



Town & Country Planning Act 1990 (as amended)
Town and Country Planning (Development Management
Procedure) (England) Order 2010 (as amended)
Application for Planning Permission
DECISION NOTICE

Application Ref: AL/117/12/

1 To Addressee

Mr R Stubbs
 10 Newhall Close
 Bognor Regis
 West Sussex
 PO21 5RG

2 Site Address

The Old Barn
 Arundel Road

BN18 0SX

3 Description of Development

Change of use of land for the siting of a second mobile home and storage of two caravan units for Travelling Show Persons. Departure from the Development Plan.

4 In pursuance of their powers under this Act and related Orders and Regulations the Council **PERMIT** this development to be carried out in accordance with the application and plans and subject to compliance with the conditions specified.

- 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: drawing 06/12 Block and Location Plans, Mobile Home (2nd) and 2 Caravans, received on 12 December 2012.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN7 of the Arun District Local Plan.

- 3 The occupation of the mobile home hereby permitted approved shall be restricted to one household only and be only for occupation of members of a group organised for the purposes of holding fairs, circuses or shows (whether or not travelling as such). This includes such persons who on the grounds of their own or their family's or dependants's more localised pattern of trading, educational or health needs or old age have ceased to travel temporarily or permanently, but excluding members of an organised group of travelling showpeople or circus people travelling together as such, but excludes Gypsies and Travellers as defined in Planning policy for travellers sites (National Planning Policy Framework 2012).

Reason: To ensure that the land is maintained as a supply of accommodation only for those defined as belonging to the travelling showpeople community, in compliance with Annex 1 of Planning policy for travellers sites (National Planning Policy Framework 2012).

- 4 Notwithstanding the details hereby approved, no more than 2 mobile homes for the permanent residential use of 2 households shall be stationed on the site. No more than 5 touring caravans shall be stationed on the land and these shall not be used for residential use at any time whilst on the site.

Reason: To protect the amenities of the area and ensure that the residential use of the site is kept to a minimum in line with policies GEN3 and GEN7 of the Arun District Local Plan.

- 5 The development shall not commence until full details of the proposed foul water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. (Including details of its routing, design, and subsequent management / maintenance).

The mobile home shall not be occupied until the foul water drainage scheme has been implemented in accordance with the approved details, and retained as such thereafter, unless otherwise first agreed in writing by the Local Planning Authority.

Reason : To ensure that the proposed development is satisfactorily drained in accordance with policies GEN7 and GEN9 of the Arun District Council Local Plan.

INFORMATIVE: Summary of Reasons for Grant Article 31 Development Management Procedure Order 2010

SUMMARY

This planning permission is granted because it complies with the policies listed below in that the development would not cause any material adverse effect on visual or residential amenity on the surrounding area and its character and there are no material considerations to indicate otherwise.

RELEVANT POLICIES

LOCAL PLAN: GEN7, GEN3, GEN9

NATIONAL POLICIES: National Planning Policy Framework (2012)

This is only a summary of reasons for granting to comply with Article 31 and full reasons appear in the Officer report.

INFORMATIVE: The applicant is advised that the Highways Agency, in respect of the verge crossing arrangement, is minded to serve a notice on the occupier of the site under Section 184(1) of the Highways Act 1980 advising of their intention to construct, at the occupier's

expense, works for the construction of a vehicle crossing over the verge outside the site. The purposes of the works would be to avoid further damage to the verge, which is being damaged to either side of the existing vehicle crossing by vehicles over running it and to ensure safe access and egress to the premises. In principle, the Highways Agency would be seeking an access/verge crossing to Layout 6 of TD 41/95 (Vehicular Access to All Purpose Trunk Roads) with a diverge taper in accordance with Layout 9. The applicant is advised to contact the Highways Agency for further details.

INFORMATIVE: The applicant proposes a sewage treatment plant for the disposal of foul sewerage. The Environment Agency should be consulted in this respect, as consent will be required.

Infiltration rates for soakage structures are to be based on percolation tests undertaken in the winter period and at the location and depth of the proposed structures. The percolation tests and design must be carried out in accordance with BRE365 , CIRIA R156 or a similar approved method and cater for the 1 in 10 year storm between the invert of the entry pipe to the soakaway, and the base of the structure. It must also have provision to ensure that there is capacity in the system to contain below ground level in the 1 in 100 year event plus 30% on stored volumes, as an allowance for climate change. Adequate freeboard must be provided between the base of the soakaway structure and the highest recorded annual groundwater level identified in that location.

INFORMATIVE: Statement pursuant to Article 31 of the Town and Country Planning (Development Management Procedure)(England) (Amendment No. 2) Order 2012. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.



Karl Roberts
Assistant Director Planning & Economic Regeneration

Case Officer: Miss K Rawlins

Date of Decision:

11 March 2013

Arun District Council
The Arun Civic Centre
Maltravers Road
Littlehampton
West Sussex BN17 5LF

IT IS IMPORTANT THAT YOU READ THE NOTES ATTACHED TO THIS DOCUMENT

NOTES RELATING TO PLANNING APPLICATION
TOWN AND COUNTRY PLANNING ACT 1990

APPEALS TO THE SECRETARY OF STATE

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the First Secretary of State under section 78 of the Town and Country Planning Act 1990.

If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.

If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months (12 weeks in case of a householder appeal) of the date of this notice, whichever period expires earlier.

If you want to appeal, then you must do so within 6 months of the date of this notice using a form which you can get from the Secretary of State, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or on line at www.planningportal.gov.uk/pcs

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

PURCHASE NOTICES

If either the local planning authority or the Secretary of State refused permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council (that is, where the land is situated in a National Park, the National Park authority for the Park, or in any other case the district council in whose area the land is situated). This notice will require the Council to purchase the owner's interest in the land in accordance with the provisions of Chapter 1 of Part VI of the Town & Country Planning Act 1990.

Please note that this decision notice only relates to matters under the Planning Acts and does not give consent under any other legislation that may apply to the

development. You will need to carry out your own checks to determine whether any other consents or permissions are required. For example, the Building Regulations are likely to apply to most developments, and a Highways Licence may be required from West Sussex County Council for any development within the public highway (including the placing of skips on highway land).