

Recommendation Report for Planning Permission

REF NO: AL/26/25/PL

LOCATION: Nyton Stables
Nyton Road
Aldingbourne
PO20 3TX

PROPOSAL: Change of use of the land to provide 4 No. travelling showperson plots, with associated biodiversity net gain areas; native hedgerows, hard and soft landscaping, boundary treatment, storage and maintenance areas, storage for touring caravans and show persons vans, bin storage and EV charging points. This application is in CIL Zone 3 (Zero Rated) as other development.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to change the use of the land to provide 4 No. travelling showpersons plots with associated space for touring caravans and biodiversity.
TOPOGRAPHY	Predominantly flat.
TREES	None of significance affected by the development.
BOUNDARY TREATMENT	The site is bound by hedging to the west and north with the vehicular access running along the site to the east and south.
SITE CHARACTERISTICS	The site is unoccupied forming grassland. The access to be used is laid to tarmac and serves a wider travelling showperson site to the south, and the application site is the remaining northeast corner of the original wider field area.
CHARACTER OF LOCALITY	The area is predominately rural on the border of the Arun boundary.

RELEVANT SITE HISTORY

AL/107/18/PL	Application for continued use for 3 No. approved permanent showpersons plots (temporary permission granted under AL/119/10/ & permanent permission granted under AL/10/14/PL), planning permission for a further 8 No. plots consisting of 4 No. existing & 4 No. new plots (to a maximum of 11 plots) with associated hard & soft landscaping, boundary treatment, lighting & associated works.	ApproveConditionally 10-04-19
AL/119/10/	Change of use of land from agricultural land to provide 3 permanent plots for travelling showpeople & pony paddock - to include the landscaping of part of the	ApproveConditionally 27-04-11

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frontage to the neighbouring site known as Aldingbourne Farm Shop (This is a departure from the development plan) - Resubmission of AL/92/10

AL/107/18/PL was approved for Gypsy and Traveller plots to the south of the site.

REPRESENTATIONS

Aldingbourne Parish Council provided no objection but would request a permanent condition that it is to be used for family members only as indicated in the letter from Mr Cole.

2 letters of support received from the applicant/applicant family.

- There is no room where we currently live to have my own home but I would like to stay in this area.
- The plots are designed to meet the family's long term needs.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

ADC Ecology - No objection subject to conditions.

Portsmouth Water - No objection subject to conditions.

WSCC Highways - No objection subject to a condition

National Highways - No objection

South Downs National Park - No comment.

ADC Planning Policy - In the absence of current evidence, we would be unlikely to sustain an objection to this application based on need.

Environmental Health - No objections subject to conditions regarding lighting and the number of caravans on site.

WSCC Fire and Rescue - The fire hydrant is located in excess of the standard distance for domestic properties. This will need to conform with Approved Document B.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted. As these are mobile homes Building Regulations do not apply. However, the site will require a site licence and the requirements of this include the need to consider fire safety measures.

POLICY CONTEXT

Outside the Built Up Area Boundary
 Water Source Protection Zone
 Prone to Groundwater Flooding
 Within 12km of the Singleton and Cocking Tunnels Special Area of Conservation
 Gypsy and Traveller Showperson Site
 Area of Special Advert Control

DEVELOPMENT PLAN POLICIES

Arun Local Plan 2011 - 2031:

DDM1	D DM1 Aspects of form and design quality
CSP1	C SP1 Countryside
HSP5	H SP5 Traveller and Travelling Showpeople accommodation
TSP1	T SP1 Transport and Development
ENVDM5	ENV DM5 Development and biodiversity
QEDM2	QE DM2 Light pollution
QESP1	QE SP1 Quality of the Environment
WDM1	W DM1 Water supply and quality
WDM2	W DM2 Flood Risk

Aldingbourne Neighbourhood Plan 2019-31 Policy EH1

Aldingbourne Neighbourhood Plan 2019-31 Policy EH10 'Unlit Village' status

Aldingbourne Neighbourhood Plan 2019-31 Policy GA3 Parking and new developments

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD11	Arun Parking Standards 2020
SPD13	Arun District Design Guide (SPD) January 2021

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans, The South Inshore & South Offshore Marine Plan and Made Neighbourhood Development Plans. The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material

considerations indicate otherwise."

The proposal is considered to comply with relevant Development Plan policies in that it would have no materially adverse effect on the safety or convenience of the highway, no harm to the existing character of the landscape and no harm to the amenity of nearby local residents.

Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that

(2) in dealing with an application for planning permission the authority shall have regard to -

(a) the provisions of the development plan, so far as material to the application,

(aza) a post examination draft neighbourhood development plan, so far as material to the application,

(b) any local finance considerations, so far as material to the application, and

(c) any other material considerations.

OTHER MATERIAL CONSIDERATIONS

There are no other material considerations to be weighed in the balance with the Development Plan.

BIODIVERSITY NET GAIN

The BNG report shows an increase of 54.41% of habitat units and an increase in 23.33% of hedgerow units.

CONCLUSIONS

SITE HISTORY

AL/107/18/PL was approved for continued use of 3 plots and a further 8 plots consisting of 4 new and 4 existing plots. This is on land to the south and east of the current application and utilises the same access.

PRINCIPLE

Arun Local Plan (ALP) policy C SP1 states development in the countryside will only be permitted where it relates to certain criteria or is in accordance with other policies in the plan which refer to a specific use or type of development. It is necessary to consider the proposal against ALP policy H SP5 "Traveller and Travelling Showpeople accommodation". If the proposal complies with that policy, then it would be acceptable in principle in respect of new development in the countryside.

The Aldingbourne Neighbourhood Development Plan (ANDP) is relevant. The site is outside of this BUAB as shown in the ANDP. ANDP Policy EH1 states development will not be allowed outside of the built-up area boundary. Where there is a shortfall in housing, development proposals must demonstrate compliance with criteria otherwise development outside the BUAB will be resisted.

ALP policy H SP5 states that in the plan period (2011-2031), provision must be made in the district for 7 plots for Travelling Showpeople. It goes on to list a number of criteria to be used when determining applications. These are summarised below:

- (a) Appropriate in scale to the setting including having regard to nearby residential development.
- (b) Not be located in flood risk areas or near refuse sites, industrial sites or similar.
- (c) Be well located with respect to the highway network and enable easy and safe access to sustainable settlements - but also not be adjacent to major transport corridors.
- (d) Not be located in areas designated for nature conservation and not result in any harm to such areas.

- (e) Make effective use of previously developed or derelict land.
- (f) Be located so that there is no negative impact on the safety, amenity, and privacy of the neighbouring residents/land uses. There should be adequate space for storage on site.
- (g) Incorporate appropriate landscaping and boundary treatment, including existing natural landscape features such as trees and hedging. New boundary treatments are to be in keeping with the surrounding area.
- (h) Be served by an adequate water supply and appropriate means of sewage disposal; and
- (i) Be located to ensure there is no adverse impact on the historic environment.

The proposal is appropriate in scale having regard to the characteristics of the site. The site is not affected by flood risk and is not near refuse or industrial sites. The site allows for good access onto the highway network, with an access already in existence. The site is not on or near a wildlife designation. Residential amenity and landscape character issues are discussed elsewhere but there is no harm to these aspects. The site benefits from utility connections and there are no nearby heritage assets affected. The proposal accords with policy H SP5 and by association is acceptable in principle as per policy C SP1 and policy EH1 of the ANDP.

Policy H SP5 ends by stating ADC will produce a "Gypsy and Traveller and Travelling Showpeople Site Allocations document" (DPD) to identify land for permanent pitches to meet need identified.

In terms of provision for Gypsy and Traveller and Travelling Showpeople, Arun District Council, together with the Coastal West Sussex Authorities, jointly commissioned the Gypsy and Traveller and Travelling Showpeople Accommodation Assessment (GTAA), October 2018. This sets out the objectively assessed need for Gypsy & Traveller and Traveller Showpeople families over the period 2018 - 2036.

At the time of its production and based on the definition of 'gypsies and travellers' in the Planning Policy for Traveller Sites (PPTS) at that time, the GTAA demonstrated a need for 9 additional pitches in Arun over the GTAA period for G&T households that meet the planning definition; a need for up to 3 additional pitches for unknown G&T households that may meet the (then) planning definition. There was also a need for 14 additional plots in Arun over the GTAA period for travelling showpeople households, and a need for up to 1 additional plot for unknown travelling showpeople households that may meet the planning definition. Arun subsequently commissioned a Gypsy and Traveller and Travelling Showpeople Sites Identification Study to inform preparation of a G&T Development Plan Document (G&TDPD).

