of the garden centre, cafe and aquatics shop.
	Each EV charging point measures 2.1m high. The sub station measures 3.1m by 2.2m by 2.2m high.
TOPOGRAPHY	Predominantly flat.
BOUNDARY TREATMENT	Post and rail style fencing to site frontage.
SITE CHARACTERISTICS	Established farm shop with car parking adjacent to road frontage. It is single storey with clad elevations. The area immediately to the east of the car park contains a raised bed planted with shrubs and enclosed by sleepers. The car park area is hard surfaced.
CHARACTER OF LOCALITY	The area is rural in character with sporadic linear development to the south. Land to the east and west of the site is predominantly undeveloped agricultural land.
	To the immediate south of the site, and approx. 81m away from the proposed location of the EV chargers, is The Cottage, a Grade II Listed Building. The Listed Building has good screening to its western, northern and eastern boundaries.

**RELEVANT SITE HISTORY**

CM/20/20/PL	Use of site approved for tent pitches (CM/7/18/PL) to be used for caravan/motor home camping and tent pitches and associated changes to approved layout.	ApproveConditionally 25-08-20
CM/27/18/PL	Part change of use of farm shop (sui generis) to include	ApproveConditionally

CM/16/18/PL      Development of a 64-bed Specialist Dementia Care Centre together with access, parking & landscaping (Use Class C2). This application is a Departure from the Development Plan & affects the setting of a Listed Building.      Refused 15-11-18

**Appeal: Allowed+Conditions  
21-01-20**

The site benefits from a lawful use as a farm shop. The recent change to aquatics sales use was granted by CM/27/18/PL. As part of the farm shop use there was a previous cafe on site and there are no restrictions on opening hours.

To the south and east of the site, permission has been granted for a 64 bed care home in a two storey building. This will be accessed from the existing access onto the A259.

Further to the east, permission has been granted for a 0.95ha site to be used for camping under CM/20/20/PL.

## REPRESENTATIONS

Parish Council - Objection:

- No objection in principle to siting Osprey charging network. Have concern with regards to the potential increase in traffic movements onto the A259.
- Concerns are also raised if the facility is to be open 24 hrs and lit causing light pollution in a currently dark skies area.

3 letters of objection from neighbours:

- Request for resolution of existing planning on site.
- Overdevelopment of site.
- Attract more cars to the area.
- Residents of Clymping do not require the chargers.
- Previous applications refused on site.
- Ugly addition.
- Site subject to vandalism.
- Unsure of operating hours.
- Questions raised over flood lighting.
- Effect on nearby Listed Building.
- Will impede entry/exit of site.
- Commercial intensification of site.

1 letter of no objection from neighbour.

- Confirmation of opening hours needed.
- Against the idea if it will require more lighting.

## COMMENTS ON REPRESENTATIONS RECEIVED:

Noted. Planning matters will be discussed within the conclusion section of the report.

## CONSULTATIONS

### CONSULTATION RESPONSES RECEIVED:

Environmental Health - No objection.

There is no mention of any lighting in the application either planned or existing, any new lighting may require a suitable impact assessment to ensure it is adequate and does not interfere with residential properties nearby.

WSCC Highways - No objection.

The Local Highways Authority (LHA) does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network and therefore is not contrary to the National Planning Policy Framework (paragraph 111). There are no transport grounds to resist the proposal.

### COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

## POLICY CONTEXT

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

### DEVELOPMENT PLAN POLICIES

Arun Local Plan 2011 - 2031:

CSP1	C SP1 Countryside
INFSP1	INF SP1 Infrastructure provision and implementation
DSP1	D SP1 Design
SDSP3	SD SP3 Gaps Between Settlements
DDM1	D DM1 Aspects of form and design quality
QEDM3	QE DM3 Air Pollution
QESP1	QE SP1 Quality of the Environment
QEDM1	QE DM1 Noise Pollution
HERDM1	HER DM1 Listed Buildings
TDM1	T DM1 Sustainable Travel and Public Rights of Way
ECCSP1	ECC SP1 Adapting to Climate Change
ECCSP2	ECC SP2 Energy and climate change mitigation

Clymping Neighbourhood Plan 2015 Policy CPN11 Quality of Design

Clymping Neighbourhood Plan 2015 Policy CPN4 Protection of existing commercial premises or land

### 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, The South Inshore & South Offshore Marine Plan 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.

