



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/47/14/PL

1 To Addressee

Cunnane Town Planning LLP
 67 Strathmore Road
 Teddington
 Middlesex
 TW11 8UH

2 Site Address

Land at Aldingbourne Farm Shop
 Nyton Road

3 Description of Development

Change of use from agricultural land to provide 4 No permanent plots for travelling show people and a pony paddock. This application is a 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 below.

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:

1:2500 Location Plan;
 Existing Site Layout Ref CTP/5153/EXT1(A); and
 Proposed Site Layout Ref CTP/5153/PRO1(B).

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 homes hereby approved shall be restricted to four households only and be only for 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 under Circular 01/2006.

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 Circular 04/07.

- 4 No more than 8 mobile homes for the permanent residential use of only 4 households shall be stationed on the site. No more than 12 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.

- 5 Any repairs to HGV vehicles on the site shall only take place between the hours of 09:00 to 16:00 Monday to Saturday and not at all 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 District Local Plan policies GEN7 and GEN32.

- 6 No development shall take place until there has been submitted to, and approved by, the Local Planning Authority, a landscaping scheme including details of hard and soft landscaping and details of existing trees and hedgerows to be retained, together with measures for their protection during the course of the development. The approved details of the landscaping shall be carried out in the first planting and seeding season, following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which, within a period of five years from the completion of development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of amenity and of the environment of the development in accordance with policy GEN7 of the Arun District Local Plan.

- 7 No development shall take place until details of the proposed plot boundary fences have been submitted to and approved by the Local Planning Authority and no plots shall be occupied until such fences associated with them have been erected.

Reason: In the interests of amenity in accordance with policy GEN7 of the Arun District Local Plan.

- 8 Development shall not commence until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority.
- The design should follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations, the recommendations of the SUDS Manual produced by CIRIA.
- Winter groundwater monitoring to establish highest annual ground water levels and Percolation testing to BRE 365, or similar approved, will be required to support the design of any Infiltration drainage.
- No building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details and maintained in perpetuity.
- Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies GEN7 and GEN9 of the Arun District Council Local Plan.
- 9 No development shall commence unless and until a scheme to improve the current site access has been submitted to, and approved, by the Local Planning Authority. The scheme shall incorporate a heavy duty crossover and a level platform not exceeding a gradient of 1:30 for the first 10m into the site, measured from the nearside edge of the carriageway. In addition, any gates at the site should be set back 10m from the edge of the highway into the site. The approved scheme shall then be implemented in full and retained in a satisfactory state thereafter.
- Reason: In the interests of road safety in accordance with policy GEN7 of the Arun District Local Plan.
- 10 No development shall take place until there has been submitted to, and approved by, the Local Planning Authority, a scheme that details the position, height, design and intensity of all proposed lighting within the site. The scheme shall avoid the use of floodlights, avoids night time glare and uses timers to restrict lighting during night times. The approved scheme shall be implemented on the site and retained thereafter.
- Reason: In the interests of amenity in accordance with Arun District Local Plan policies GEN7 and GEN33.

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 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: This permission relates solely to the Aldingbourne Farm Shop site as shown by the red edges on the submitted plan. The permission does not relate in any way whatsoever to the adjacent Nyton Stables site.

INFORMATIVE: The applicant will need to apply to Environmental Health for a Caravan Site Licence separately to the Planning Application. In order to comply with the site licensing standards, there should be a space of 3 metres clear to the boundary from any caravan. The Site License will also cover distances between caravans as well as arrangements for foul drainage, fire safety, roadways, site electrics and overall maintenance.

INFORMATIVE: Please note that there is a restrictive covenant on the land as placed by West

Sussex County Council. This restricts the use of the land to agriculture, horticulture and the keeping of horses & ponies.

INFORMATIVE: A formal application for connection to the public sewerage system is required in order to service this development. Please contact Southern Water, Southern House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (Tel 033 0303 0119) or www.southernwater.co.uk.

INFORMATIVE: Should any protected species or evidence of any protected species be found prior to or during the development, all works must stop immediately and an ecological consultant or West Sussex County Council's ecologist contacted for further advice before works can proceed. All contractors working on site should be made aware of this advice and provided with the contact details of a relevant ecological consultant.

INFORMATIVE: The applicant should note that under Part 1 of the Wildlife and Countryside Act 1981, with only a few exceptions, it is an offence for any person to intentionally take, damage or destroy the nest of any wild birds while the nest is in use or being built. Birds nest between March and September and therefore removal of dense bushes, ivy or trees or parts of trees etc. during this period could lead to an offence under the act.

INFORMATIVE: This notice does not give authority to destroy or damage a bat roost or disturb a bat. Bat species are protected under Section 39 of the 1994 Conservation (Natural Habitats etc) Regulations (as amended), the 1981 Wildlife and Countryside Act (as amended) and the 2000 Countryside and Rights of Way Act. It is illegal to damage or destroy any bat roost, whether occupied or not, or disturb or harm a bat. If you are aware that bats roost in a tree(s) for which work is planned, you should take further advice from Natural England (via the Bat Conservation Trust on 0845 1300228) or an ecological consultant before you start. If bats are discovered during the work, you must stop immediately and contact Natural England before continuing.



Karl Roberts
Assistant Director Planning & Economic Regeneration

Case Officer: Mr S Davis

Date of Decision:

2 September 2014

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, and 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 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 of the date of this notice, whichever period expires earlier.

For all other cases, 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 at the Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or on line at www.planningportal.gov.uk/pes

If this decision is a refusal relating to a minor commercial development, where the application was made on or after 1 October 2013, please note that you must appeal within 12 weeks of the date of this notice. For a definition of minor commercial development please refer to The Town and Country Planning (Appeals) (Written Representations Procedure and Advertisements) (England) (Amendment) Regulations 2013 or contact this office for clarification.

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).