On 19 December 2023, the Government published revisions to the PPTS which expanded the definition of 'gypsies and travellers' to include "such persons who on grounds only of their own or their family's or dependents' educational or health needs or old age have ceased to travel temporarily or permanently". This significantly increased the need for provision in Arun and the council sought, and received, advice from the Planning Inspectorate on 16 April 2024 that the level of under provision was a potentially serious shortcoming of the G&TDPD. The council's Planning Policy Committee took the decision to withdraw the G&TDPD on 6 June 2024. The existing needs assessment (GTAA) is from October 2018, and the Sites Identification Study is from April 2019. There has been no work done or formal update of G&T need in Arun since the G&TDPD was withdrawn in June 2024. It is possible that need has increased since the last study was done, particularly given the change in definition in the PPTS. It is clear there is a need for G&T and Travelling Showperson plots to be provided across the district.

Paragraph 4 of the NPPF states 'the Framework should be read in conjunction with the Government's planning policy for traveller sites and its planning policy for waste. When preparing plans or making decisions on applications for these types of development, regard should also be had to the policies in this Framework, where relevant.'

PPTS policy C (para 14) states "When assessing the suitability of sites in rural or semi-rural settings,

local planning authorities should ensure that the scale of such sites does not dominate the nearest settled community".

Policy H discusses the determination of planning applications. It requires applications be assessed and determined in accordance with the presumption in favour of sustainable development, the application of specific policies in the NPPF and the PPTS.

It goes on to list at para 24 those issues (amongst other relevant matters) that local authorities should consider when determining planning applications for traveller sites. These are as follows:

- (a) the existing level of local provision and need for sites.
- (b) the availability (or lack) of alternative accommodation for the applicants.
- (c) other personal circumstances of the applicant.
- (d) that the locally specific criteria used to guide the allocation of sites in plans or which form the policy where there is no identified need for pitches/plots should be used to assess applications that may come forward on unallocated sites; and
- (e) they should determine applications for sites from any travellers and not just those with local connections.

Para 26 then states: "When considering applications, local planning authorities should attach weight to the following matters:

- (a) effective use of previously developed (brownfield), untidy or derelict land.
- (b) sites being well planned or soft landscaped in such a way as to positively enhance the environment and increase its openness.
- (c) promoting opportunities for healthy lifestyles, such as ensuring adequate landscaping and play areas for children; and
- d) not enclosing a site with so much hard landscaping, high walls, or fences, that the impression may be given that the site and its occupants are deliberately isolated from the rest of the community.

This site is greenfield land although the site does not seek extensive hardstanding and secures a well landscaped design. The site has a considerable amount of planting to external boundaries to demarcate the plot boundaries. The effect of landscaping is not considered to isolate the site from the surrounding area.

There is a clear need identified within the ALP and the GTAA for additional show persons plots in the District. The proposal accords with the PPTS and policy H SP5 of the Arun Local Plan. Having established the principle, it is necessary to assess the proposal in respect of other development criteria such as the impact on the character of the area, the highway and residential amenity.

DESIGN AND VISUAL AMENITY

Policy D DM1 requires development makes the best possible use of land by reflecting or improving on the character of the site and the surrounding area, in terms of scale, siting, layout, density, building materials and landscaping.

The development will be sited largely towards the eastern boundary of the site, behind a hedgerow which restricts some of the view from the main entrance road. A new vehicular access will be inserted between existing hedgerow to enable access from the existing road into the site.

The site will be laid out to serve 4 plots. These would be set up as two pairs extending south across the site. These are set back from the northern boundary and would not be visible from the street scene. The proposal will construct areas of hardstanding for parking, show equipment and storage for touring

caravans. The mobile homes would be situated on a retained area of grass. Each plot is approximately 30m in length and width. The design proposes a 1.2m post and rail fence along with hedging to define the extent of each plot. Separation is retained to the western boundary and there will be ecological enhancements to this and the north resulting in a site that appears well landscaped and maintains its green character.

The visual appearance of the site will alter, however, views from the wider area are largely restricted as a result of the surrounding vegetation and as a result of the scale, with the proposed mobile homes at single storey. Views across the site are also screened by hedging, although the proposal is in keeping with the immediate area to the south and east which contains other mobile homes. The mobile homes would be occupied by family members that currently occupy the wider site.

The proposal would not result in demonstrable harm upon the appearance or character of the area in accordance with ALP policy D DM1.

RESIDENTIAL AMENITY

Policy D DM1 requires the Council have regard to certain aspects when considering development including: (3) Impact - "Have minimal impact to users and occupiers of nearby property and land. For example, by avoiding significant loss of sunlight, privacy and outlook and unacceptable noise and disturbance." Policy QE SP1 states the Council will ensure that development does not have a significantly negative impact upon residential amenity.

