

OFFICERS REPORT

Application No: Y17/0491/SH

Location: New Beach Holiday Village 133 Hythe Road Dymchurch Romney Marsh Kent TN29 0JX

Proposal Demolition of existing and construction of a replacement clubhouse (D2); incorporating reception, caravan sales office (B1), entertainments room, amusement arcade, shop (A1); store (B8); and associated facilities with relocation of caravan sales display area and childrens play area and equipment, realignment of site road and associated parking. Resubmission of Y16/0688/SH.

ASSESSMENT

Performance data:-

Date application valid: 24.04.2017

Applicable 8/13/16 week target date: 24.07.2017

Planning Performance Agreement (PPA) or Planning Extension Agreement (PEA)? Yes

If Yes, revised 8/13/16 week target date: 24.08.2017

Is the application being determined after 26 weeks without a PPA or a PEA? No

SITE VISIT

Carried out site visit on 12.09.2016 as part of the original planning application. A further site meeting was conducted on 13.03.2017 after the original planning application was refused.

The site and proposals were assessed from the public highway and from within the application site. Key features are noted in the assessment.

SITE

The application site is within an existing and well-established holiday caravan/chalet park covering some 10ha with permissions for static and touring caravans, together with some chalets.

The holiday park is situated outside the settlement of Dymchurch on the northwest side of Hythe Road which runs along the coast. The area is located within flood zone 3 as identified by the Environment Agency and the majority of the site is at significant risk flooding as identified by the Council's Strategic Flood Risk Assessment (SFRA) 2115.

The site is also located within an area identified as having archaeological potential.

A designated Local Landscape Area is located to the north of site but the site is not directly located within the LLA.

The site contains a Grade II Listed structure, a K8 telephone kiosk located to the front forecourt of the site.

HISTORY

There is an extensive history on the site, below are the most relevant applications.

SH/78/1085 - Provision of additional toilets and extension to entertainments hall. Approved

90/1085/SH - Erection of single storey building to form shop reception and store. Approved with conditions

93/0023/SH - Single storey extension to form bingo room together with external alterations to south elevation. Approved with conditions

Y15/0005/SH - Use of land to allow holiday occupation between 1st March and 14th February in the following year. Approved with conditions

Y16/0688/SH - Demolition of existing and erection of a replacement clubhouse (D2) (incorporating reception, caravan sales office (B1), entertainments room, amusement arcade, shop (A1), store (B8) and associated facilities with relocation of caravan sales display area and children's play area and equipment, realignment of site road and associated car parking. Refused

PROPOSAL

This application seeks planning permission for the demolition of the main clubhouse/reception/office building which is currently located in front of the main entrance to the site and the erection of a replacement clubhouse. The area will be cleared and a new car parking area will be created together with a new caravan sales area.

A new building is proposed on land to the east of the existing clubhouse and it will consist of a clubhouse (D2) (incorporating reception, caravan sales office (B1), entertainments room, amusement arcade, shop (A1), store (B8) and associated facilities. The new building has been designed in an L shape with an overall internal floorspace of approximately 1852sqm.

The building is of pitched roof design with a maximum ridge height of 8m. The building would be finished in a mixture of grey plastic coated steel cladding panels and natural cedar weatherboard set on a brick plinth (painted grey). The roof would be finished in grey plastic coated steel panels with the Dutch gable ends clad in natural cedar weatherboard.

A new decking area (of approximately 83 square metres) will be located to the rear of the building (with access from the proposed entertainment area) and a small decking area with ramped access will allow all-inclusive access into the designated caravan sales area.

The proposal would also see the removal and relocation of the existing play area to another location within the camp site.

The application is a resubmission of Y16/0688/SH which was refused on the grounds of overall size, massing, design and positioning within the site, adjacent to the public highway.

CONSULTATION RESPONSES

Consultation responses are available in full on the planning file. The main points raised are summarised below.

Dymchurch Parish Council raised no objection but wanted consideration to be given to appropriate landscaping at the site.

