Butlins, Bognor Regis
Local Development Order

Statement of Reasons
(September 2013)
Arun District Council

Butlins Bognor Regis Local Development Order: Statement of Reasons

Summary

- Arun District Council (ADC) wishes to create a Local Development Order (LDO) to help facilitate development within the Butlins holiday complex, a Strategic Development site within the Arun District. The intention is to take a flexible approach to small scale development proposals, which will be centrally located within the Butlins complex and as such, not visible from outside the site.
- The LDO would have the effect of providing limited permitted development rights to small scale development that is centrally located within the Butlins complex.
- This area is located within the defined Built up Area boundary for Bognor Regis, within the designated Bognor Regis Town Centre Regeneration Area. The site is bordered by University College Chichester to the north, Felpham to the east, the sea to the south and Bognor Regis to the west. Much of the site is located within Flood Zones 2 and 3, as identified by the Environment Agency’s Flood Risk maps.

Article 34 of the Town and Country Planning (Development Management Procedure)(Order) 2010 (DMPO) paragraph (1) outlines that ‘where a local planning authority propose to make a local development order (LDO) they shall first prepare—(a) a draft of the order; and (b) a statement of their reasons for making the order’.

A draft of the LDO is provided at Appendix A.

Article 34 paragraph (2) of the DMPO states that

‘the statement of reasons shall contain—
(a) a description of the development which the order would permit; and
(b) a plan or statement identifying the land to which the order would relate’.

The text in this document acts as the statement of reasons for making the LDO. A plan identifying the land to which the LDO relates is attached at Appendix B.

Description of development permitted

1.1 The Local Development Order would provide limited permitted development rights to small scale development that would be centrally located within the Butlins Complex. This site does not currently benefit from permitted development rights, due to its business use.

1.2 The permitted development rights would be as follows:

PERMITTED DEVELOPMENT TYPE I

The enlargement, improvement or other alteration of a building, structure or enclosure within the Butlins Complex.
Development not permitted

Development is not permitted if –

(A) The height of the part of the building, structure or enclosure enlarged, improved or altered would exceed the height of the highest part of the roof of the existing building, structure or enclosure;

(B) The enlarged part of the building, structure or enclosure would:
   (i) extend beyond any elevation of the building, structure or enclosure by more than 10 metres, or
   (ii) exceed 10 metres in height;

(C) It would consist of or include –
   (i) the construction or provision of a veranda, balcony or raised platform except those accessed from the ground floor of any building.
   (ii) an alteration to any part of the roof of the building, structure or enclosure.

(D) The enlarged part of the building, structure or enclosure is within 5 metres of the boundary of the site.

(E) The proposal will lead to noise arising from or due to the development being audible beyond the boundary of the site at any time. Noise would be considered inaudible when it is at a sufficiently low level that it is not recognisable as emanating from the source in question and does not alter the perception of the ambient noise environment that would prevail in the absence of the source in question.

(F) If the proposal will be used for the provision of guest or staff accommodation.

PERMITTED DEVELOPMENT TYPE II

The addition of Solar Panels, including Photovoltaic’s to the roof of any existing building, structure or enclosure within the Butlins Complex.

Development not permitted

Development is not permitted if –

(A) The alteration would protrude more that 150 millimetres beyond the plane of the slope of the original roof when measured from the perpendicular with the external surface of the original roof;

(B) It would result in the highest part of the alteration being higher than the highest part of the original roof.

(C) The materials used in any exterior work shall be of a similar appearance to those used in the construction of the exterior of the existing building, structure or enclosure.
PERMITTED DEVELOPMENT TYPE III

The provision within the curtilage of the Butlins complex of a building, structure or enclosure required for purposes incidental to the enjoyment of residents and staff of the complex, or the maintenance, improvement or other alteration of such a building, structure or enclosure.

Development not permitted

Development is not permitted if -

(A) the building, structure or enclosure would have more than one storey;

(B) the height of the building, structure or enclosure would exceed –
   (i) 4 metres in the case of a building, structure or enclosure with a dual-pitched roof,
   (ii) 3 metres in any other case.

(C) it would include the construction or provision of a veranda, balcony or raised platform.