**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 the impact on visual amenity, occupant amenity, highways, parking and improvement in air quality is acceptable.

Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that

- (2) in dealing with an application for planning permission the authority shall have regard to -
- (a) the provisions of the development plan, so far as material to the application,
  - (aza) a post examination draft neighbourhood development plan, so far as material to the application,
  - (b) any local finance considerations, so far as material to the application, and
  - (c) any other material considerations.

**OTHER MATERIAL CONSIDERATIONS**

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

**CONCLUSIONS****PRINCIPLE**

Policy INF SP1 supports development proposals which provide or contribute towards infrastructure. It goes on to explain that the Authority will support service providers for the delivery of utility infrastructure required locally which are needed to serve existing or new development to ensure the growth of the District. Within the preamble of the policy the types of infrastructure needed are discussed. The list at paragraph 22.1.2 is not exclusive but one of those cited is transport, including Green Infrastructure. Although the requirements largely relate to the provision of enhancements to Rights of Way and the establishment of new 'green Links' between settlements, of note is the requirement of the policy to work in partnership with other service providers to deliver other schemes. In this instance, the provision of an Electrical Vehicle (EV) charging station, to support a sustainable road network and the 2035 Government deadline for the cease the sale of new petrol/diesel cars, will clearly go towards serving the local community. This is more so in this case as the next nearest public charging services are 1.6 miles to the east (max. 22kW) or 4.4 miles to the west (max. 50 kW).

The proposal complies with the requirements as set out in Policy INF SP1 of the Arun Local Plan (ALP).

Policy C SP1 of the ALP states that development outside of the built-up area will only be permitted where they are for agricultural needs, diversification of the rural economy, informal recreation, road or cycle schemes or where they accord with other policies in the Plan. In this instance as the proposal complies with Policy INF SP1 of the ALP, for a specific form of development i.e. the provision of infrastructure to serve the need of the local community, it therefore also complies with Policy C SP1 of the ALP.

Policy SD SP3 aims to protect the open undeveloped nature of gaps between settlements. This is discussed further in the following section of this report.

Policy CPN4 of the (Clymping Neighbourhood Plan) CNP supports the upgrade of existing commercial sites providing that they do not negatively impact surrounding residents, compromise the character of the area, are acceptable in terms of traffic impact and accords with other policies in the neighbourhood plan. This is discussed further in the highways and parking section of this report.

### DEVELOPMENT WITHIN THE SETTLEMENT GAP

The site is in the Littlehampton to Middleton settlement gap. Policy SD SP3 states that development will only be permitted in the gaps if it does not undermine the physical or visual separation of settlements, it would not compromise the integrity of the gap, or it cannot be located elsewhere.

The proposed EV charging points will be located within the car park of an existing business. They are small in scale and as such would not undermine the visual separation of the gap when viewed against the much more significant built development on site and beyond to the south. Furthermore, as development is within an already established business it will not compromise the integrity of the gap. The EV chargers could not be easily located on another highly accessible site within the vicinity of the application site. As such it would accord with Policy SD SP3 of the ALP.

Despite this proposal relating to development within a countryside location and a settlement gap, as a result of the small scale of the proposal and its positioning in the car park of an established business it accords with policies C SP1 and SD SP3 of the ALP.

Concerns have been raised relating to disturbance from potential lighting on site. To control the potential negative impact to the settlement gap, a condition will be added to any approval requiring the written approval of any lighting to be provide.

