Development Management – Delegated Officer Report

Application Number: AWDM/1514/23 Recommendation: Refuse

Site: Sompting Stables, West Street, Sompting

Proposal: Retention of 4no. caravans and associated service block with introduction of evergreen hedges to front and side of site and dividing post and rail fencing. (Retrospective application)

Date of Site Visit: 18 January 2024

Neighbours Checked: Y

Additional neighbour notification: N

Proposal, Site and Surroundings:

The application relates to a small area of land to the south of West Street. It is outside of the built up area and Conservation Area and is surrounded by fields, and also stables and a riding school. It is accessed off West Street via an unmade and rutted track.

Retrospective permission is sought to retain four caravans which are to be permanently located on the land in order to provide long term accommodation. According to the Planning Agent, “The caravans are used by friends/ family on a long term basis, they bring their caravan to site and pay a nominal amount. Due to historic events of unwanted people visiting the site at night and considering the amount of horses in the yard the caravans allow someone to be on site (especially at night) at all times.”

There are a number of other caravans close to the site which are being stored.

The application also proposes to construct a toilet/shower block in place of an existing shed to the south of the caravans. Planting is proposed on a mound to the north and west boundaries of the site.

Planning History:

AWDM/0464/11 - Construction of livery yard and stables for eight horses plus sand school - approved

Consultations:

West Sussex County Council: The Highways Authority has no objection. The applicant proposes to utilise the existing vehicular access point on West Street, with a private access track connecting the highway to the application site. From inspection of WSCC mapping, there are no apparent visibility concerns with the existing access point on to West Street.
The LHA does not anticipate that the proposals would give rise to a significant material intensification of use of the existing access point. In addition, there are no recorded injury accidents attributed to road layout from the last five years within the vicinity of the existing access point – therefore, there is no evidence to suggest the access has been operating unsafely or that the proposals would exacerbate an existing safety concern.
Appropriate levels of car parking provision and turning space have been demonstrated to serve the site. The LHA would request that secure cycle parking provision also be provided, to promote the use of sustainable transport methods in the area.

West Sussex Fire and Rescue Service: The nearest fire hydrant to this site is 330 metres, 125 metres further than the distance required for a domestic premises. If an alternative supply of water for firefighting is to be considered it will need to conform with the details identified in Approved Document – B (AD-B) Volume 1 2019 edition: B5 section 14.

Evidence is also required to show there is suitable access for a fire appliance to attend the site in the event of a fire, including a turning facility to enable a fire appliance to exit without the need to reverse more than 20 metres to reach either a turning facility or the exit from the site. There is little or no information provided for the access to the site or a turning facility. The access route will need to be capable of supporting 18 Tonne axial weight of a fire appliance, a minimum width of 3.1 metres through any gateway or narrowing and 3.7 metres width for the appliance to be operated when attending a fire situation, as identified in AD-B Volume 1: B5 section 13.

Adur and Worthing Councils: Planning Policy: Object. With regards to the Adur Local Plan 2017 (ALP), the site lies outside the Built Up Area Boundary (and is therefore considered as countryside in planning policy terms (Policy 13) and lies within the Local Green Gap (policy 14). Also of relevance are policies 10 (Sompting), and policy 15.

Policy 13 makes clear that development is only permitted where there is a clear need for a countryside location; the proposal is for quiet informal recreation (see paragraph 3.46 of the ALP for definition), the essential needs of agriculture/ horticulture or is otherwise consistent with the plan. The policy also states that any development must respect and where appropriate reinforce the setting, distinctiveness and sense of place.

It is also worth noting that Policy 13 states: Any development in the countryside should not result in a level of activity which has an adverse impact on the character of the area'

The Planning Statement accompanying the application refers to the caravans providing 'long term accommodation' (although this document does not make clear who the accommodation is intended for).

Further information has clarified the accommodation is intended for visiting family and friends; although some reference has been made to indicate this allows a presence at the stables, this appears incidental and the proposed accommodation is not intended solely for this purpose. As such it appears that the proposal is not directly linked to, or required for the operation of the stables.

This proposal appears to intensify development in this area, and therefore seems to conflict with Policy 10 of the ALP which states that: Sompting village will not be expanded or intensified due to its linear and historic character, and countryside location within the Local Green Gap.

Policy 15 refers to respecting the character of the site and the prevailing character of the area. In addition the site lies close to the Sompting Conservation area.

The Adur Landscape Character Assessment describes this area as making an important contribution to the distinctive rural character of Sompting

The proposal appears incongruous in terms of these factors.

As well as addressing matters of coalescence, Policy 14 states that any development allowed in the Local Green Gaps must be consistent with other policies in the plan - see comments above. Although individually this proposal will not lead to coalescence, cumulative impact of such developments would do so over time - this proposal is therefore not consistent with the principles of this policy.

(Although it has been made clear that these caravans are to be used by family members, as an aside it may be worth noting that Policy 26 requires that tourist accommodation is located within the built up area boundary and is sensitively designed).

Public Health: No adverse comments

Private Sector Housing: The Planning Statement does not provide information to suggest that the site is exempt from Caravan or Mobile Home site licensing requirements.

If the site is not exempt, the site requires a licence and the layout, as presented/existing, would not meet the 2008 Model conditions for caravan site licensing.
If the site is not exempt, it is currently operating illegally

Drainage: We have noted that the site has a high surface water flood risk. Therefore, we would recommend the objection of the application until a Flood Risk Assessment has been completed that assesses this risk

Subsequent drainage comments: While the site itself may not be at a high flood risk, the access and egress route from the site is. Therefore, we require a basic FRA to provide a more detailed flood map and confirmation of any flood risk whilst considering and mitigating for safe access and egress.

