

<b>REPORT TO:</b>	Planning Committee 7 June 2023
<b>SUBJECT:</b>	To Consult on a Local Development Order for the Butlins Complex, Bognor Regis
<b>LEAD OFFICER:</b>	Kevin Owen (Planning Policy Manager)
<b>LEAD MEMBER:</b>	Chair of Planning Committee
<b>WARDS:</b>	Hotham Ward
<b>CORPORATE PRIORITY / POLICY CONTEXT / CORPORATE VISION:</b>	
The recommendations supports:	
<ul style="list-style-type: none"> <li>• Improve the Wellbeing of Arun;</li> <li>• Supporting our environment to support us;</li> <li>• Fulfilling Arun’s economic potential.</li> </ul>	
<b>DIRECTORATE POLICY CONTEXT.</b>	
The adoption of a new Local Development Order (LDO) for the Butlins Complex will help to promote active healthy lifestyles through leisure, arts and culture, while promoting economic growth and the quality of the built and natural environments in a sustainable manner.	
<b>FINANCIAL SUMMARY:</b>	
The designation of the LDO would enable small changes to be made without the need to apply for planning permission. The consequence of this is a loss of planning application fees.	

## 1. PURPOSE OF REPORT

- 1.1 The report seeks the Committee’s agreement to carry out consultations and advertise the making of a new Local Development Order for the Butlins Complex, Bognor Regis with a view to a further report to Full Council to approve the adoption of the LDO following the consultation.

## 2. RECOMMENDATIONS

- 2.1 That the Planning Committee agree the principle of a Local Development Order for an initial period of three years for the Butlins Complex, Bognor Regis subject to the following;

The Group Head of Planning be granted delegated authority to;

- a. Carry out formal public consultation on the draft LDO,
- b. Consider the representations to the draft LDO and draft modifications, if necessary,
- c. Obtain a resolution from Full Council to adopt the LDO.

- d. Notify the Secretary of State that the order has been made as soon as reasonably practicable and no later than 28 days after the Local Planning Authority has adopted the LDO.

### **3. EXECUTIVE SUMMARY**

- 3.1. The objective for the Local Development Order is to assist in reducing the number of applications which are received for small scale developments within the Butlins Complex which are not visible from outside the site.
- 3.2. Further, ADC believes that the LDO would assist with the regeneration of Bognor Regis Town Centre, by helping to facilitate development on this site.
- 3.3. The proposed revised LDO will allow small changes to buildings without requiring a planning application to be made each time. Permissions provided by the LDO do not allow large changes or ones outside the site.
- 3.4. An LDO is a useful tool for saving time and money for all parties.

### **4. DETAIL**

- 4.1 A Local Planning Authority (LPA) may make an LDO under ss 61A -61D of the Town and Country Planning Act 1990 as amended.
- 4.2 The LDO process gives Local Planning Authorities (LPA's) the opportunity to establish permissions for specific classes, types, or individual developments within a specific area. LDOs can define parameters for development and to set out exceptions, or specific rules that must be followed before development commences (such as the provision of information to the LPA). As such, they are a flexible tool consistent with the improving the planning system, which encourage the use of a broad range of policy and implementation instruments to secure spatial plan objectives and to improve planning services.
- 4.3 The LDO covers development that potentially still requires planning permission but does not cover permitted development under the Town and County Planning (General Permitted Development) (England) Order 2015. They are not a withdrawal of planning control, on the basis that impacts from development types specified in an LDO, should be insignificant and it can be shown that they can be effectively controlled within an LDO framework of decision making. This, therefore, involves a strategic consideration of the types of development and their potential impacts that should be appropriately, specified and included in an LDO to support the achievement of a policy objective. These must be acceptable in planning terms following consideration of relevant policy objectives and material planning considerations.
- 4.4 Paragraph 51 of the National Planning Policy Framework (NPPF) states;  
  