The site is a sufficient distance away from residential amenity to ensure there is no adverse harm. Residents on Marsh Lane to the west are located around 350m away from the site. The wider site has other Gypsy and Traveller/Travelling Showpersons plots however these are within the same applicant ownership and with suitable planting/hedging on site, privacy is maintained.

Therefore, there is no conflict with ALP policies D DM1 or QE SP1 in respect of residential amenity.

PARKING

Policy T SP1 of the ALP supports development which incorporates appropriate levels of parking and promotes sustainable transport methods. ANDP policy GA3 requires parking be provided in accordance with the standards adopted at the time.

Regard should be had to para 116 of the NPPF which states: "Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe".

The site will have 4 plots for which will be include parking, show equipment and storage for touring caravans. There is sufficient space on site to accommodate these uses.

WSCC Highways have no objection and confirm that it is unlikely there will be any material increase in traffic movements onto the network. The parking is considered acceptable and there will be sufficient space to turn within the site.

Although the site is not particularly well located to allow for walking to be a viable alternative to the use of the car, there are bus stops nearby. It would also be possible to cycle to Westergate to access shop and services.

The proposal accords with ALP policy T SP1 and policy GA3 of the ANDP.

BIODIVERSITY

Policy ENV DM5 requires that applications demonstrate a net gain in biodiversity however statutory net

gain (BNG) also applies and requires a 10% net gain which in this case overrides the ALP Policy.

The BNG report shows an increase of 54.41% in habitat units. This exceeds the mandatory 10% required. The BNG report also shows an increase in 23.33% in hedgerow units. The development proposes creation of 2.25 combined units of habitats and hedgerows. This includes habitats of medium distinctiveness, and this qualifies as significant BNG. Arun's policy is to secure such BNG by a S106 legal agreement.

The preliminary ecological assessment (PEA) was undertaken at a sub optimal time. However, the majority of the site is modified grassland and offers limited ecological value. The PEA has assessed that there would be no impacts on protected species. No objection is raised from the ADC Ecologist.

Ecological enhancements are proposed, and this includes the planting of buffer zones with native trees, shrubs and wildflower and fruit trees. Further enhancements for habitats are proposed through the use of log and compost piles, bird and bat boxes and hedgehog homes. The PEA also recommends bat sensitive lighting to ensure there is no harm upon the dark skies.

The site falls in the Singleton and Cocking Tunnels SAC consultation zone. The ADC Ecologist confirmed that as the proposal is for the creation of hardstanding and storage of caravans, show persons equipment, an appropriate assessment is not required due to the scale and nature of the development.

The proposal exceeds the mandatory 10% net gain and a S106 has been completed to secure this, and the proposal complies with ALP policy ENV DM5 with regards to biodiversity.

LIGHTING

ALP policy QE DM2 requires proposals which seek outdoor lighting to provide a lighting scheme. Policy EH10 of the ANDP states that proposals which detract from the unlit environments of the parish will not be supported and that new lighting will be required to conform to the highest standard of light pollution restrictions in force at the time.

No details have been submitted to demonstrate what lighting is proposed. Due to the location of the site, in an area that is largely rural, this has the ability to cause harm to the wider area depending on the amount of lighting and brightness proposed. The adjoining site (AL/107/18/PL) was approved with a lighting scheme and therefore, it is clear that an appropriate lighting scheme can be developed here. A condition will be included for details to be submitted and approved.

Subject to a condition, the proposal would comply with ALP policy QE DM2 and ANDP policy EH10.

FLOOD RISK/FOUL AND SURFACE WATER DRAINAGE

Arun Local Plan Policy W DM2 relates to flooding. Where a site is at risk of flooding then it should be accompanied by a site-specific Flood Risk Assessment, which will need to accord with parts (a)-(f) of the policy. Policy W DM1 relates to water supply and quality. The site is not in an area of flood risk.

The site is in Source Protection Zone 2c for local water supply. This relates to subsurface activity only, where the chalk aquifer is confined and may be impacted by deep drilling activities. Deep drainage solutions and/or piling may pose a risk to groundwater and all measures to prevent pollution during, and post construction are required to safeguard the local public water supply. Portsmouth Water have no objection to piling if the piles terminate within the clay cover. If the piles penetrate the full depth of the Clay cover, they expect a piling risk assessment and method statement. It is unlikely that deep drilling is required to enable the proposal however this can be addressed via an appropriate condition. Portsmouth Water have no objection subject to these conditions.