(D) No part of any building, structure or enclosure shall be within 25 metres of the boundary of the site.

(E) the proposal will lead to noise arising from or due to the development being audible beyond the boundary of the site at any time. Noise would be considered inaudible when it is at a sufficiently low level that it is not recognisable as emanating from the source in question and does not alter the perception of the ambient noise environment that would prevail in the absence of the source in question.

PERMITTED DEVELOPMENT TYPE IV

Development of sports facilities and funfair consisting of the installation of plant, machinery, or structures to be used for or in connection with the entertainment of the clientele within the area

Development Not Permitted

Development is not permitted if the plant or machinery would:

(A) Exceed a height of 12 metres from ground level;

(B) Be located within 100 metres of the boundary of the property (as illustrated in Appendix A);

(C) Cause noise audible from outside the property to reach a level whereby it becomes a statutory nuisance.
1.3 This guidance would apply to any existing or new building, structure or enclosure within the Butlins Complex, which is defined as being within the black edge on the map that accompanies this Local Development Order.

1.4 So anyone who wanted to erect a single storey extension to any existing building, structure or enclosure within the Butlins Complex or erect a new building, structure or enclosure, within the site that is identified by a black edge on the map that accompanies this Local Development Order, would be able to do so subject to the criteria outlined above, without the need to apply for planning permission.

1.5 This would be on the condition that the materials used in any exterior work shall be of a similar appearance to those used in the construction of the exterior of the existing building, structure or enclosure.

Justification for creation of LDO

1.6 The Butlins complex is a strategic development site within the Arun District, with a total site area of 21.16ha.

1.7 The ultimate objective for the LDO 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.

Statement of the Policies which the LDO would implement

1.8 The LDO would implement Policy GEN7 (The Form of New Development) and Policy Site 2 (Bognor Regis Town Centre Regeneration) of the Arun District Local Plan.

1.9 Further, ADC believes that the LDO would assist with the regeneration of Bognor Regis Town Centre, by helping to facilitate development on this site.

1.10 It would accord with government Planning Policy 1: Delivering Sustainable Development (PPS1).

Lifetime of the LDO

1.11 It is intended that the LDO is active for a period of five years following the date of its adoption. This is to allow Arun District Council to monitor the effectiveness of the LDO. Following the end of this five-year period, the LDO would cease to apply. The Council would then have the following options:
   - Renew the LDO under the same terms/conditions as previously;
   - Renew the LDO but modify its terms and conditions; or
   - Delete the LDO and return the area to its previous policy designations.

1.12 Development which has started under the provision of the LDO will be allowed to be completed in the event that the LDO is revoked or revised.
Development which has started under the provision of the LDO can be completed following the expiry of the LDO after the end of the five-year period. Any development that has taken place under the LDO will be allowed to remain but no new development will be allowed under the terms of the LDO following its expiry without planning permission.

Monitoring the LDO

1.14 It is intended that the LDO will be subject to continuous monitoring to access its effectiveness. This will be carried out by annual site visits to assess what development has taken place and how many planning application have been avoided. Regular liaison between ADC and Butlins will also be carried out to enable the Local Planning Authority to keep up-to-date with any development that is taking place on site.

1.15 It will also be the subject of a section in the Annual Monitoring Report, which will discuss further the impact of the LDO on the Butlins Complex and on the reduction in planning applications received, if any.

Legal advice

1.16 The Council has sought and received legal advice on the key aspects of the LDO. This includes how to set out the LDO; potentially time-limiting the LDO; and conditions necessary to include in the LDO. This advice has been taken on board by the Council in the draft LDO.

Residential Amenity issues

1.17 The Butlins complex is self-contained, with no residential properties within the immediate vicinity.

1.18 The site is bordered by the sea to the south side, Gloucester Road to the west and Upper Bognor Road to the north side. There is a row of 6 No. detached dwellings to the north east side of the site, as well as some residential properties immediately to the east of the application site. To prevent any adverse impact upon any of these residential properties, no development will be allowed within 5 metres of the boundary of the Butlins complex. The site boundary is clearly identified by a black edge on the map that accompanies this Local Development Order.