*“Local planning authorities are encouraged to use Local Development Orders to set the planning framework for particular areas or categories of development where the impacts would be acceptable, and in particular where this would promote economic, social or environmental gains for the area.”*

- 4.5 The Local Development Order removes the need for planning permission. It, therefore, forms part of the statutory Planning Register and will also be highlighted in land charges searches. The adoption process for the Order must be consistent with the relevant legislation.
- 4.6 The Butlins's complex is a strategic development site within the Arun District, with a total site area of 21.16ha.
- 4.7 At its meeting of 31st July 2013, Arun District Council's Development Control Committee approved a Local Development Order relating to Butlins, in Bognor Regis, following an eight-week period of consultation. Following referral to the Secretary of State, the Council adopted the Local Development Order with it coming into effect on 1 September 2014.
- 4.8 The existing LDO for Butlins expired in 2017. It was taken to Planning Committee and Full Council for renewal in 2019 although the process was never completed with the impact of the advent of the Covid-19 pandemic.
- 4.9 The proposed LDO allows Butlins permission to undertake the following development without planning permission subject to several restrictions on the size, height, and location of development within the site.
- The construction of a single storey extension to any existing building, structure or enclosure
  - The erection of solar panels on buildings
  - The construction of a new building, structure or enclosure not over 4 metres tall
  - Development of sports facilities and funfair plant and machinery.
- 4.10 These developments will be allowed within the site that is identified by a red edge on the map that accompanies the draft Local Development Order.

## **5 CONCLUSION**

- 5.1 If the Committee approves the principle of the draft Butlins LDO, the draft LDO and accompanying documents would be made available for public consultation which would last for 28 days.
- 5.2 Following completion of the public consultation period, the representations received on the draft LDO would be considered and minor amendments made to the LDO arising from these representations, if necessary. The LDO will then be reported back to Planning Committee to obtain a resolution of Full Council.
- 5.3 If approved by committee, the Council would be required to refer the final LDO to the Secretary of State.

## **6 CONSULTATION**

- 6.1 No consultation has taken place externally.

## **7 OPTIONS / ALTERNATIVES CONSIDERED**

- 7.1 The Council can choose to not renew the Local Development Order. This would mean that proposals for the development listed within the LDO would be required to make a planning application in the normal way.

## **8 COMMENTS BY THE GROUP HEAD OF FINANCE/SECTION 151 OFFICER**

- 8.1 The implementation of the recommendations can be accommodated within existing budget and resources.

## **9 RISK ASSESSMENT CONSIDERATIONS**

- 9.1 Implementing the recommendation will assist in reducing the number of applications which are received for small scale developments within the Butlins Complex.

## **10 COMMENTS OF THE GROUP HEAD OF LAW AND GOVERNANCE & MONITORING OFFICER**

- 10.1 LPAs can grant planning permission for development specified in an LDO. The legislative which must be followed are set out in sections 61A-D and Schedule 4A of the Town and Country Planning Act 1990 and articles 38 and 41 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. As the previous LDO has expired, the Council should make a new LDO.

## **11 HUMAN RESOURCES IMPACT**

- 11.1 There are no implications arising from the proposals.

## **12 HEALTH & SAFETY IMPACT**

- 12.1 There are no direct health and safety impacts from the proposals. However, Environmental Health will be consulted on the draft renewal Local Development Order, which will afford an opportunity to consider and comment on any health and safety impacts resulting from the proposed Order.

## **13 PROPERTY & ESTATES IMPACT**

- 13.1 Arun District Council holds the freehold interest of this site, which is leased to Butlins Limited for a term of 125 years commencing 2008. The proposed LDO will not directly affect the management of this site in the Councils capacity as landlord, and the terms of the lease will be unaffected.

## **14 EQUALITIES IMPACT ASSESSMENT (EIA) / SOCIAL VALUE**

- 14.1 There are no implications arising from the proposals.

## **15 CLIMATE CHANGE & ENVIRONMENTAL IMPACT/SOCIAL VALUE**