With regards to surface water drainage, the areas of hardstanding are relatively minor and will be permeable and the static caravans will have water butts to collect the water runoff from the roofs. The site is not at flood risk nor within the Lidsey Wastewater Treatment Catchment Area.

There is no indication of a foul water drainage strategy for the proposed development, and a condition is also included to ensure this is controlled. Subject to conditions, the proposal will not result in an increase to flood risk in accordance with ALP policies W DM2 and W DM1.

SUMMARY

It is clear from the above analysis that there is an existing demand for addition travelling show persons plots. The above demonstrates that the proposal accords with national planning policy guidance and development plan policies in respect of the principle of development in the countryside, landscaping, residential amenity, and highway safety. It is recommended that permission is granted with a S106 to secure BNG in accordance with the following conditions.

HUMAN RIGHTS ACT

The Council in making a decision should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as Arun District Council to act in a manner, which is incompatible with the European Convention on Human Rights.

Consideration has been specifically given to Article 8 (right to respect private and family life) and Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for approval of the grant of permission in this case interferes unreasonably with any local residents' right to respect for their private and family life and home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for approval is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

In assessing this proposal the following impacts have been identified upon those people with the following protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation).

The proposal would have a neutral impact on the protected characteristics.

SECTION 106 DETAILS

A s106 has been completed to secure the monitoring of the BNG created on site.

CIL DETAILS

The site is not CIL liable.

RECOMMENDATION

- 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:
- Location Plan - 1
 - Proposed Site Plan - 3
 - Topographical Survey - EX01
- Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Arun Local Plan policies D DM1 and D SP1.
- 3 No more than 4 caravans shall be stationed on the land at any time.
- Reason: In order to protect the visual amenity of the local area and in accordance with Arun Local Plan policies D DM1 and TOU DM1.
- 4 No part of the development shall be first occupied until the car parking has been constructed in accordance with the approved site plan. These spaces shall thereafter be retained at all times for their designated purpose.
- Reason: To provide car-parking spaces in accordance with Arun Local Plan policy T SP1.
- 5 No development shall commence until such time as a scheme to dispose of foul water for that phase has been submitted to, and approved in writing by, the local planning authority in consultation with Portsmouth Water. The scheme shall be implemented in accordance with the timetable agreed as part of the approved scheme. The scheme shall also include:
1. Details of how the scheme shall be maintained and managed after completion.
 2. Details of the sewage pipe work layout and specifications.
- Reason: This is in order to manage the quantity of foul sewage and protect water resources. In accordance with Arun Local Plan policy W DM1 and position G8 of "Groundwater Protection: Principles and Practice", the applicant must use the highest specification pipework and designs to minimise leakage. This is required to be pre commencement to ensure this is in place prior to construction.
- 6 1. Prior to the commencement of development but after the approval of the Biodiversity Net Gain Plan a 30-year Habitat Management and Monitoring Plan (HMMP) for the provision of a minimum 10% Biodiversity Net Gain (BNG) shall be submitted to and approved in writing by the Local Planning Authority. The HMMP shall be based upon Natural England's Habitat Management and Monitoring Plan Template and shall include the HMMP Companion Document and a list of what will form part of the Habitat Management and Monitoring Reports submitted for Part B) of this condition.
2. From the date of last occupation, or the date that the BNG creation and enhancement works have been completed, whichever is the earliest, a BNG Habitat Management and Monitoring Report must be submitted to and approved in writing by the Local Planning Authority by years 1,2,3,4,5,10,15,20,25,30.
- The development shall proceed on the basis of all approved documents and timings as

approved under A) and B) for the duration of the HMMP.

Reason: To ensure measurable net gains to biodiversity and in accordance with the Environment Act 2021 and Arun Local Plan policies ENV SP1 and ENV DM5. This must be a pre-commencement condition because it relates to the creation and retention of biodiversity net gain in accordance with schedule 7A to the Town and Country Planning Act 1990.

- 7 No piling or any other foundation construction using penetrative methods shall be carried out other than with the express written consent of the Local Planning Authority (who shall consult with the Environment Agency and Portsmouth Water). The development shall be carried out in accordance with the approved details.

A piling risk assessment and method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water infrastructure, vibration, and the programme for the works) should be submitted to and approved in writing in consultation with Portsmouth Water.

It must be demonstrated that any proposed piling:

1. Will not result in contamination of groundwater.
2. Will not increase risk to drinking water supplies (including turbidity); and
3. Will not deteriorate the transmissivity of the aquifer.