Kent Highways and Transport offered no objection subject to conditions with regards to a construction management plan and provision and permanent retention of the vehicle parking spaces shown on the submitted plans.

Environmental Health has no objections subject to a condition regarding opening hours.

Economic Development - no response received

KCC Archaeology - no response received

The Environment Agency considers the application to have a low environmental risk and therefore have no comments to make but noted that foul sewerage should be directed to a mains sewer.

The Heritage Consultant -

- o The building possibly has some heritage significance but this is difficult to verify and has not been verified
- o However, even if it could be verified, given the poor quality appearance of the building and the degraded appearance of its surroundings, it is difficult to argue the case for retention

REPRESENTATIONS

2 representation has been received and are available in full on the planning file.

One representation has been received from a member of the public. The main points raised are summarised below:

- o Clubhouse building is a local landmark building/or national importance with its distinctive gables.
- o Oldest purpose built holiday camp structure remaining in the country/no other surviving examples.
- o Building has remained largely unchanged in 80 years.
- o More environmentally sound to maintain an existing building rather than demolish and replace.
- o Considers the existing building should be protected

One representation has been received from the Twentieth Century Society. The main points raised are summarised below:

- o Consider that the existing building is a non-designated heritage asset and has the potential for restoration

PUBLICITY

Neighbours notified by letter. Expiry date 18.05.2017

Site notice displayed. Expiry date 25.05.2017

Advertised in press. Expiry date 01.06.2017

RELEVANT POLICIES

Shepway District Local Plan Review: SD1, TM4, TM5, BE1, BE16, U2, U15, TR12, CO1

Shepway Core Strategy Local Plan: DSD, SS1, SS3, CSD3

NPPF: Paragraph 7, 12, 28, 56, 57, 58, 59, 60, 100, 101, 102, 132-134

NPPG

APPRAISAL

The existing clubhouse building is fairly nondescript in appearance, having been unsympathetically altered over the years and also being built to serve a working class holiday village. As such, it never was built to be of particular architectural merit, however, any architectural merit that did exist has been severely compromised through the numerous bolt-on extensions and unsympathetic alterations. However, the site and the building does have an element of historic interest, being built shortly prior to the outbreak of WWII and an example of a holiday building that does not really exist today. Notwithstanding this, whilst the building has

history, the fact a lot of the significance of the building has been lost, on balance, it is not considered to be a non-designated heritage asset as any architectural or historic interest has been substantially compromised by the changes to the building and its significance lost to such an extent that its value as a possible heritage asset has been lost. Therefore, the principle of demolishing and replacing the building is considered to be acceptable.

Notwithstanding the above, should the applicant/ owner choose to demolish the building, the demolition (without applying to replace the building) would be permitted under permitted development subject to the prior approval route. This process only allows the LPA to consider the matter of amenity and not whether the retention of the building is desirable. As such, currently the Local Planning Authority are not in a position of power to seek the retention of this building if the applicant were to choose to demolish it

It is also accepted that the current building is outdated and in order to meet current business needs and modern standards, substantial work would be required. The Local Planning Authority is sympathetic to the needs of the applicants desire to update the site and local planning policy supports the upgrading of existing tourist facilities recognising the economic benefits.

The site is located in the open countryside and policy SS1 of the Core Strategy says that development in the open countryside and on the coast will only be allowed exceptionally, where a rural/coastal location is essential.

In addition policy CSD3 of the Core Strategy says that proposals for new development in locations outside of the settlement hierarchy may only be allowed if a rural or coastal location is essential and in the case of tourism proposals it also expects the settlement hierarchy to dictate the location.

Saved policy CO1 of the SDLPR also refers to development in the countryside and so also needs to be considered.

Point c) says that proposals are to be of a high standard of design, and sympathetic in scale and appearance to their setting.

Point a) of saved policy TM5 of the SDLPR says that proposals for new or upgraded touring caravan and camping sites will be permitted where the proposal would not harm the character or appearance of the countryside or coastline or conflict with other countryside and environmental protection policies.