### VISUAL IMPACT

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.

Due to their positioning to the front of site, the charging point will be visible from the street. As development designed for passing traffic this is seen as a positive to the scheme. When compared to the existing built form of site, the proposed EV chargers are of an appropriate design for their intended use and location.

The Electric Vehicle charging units and substation are relatively small in scale, with a maximum height of 2.2m and their design and appearance would not be visually prominent within the context and setting of the car park and business.

Due to the minimal scale of the proposal and its appropriate location within the car park of the business, it would not have an unacceptable impact in terms of the visual amenity and character of the area, and



would be in accordance with Arun Local Plan policies D SP1 and D DM1.

#### RESIDENTIAL AMENITY

The charging points are located adjacent to the entrance into site, as such the nearest neighbour would be 50m away from the chargers if measured in a straight line. Due to the existing buildings on site, views of the EV chargers would be screened which, together with their low height, means that neighbouring amenity would not be adversely impacted.

At present there are no restrictions to the opening hours of the farm shop/ aquatic centre on site. The use of the EV chargers is expected to be infrequent after the shop has closed due to the lack of other facilities near to the site and the running of the EV points itself will not increase noise pollution arising from site.

The works are small scale, and the use of Electric Charging Points (EVCPs) would not result in any adverse impacts to these nearby occupants and accords with the NPPF and Arun Local Plan policies D DM1, QE SP1 and QE DM1.

#### HERITAGE ASSET

There is a Listed Building on the site known as The Cottage which is already viewed against the commercial site to its east.

Policy HER DM1 relates to listed buildings and states that proposals must preserve and if possible, enhance the historic character, qualities and special interest of the building. Also, proposals should not be detrimental to the historic integrity of the building's exterior or interior and where possible enhance the setting of the building.

The proposed EV charging points would not be visible from the immediate area surrounding the Listed Building and glimpses of the EV chargers would only be possible from the very northern part of its garden. Due to the significant visual and physical separation distance from the EV charging points, other existing buildings within the site would be far more prominent in terms of their effect on the setting of the listed building and the EV chargers will have no harm to the setting of the Listed Building.

#### HIGHWAYS & PARKING

County Highways raised no objection on highways safety or capacity grounds. The proposal would not result in a loss or increase in parking but rather would utilise 8 existing parking bays for electric vehicle charging.

They have also confirmed that the proposal will not result in adverse effects on the highway network.

The introduction of EVCPs accords with the Arun Parking SPD which seeks the installation of EVCPs for all new development. The proposals in respect of parking and highways would accord with the NPPF and Arun Local Plan policies T SP1 and T DM1.

#### AIR QUALITY & CLIMATE CHANGE

The introduction of EVCPs meets the objective of improving air quality and providing measures against climate change, in accordance with Arun Local Plan policy QE DM3 which seeks '(c) Encouraging the use of cleaner transport fuels on site, through the inclusion of electric car charging points', and ALP policies ECC SP2 and ECC SP2 which seek to promote energy efficient and renewable energy.

#### SUMMARY

The proposal complies with relevant planning policies, having an acceptable impact on visual amenity, highways, parking, and would result in an improvement in air quality and provide measures against climate change, in accordance with the objectives of the Local Plan.

The application is therefore recommended for approval, subject to the following conditions:

### HUMAN RIGHTS ACT

The Council in making a decision should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as Arun District Council to act in a manner, which is incompatible with the European Convention on Human Rights.

Consideration has been specifically given to Article 8 (right to respect private and family life) and Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for approval of the grant of permission in this case interferes unreasonably with any local residents' right to respect for their private and family life and home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for approval is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

### DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

In assessing this proposal the following impacts have been identified upon those people with the following protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation).

The proposal would have a neutral impact on the protected characteristics.

