

DECISION NOTICE

Application Ref: AL/26/25/PL

1 To Addressee

Mr S Jupp
PO Box 839
Chichester
PO19 9XQ

2 Site Address

Nyton Stables
Nyton Road
Aldingbourne
PO20 3TX

3 Description of Development

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.

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 following conditions and Section 106 Agreement.

- 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.

Statutory Biodiversity Gain Plan Condition

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

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.

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

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.



Neil Crowther
Group Head of Planning

Case Officer: Amber Willard

Decision Issued: **12th December 2025**

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

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 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, and you want to appeal against this planning application decision, 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 you want to appeal against this planning application decision, then you must do so within 28 days of the date of service of the enforcement notice, or within 6 months of the date of this notice, whichever period expires earlier.

Otherwise, if you want to appeal against this decision then you must do so within 6 months of the date of this notice.

Appeals must be using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at <http://acp.planninginspectorate.gov.uk>

The Secretary of State can allow a longer period for giving notice of an appeal but 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 the Secretary of State 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.

If you intend to submit an appeal that you would like examined by inquiry then you must send notice to the Local Planning Authority and Planning Inspectorate(inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details can be found at www.GOV.uk

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).