In addition point c) of TM5 says sites should be situated so as to minimise their effect upon local amenity, and should as far as possible, be screened from public roads, open spaces or footpaths and where necessary a scheme of landscaping should be submitted with the proposal to achieve this.

In this instance it is accepted that the clubhouse needs to be provided to serve the existing camp site, is also a replacement building and as such cannot reasonably be expected to be provided within a settlement boundary. Therefore, the principle of erecting a new clubhouse on this site is considered to be acceptable subject to appropriate siting and design.

A proposal to replace the clubhouse was recently considered and refused on grounds of siting and design. As such, it is appropriate to consider whether that reason for refusal has been overcome as there have been no significant changes on site or adjacent nor any change in adopted policy since the previous refusal.

The new structure would be set back and sited along a similar building line from the existing building, although it would be approximately 600mm higher than the existing. It is accepted that the proposed building would still be visible on the approach to the site from the south west but given its position in the site it is unlikely that it would become a significantly dominating or incongruous feature in the immediate rural landscape to warrant a reason for refusal.

It is likely that the existing natural screening on the north east approach will sufficiently obscure the majority of the proposed structure from the public perspective, although if it were to be visible (more likely during the winter months) it is again considered that the proposed position, set back in the site, would help to reduce any visual impact.

The application touches lightly at proposed planting on drawing No. 1500/02/02 but no further landscaping details are provided. Full details of hard and soft landscaping can be secured by condition.

As the proposed building has been design in an L shape this has helped to reduce the overall length of the building whilst still providing the required internal floorspace and it is considered that these design changes, together with setting the building back into the site have sufficiently addressed the previous reasons for refusal with regards to siting, size and massing.

Overall the impact of the building upon what is considered to be a fairly open landscape would not be so significant as to cause a notably detrimental impact by a greater visual impact of buildings on the immediate rural setting.

Turning to design, it is considered that the proposed building overall appears less dominating as the facades would be broken up by more interesting elevations and altering ridge heights which would offer depth and interest when read against the original scheme.

It is noted that the applicant still wishes to use a lot of grey plastic coated steel panelling to the walls and roof and also to the fenestration. This was raised as a concern in the original proposal with regards to the proposed building appearing too utilitarian and reading as an overly dominant structure in the locality.

Whilst it is noted that the applicant still intends to use these grey materials, the proposed external appearance is now to be broken up with elements of natural cedar weatherboard panels, both to the walls and the gables within the roof. Whilst it is accepted that the cedar would weather to a silver colour it is considered that these cedar elements would sufficiently break up the facades and offer a softer element to the proposal. On balance the materials are considered to be suitable but details of materials would still need to be submitted for approval as part of a condition.

Amenities of neighbouring occupiers

The nearest neighbour is approximately 186m from the proposed building. On balance it is considered that sufficient space separation will be retained between the proposed structure and the nearest neighbouring property to ensure that the building itself will not impact upon neighbouring amenity in terms of overbearing or overshadowing.

This is a replacement building and the use of this section of the site for providing an entertainment building has been long-standing without significant issues with regards to noise or general disturbance having been raised by neighbouring properties. Notwithstanding this, restrictions would be put on any planning approval by way of a condition with regards to opening times in the interest of neighbouring amenity and the amenity of other guests at the facility.

Parking and highways

The existing vehicular and pedestrian access will remain and the overall scale of the site in terms of static caravans / touring caravan plots available is not proposed to increase. The application also shows additional parking facilities for guests on arrival to the site. It is therefore considered that the flow of traffic to and from the site will not significantly increase as a result of the proposed works and that sufficient parking facilities will be provided.

Kent Highways and Transportation do not object to the proposals.

Other issues raised

Archaeology

KCC Archaeology was consulted but they have not responded within the given timeframe.

It is noted that they did respond to the previously refused application in which they stated that no archaeological measures are required.

It is therefore considered that there are no archaeological concerns with regards to this proposal.

Flood risk

The site of the proposed clubhouse is located within flood zones 2 & 3 and also within an area deemed at 'significant' risk of flooding as depicted on the Council's SFRA 2115.