Reason: Piling or any other foundation designs using penetrative methods can pose a risk to potable water supplies from, for example, turbidity, mobilisation of historical contaminants, drilling through different aquifers and creation of preferential pathways. This condition is imposed in accordance with Arun Local Plan policies W SP1 and W DM1 and the NPPF. This is not strictly a pre-commencement condition as other means of foundations are available however, if piling must be used then these details must be agreed prior to commencement and this condition is required because otherwise the water supplies under the site could be adversely affected.

- 8 Prior to any occupation of the mobile homes, a Biodiversity Enhancement Layout, providing the finalised details and locations of the enhancement measures contained within the Preliminary Ecological Appraisal -00-PEA, 15/11/23, shall be submitted to and approved in writing by the Local Planning Authority.

The enhancement measures shall be implemented in accordance with the approved details prior to first occupation of any part of the development and all features shall be retained in that manner thereafter.

Reason: To enhance protected and priority species and habitats in accordance with Arun Local Plan policies ENV SP1 and ENV DM5 and allow the Local Planning Authority to discharge its duties under the NPPF and s40 of the Natural Environment and Rural Communities Act 2006 (Priority habitats and species).

- 9 Prior to the occupation of any part of the approved use the applicant shall provide electric vehicle charge points to serve each plot. The electric vehicle charge points shall thereafter be retained and maintained in good working condition.

Reason: To mitigate against adverse impacts on local air quality and to promote sustainable travel, in accordance with Arun Local Plan policy QE DM3(c), the Arun Parking Standards SPD and the NPPF.

- 10 Any onsite repairs to any vehicles including HGV's shall only take place between the hours of 09:00 to 18:00 Monday to Saturday. There shall be no repairs to vehicles on Sundays or Bank Holidays. Any associated waste products in whatever form shall be disposed of legally outside of the site.

Reason: To safeguard the amenities of neighbouring properties in accordance with Arun Local Plan policies D DM1, H SP5, QE SP1 and QE DM1.

- 11 The occupation of the 4 mobile homes hereby approved shall be restricted to the 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' more localised pattern of trading, educational or health needs or old age have ceased to travel temporarily or permanently, but excludes Gypsies and Travellers as defined in "Planning policy for traveller sites" (Dec 2024)

Reason: To safeguard the site against inappropriate use in accordance with Arun Local Plan policies C SP1 and H SP5.

- 12 Prior to any part of the new development being first brought into use/occupied, a bat friendly Lighting Plan shall be submitted to and approved in writing by the Local Planning Authority.

The recommended lighting specification shall use LED's (at 3 lux) with the recommended spectrum being 80% amber and 20% white with a clear view, no UV, a horizontal light spread of less than 70 degrees and a timer. A 3D plan of the illumination level should be supplied so that the Local Planning Authority can assess the potential impact on protected species.

Reason: To allow the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended), and s40 of the Natural Environment and Rural Communities Act 2006 (Priority habitats & species) and Arun Local Plan policy ENV DM5.

- 13 If, during development, contamination not previously identified is found to be present at the site then the Local Planning Authority must be notified immediately. No further development (unless otherwise agreed in writing with the local planning authority in consultation with Portsmouth Water) shall be undertaken until the developer has submitted and had approved a site investigation, risk assessment and remediation strategy report, detailing how to mitigate the contamination identified. The remediation strategy approved by the Local Planning Authority shall be implemented in full before development in that phase recommences.

Reason: To ensure that risks from land contamination to drinking water supplies are remediated in compliance with Arun Local Plan policy QE DM4.

- 14 The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition (the biodiversity gain condition) that development may not begin unless:

1. A Biodiversity Gain Plan has been submitted to the planning authority, and
2. The planning authority has approved the plan.

This permission will require the submission and approval of a Biodiversity Gain Plan before development is begun.

For guidance on the contents of the Biodiversity Gain Plan that must be submitted and agreed by the Council prior to the commencement of the consented development please see the link:

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<https://www.gov.uk/guidance/submit-a-biodiversity-gain-plan>

- 15 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
- 16 INFORMATIVE: Prior to first occupation, the site owner may need to have a camping/caravan site licence in place. The land must have the relevant planning permission in place before a site licence can be granted. Please contact the Environmental Health Team for advice or apply online:
pollution@arun.gov.uk
01903 757555
www.arun.gov.uk/camping-and-caravan-sites
- 17 INFORMATIVE: This decision has been granted in conjunction with a Section 106 legal agreement relating to the provision & long term monitoring of the proposed on-site Biodiversity Net Gain.