Sompting Parish Council: The Council objects as this is a conservation area (or immediately adjacent to it) and is detrimental to the amenity of the area. The proposal is un-neighbourly, generating a level of activity prejudicial to the present character of the area and detrimental to the amenities of existing properties in the locality. It also agrees with the concerns of the other parties who have also made objections.

Representations

5 letters of objection received from occupiers of Little Vines, 5 Edwards Terrace, 6 Burry Cottages and 2 Latimer Cottages and from the Trustees of the Sompting Estate, :

- Sompting Estate owns the private farm track leading to West Street. There is no permission to use the track for caravans or mobile homes.
- Access track has degraded and has many potholes
- Adverse impact on the Conservation Area and its setting
- Applicant has their own access just east of Burry Cottages
- Site is only 15m from ditched stream
- Lights and noise would disturb wildlife in the area
- Litter and pollution
- Building to be used for toilet is relatively new
- Contamination on site caused by bonfires and inappropriate waste disposal
- Lack of adequate foul and surface water drainage
- Lack of passing places and lighting on track
- Caravans are occupied year round and look like they are a permanent residence
- Out of character
- Has an adverse impact on adjoining residents
- Light pollution

- Increased traffic and noise

Relevant Planning Policies

Adur Local Plan 2017 Policy 10, 13, 14, 15, 17, 28, 36
National Planning Policy Framework (July 2021)
WSCC Guidance on Parking at New Developments (Sept 2020).

Planning Assessment

Principle

The site lies outside of the built up area and is within the countryside and Local Green Gap between Sompting and Worthing. Policy 13 makes clear that development is only permitted in such areas where there is a clear need for a countryside location; the proposal is for quiet informal recreation, the essential needs of agriculture/ horticulture or is otherwise consistent with the plan. The policy also states that any development must respect and where appropriate reinforce the setting, distinctiveness and sense of place.

Paragraph 84 of the NPPF states that "*Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:*
a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;
b) the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;
c) the development would re-use redundant or disused buildings and enhance its immediate setting;
d) the development would involve the subdivision of an existing residential building; or
e) the design is of exceptional quality, in that it:
- is truly outstanding, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and
- would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area."

The application seeks to retain four caravans for permanent residential purposes and such a development is considered to conflict with the above aims of Policy 13. No justification has been given for the siting of caravans in this location, which are unconnected to the use of the stables and riding school. There is no clear need for the caravans to be sited in the countryside and they are not connected to the

essential needs of agriculture. The application is therefore considered to be unacceptable in principle.

Visual amenity and character

The caravans are not visible from West Street or in public views from the Conservation Area. There are no footpaths in the vicinity either. Nevertheless, as one approaches from the access track they appear as incongruous features in an otherwise rural/equestrian landscape. Policy 13 requires development in the countryside to "*respect and where appropriate reinforce the setting, distinctiveness and sense of place" of the area"*. This is not the case with this application.

The supporting planning statement makes it clear that they are to be permanent features in order to provide long term accommodation and, while landscaping is proposed, this will not be sufficient to mitigate their visual impact.

The caravans are not justified in policy terms and the visual harm they cause exacerbates the unacceptable nature of this development in the countryside.

Residential amenity

The caravans are some distance from the nearest residential properties to the north (in excess of 130m) and they are not considered to result in harm to the residential amenities of neighbours through noise, overlooking, etc.

Parking and access

There is no highway objection to the application as WSCC does not consider that the use would give rise to a significant material intensification of use of the existing access point. The access track is in a very poor condition and appears to be owned by a third party who has advised that they have not given permission to use the track for caravans or mobile homes. This is a civil matter which does not provide a valid reason to refuse the application.

The Fire and Rescue Service has advised that evidence is required to show there is suitable access for a fire appliance to attend the site in the event of a fire. The access route will need to be capable of supporting a fire appliance and in its present state there is some doubt about its suitability.

Flood risk and drainage

The site has been identified as being potentially susceptible to flooding from surface water and at the time of the site visit there was clear evidence of standing water

along the access, within the stable yard and in the field to the north of the site, but not in the site itself.

The applicant's agent has questioned the need for a flood risk assessment but the Council's drainage consultant has advised that while the proposed site itself may not be at a high flood risk, the access and egress route from the site is and a FRA is necessary in order to assess and mitigate for safe access and egress.

As the application is unacceptable in principle, the applicant has not been asked to provide a FRA in order to avoid additional expense at this time. Instead, an informative is proposed to be added to the decision notice advising the applicant of the need for a FRA should they decide to appeal the refusal or submit a revised application in the future.

Recommendation

REFUSE for the following reason:

1. The site lies in the countryside where the provision of residential accommodation on a long term basis is not justified as there is no clear need for the caravans to be sited in the countryside and they are not connected to the essential needs of agriculture. The application is therefore contrary to policy 13 of the Adur Local Plan and paragraph 84 of the NPPF
2. The caravans by reason of their form, number and siting, are incongruous features which detract from the rural landscape character, to the detriment of the visual amenities of the locality, contrary to policy 13 of the Adur Local Plan and paragraph 135 of the NPPF

Is recommendation contrary to letter(s) of representation N

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal.

The site and its surroundings, including the access track, are at high risk of surface water flooding and a flood risk assessment would be required to assess and mitigate for safe access and egress to the site if all other aspects of the development were considered to be acceptable.

Case Officer: Peter Barnett Date: 18 January 2024

Authorised by: Gary Peck Date: 18 January 2024