In this case the proposed use is considered to be more vulnerable requiring the need to sequentially assess the suitability of the site.

Paragraph 100 of the NPPF says that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere. Paragraph 101 and 102 refer to the Sequential Test and the Exception Test.

Shepway Core Strategy policy SS3, at point c., requires that all development within EA flood zones should submit a Flood Risk Assessment with the planning application. The policy also states that the FRA should demonstrate the development would be safe and passes the sequential approach within the 'applicable character area of Shepway and (if required) the exceptions tests set out in national policy'.

However, the NPPG explains that when applying the Sequential Test, a pragmatic approach on the availability of alternatives should be taken. For example, in considering planning applications for extensions to existing business premises it might be impractical to suggest that there are more suitable alternative locations for that development elsewhere. In addition, the proposal is for the replacement of an existing building which is within the same flood risk category. It is accepted that the entire site is located within the flood zones and that it is not possible or appropriate to locate the proposed clubhouse elsewhere outside of the flood zone and that it is an ancillary part of the use of the site as a caravan park. Taking this into consideration, the sequential test is considered to be passed.

As such the Exceptions test (paragraph 102 NPPF) needs to be applied. This requires the following to be considered;

it must be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk, informed by a Strategic Flood Risk Assessment where one has been prepared; and

a site-specific flood risk assessment must demonstrate that the development will be safe for its lifetime taking account of the vulnerability

of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

In terms of the first part of the exceptions test the site is an established business with a clear need for these facilities. As such, there are clear wider sustainability benefits, both social and economic in providing these new upgraded facilities. As such the proposal is considered to meet the first point of the Exceptions Test of the NPPF.

With respect to the second part of the Exceptions Test an FRA has been submitted in support of the application. Paragraph 103 of the NPPF states the FRA needs to demonstrate that the most vulnerable development is located within the areas of lowest flood risk on the site - in this case the whole site is within FZ2&3 and at risk of flooding. Para 103 then says that the development should be appropriately resilient and resistant to flooding and residual risk is safely managed and priority is given to SUDs drainage systems. In this case, the building is a more vulnerable use, however, it only falls within this category due to its siting within a holiday park. If it were outside of a holiday park providing the same facilities, it would be considered to be less vulnerable. The building is not intended to be used for any sleeping accommodation.

The submitted FRA takes account of the sites existing Flood Warning and Evacuation Plan (a copy of which is attached to the FRA). It confirms that this existing plan (to evacuate the clubhouse and wider site) will ensure an evacuation will be prepared for on the receipt of either a Flood Alert or Flood Warning and a total evacuation initiated on receipt of a Severe Flood Warning.

The FRA concludes that, following the proposed development site would continue to be operated with minimal risk from flooding, would not increase flood risk elsewhere and is compliant with the requirements of the NPPF and PPG.

As such, the proposal is considered to pass the second part of the exceptions test.

The Environment Agency was consulted on the application and they concluded that the application has a low environmental risk.

HUMAN RIGHTS

I have also taken into account the human rights issues relevant to this application. In my view, the Assessment section above and the Recommendation represents an appropriate balance between the interests and rights of the applicant (to enjoy his land subject only to reasonable and proportionate controls by a public authority) [and the interests and rights of those potentially affected by the proposal (to respect for private life and the home and peaceful enjoyment of their properties)] and the wider public interest.

RECOMMENDATION

In light of the above, it is considered the proposal is a sustainable development that complies with development plan policy and the NPPF and is therefore recommended for approval subject to conditions.

Case Officer:

Report and draft decision notice completed and passed to senior officer.

Name: Katy Claw Position: Planning Officer Date: 24.08.2017

Report and draft decision notice amended (if appropriate)

Name: Position: Date:

Senior Officer

Report not agreed. Details of further work required as follows:

Name: Position: Date:

Report and draft decision notice agreed and file passed to admin to issue decision

Name: Claire Dethier Position: Team Leader Date: 24.08.2017