### RECOMMENDATION

APPROVE CONDITIONALLY

- 1 The development hereby 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;

- Location Plan Rev V1
- 8 Bay 8 Charger 1st Row Rev V1
- 8 Bay 8 Charger 2nd Row Rev V1
- Substation Detail Drawing V1
- Site Plan V1

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 No development above concrete bases level shall take place unless and until a schedule of finishes to be used for external faces of the proposed substation has been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the substation.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity and integrity of the settlement gap with policy D DM1 of the Arun Local Plan.

- 4 No external lighting shall be installed in connection with the proposed EV charging points, without details being submitted and agreed in writing with the Local Planning Authority.

Reason: To control the residential amenities of the local environment in accordance with Arun Local Plan policies QE SP1, QE DM2 and D DM1.

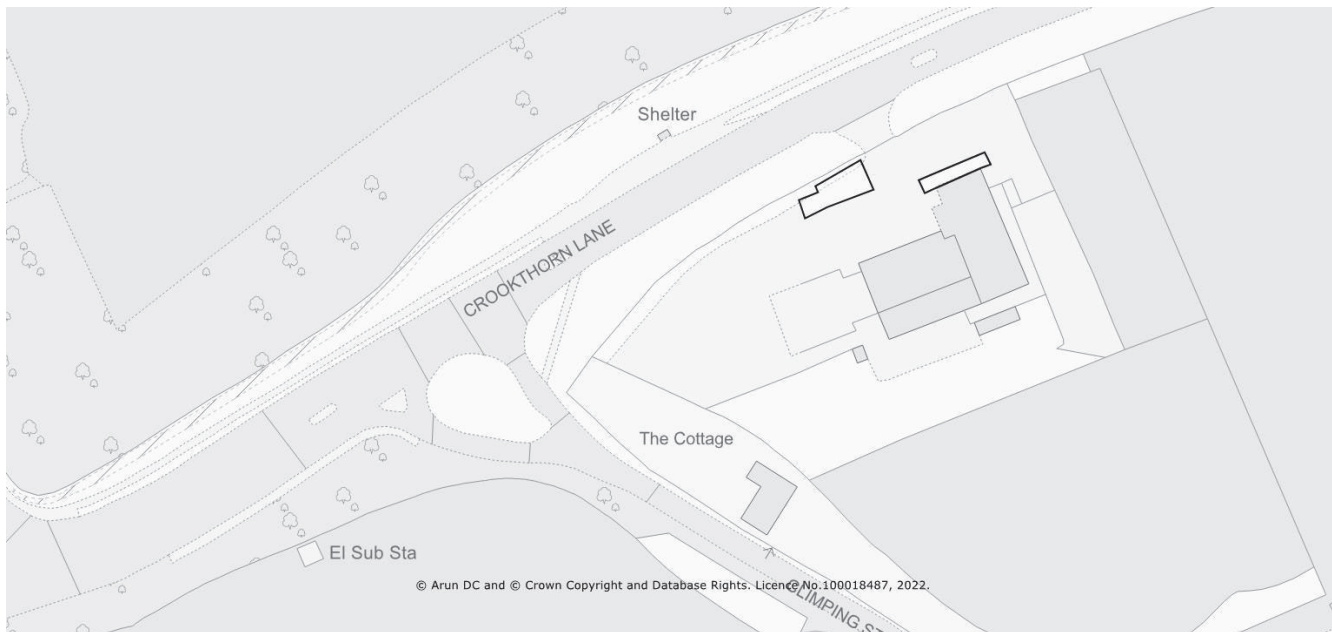
- 5 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure)(England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including 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.

## BACKGROUND PAPERS

The documents relating to this application can be viewed on the Arun District Council website by going to <https://www.arun.gov.uk/weekly-lists> and entering the application reference or directly by clicking on [this link](#).



**CM/46/22/PL - Indicative Location Plan (Do not Scale or Copy)**  
**(All plans face north unless otherwise indicated with a north point)**



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