

**Recommendation Report for Planning Permission**

**REF NO:** AL/47/14/PL

**LOCATION:** Land at Aldingbourne Farm Shop  
Nyton Road  
Aldingbourne

**PROPOSAL:** 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.

**SITE AND SURROUNDINGS**

**DESCRIPTION OF APPLICATION**

The proposal relates to the provision of 4 permanent plots for travelling showpeople. Plots range from 2784m<sup>2</sup> to 3152m<sup>2</sup>. Each plot will be bordered by 2m high close boarded fencing and will include permeable hardstanding. Access will be from the existing Farm Shop entrance.

**SITE AREA**

3.33 hectares.

**RESIDENTIAL DEVELOPMENT DENSITY (NET)** N/A.

**TOPOGRAPHY**

Predominantly flat. The front of the site is set slightly lower than the level of Nyton Road.

**TREES**

None affected by the proposed development.

**BOUNDARY TREATMENT**

2m high close boarded fencing to boundaries. There is also an earth mound to part of the rear of the site.

**SITE CHARACTERISTICS**

This is a large site predominantly laid to grass but with an area of hardstanding on the eastern side which is accessed from Nyton Road. This part of the site comprises a former farm shop now used as a hatchery, a mobile home, outbuilding, polytunnels and a touring caravan. There is also a shipping container and a digger on this part of the site. To the west of this area is a large expanse of grass. The application site itself is located at the rear (to the south of the buildings) and consists of grassed land and a rectangular area containing chicken coops (which will be relocated). The site is well screened by tree planting to the southern and eastern boundaries. In addition, there is a landscaped buffer to the site frontage.

**CHARACTER OF LOCALITY**

There are 4 permanent travelling show-persons plots on the adjacent land to the west and a horticultural nursery on the land to the east and south. However, it is still considered appropriate to describe the area as rural.

**RELEVANT SITE HISTORY**

|              |                                                                                                                                                                                                                                                                                                             |                                                                                             |
|--------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------|
| AL/30/08/    | Use of land for the siting of a caravan for agricultural worker for temporary period of three years.                                                                                                                                                                                                        | NON DET APPEAL<br>14-07-2008 <i>Appealed</i><br><br><b>Appeal: Withdrawn<br/>17 02 2009</b> |
| AL/66/08/    | Erection of agricultural barn comprising farm shop and machinery/feed store.                                                                                                                                                                                                                                | Refused<br>18-08-2008                                                                       |
| AL/90/08/    | Erection of agricultural barn (Resubmission of AL/66/08)                                                                                                                                                                                                                                                    | ApproveConditionally<br>05-11-2008                                                          |
| AL/101/08/   | Use of land for the siting of a caravan for agricultural worker for temporary period of 3 years.                                                                                                                                                                                                            | Refused<br>14-01-2009                                                                       |
| AL/85/09/    | Erection of agricultural barn - Resubmission of AL/90/08/                                                                                                                                                                                                                                                   | Withdrawn<br>04-11-2009                                                                     |
| AL/126/09/   | Application for a variation of condition no.2 following grant of planning permission AL/90/08/ to change materials to external cladding                                                                                                                                                                     | ApproveConditionally<br>17-02-2010                                                          |
| AL/92/10/    | Change of use from agricultural land to provide five permanent plots for travelling show people and a pony paddock (This application is a departure from the development plan)                                                                                                                              | Withdrawn<br>17-09-2010                                                                     |
| 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 frontage to the neighbouring site known as Aldingbourne Farm Shop (This is a departure from the development plan) - Resubmission of AL/92/10 | ApproveConditionally<br>27-04-2011                                                          |
| AL/9/11/DOC  | Application for approval of conditions 3 & 4 relating to AL/128/09/ (approved on appeal)                                                                                                                                                                                                                    | DOC Part Approved<br>16-06-2011                                                             |
| AL/74/11/DOC | Application for approval of details reserved by                                                                                                                                                                                                                                                             |                                                                                             |

|           |                                                                                                                                                   |                                    |
|-----------|---------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------|
|           | conditions 5 & 6 in relation to AL/119/10.                                                                                                        | DOC Part Approved<br>05-10-2011    |
| AL/52/12/ | Application for variation of condition 6 following grant of planning permission AL/119/10/ relating to landscaping/tree planting                  | ApproveConditionally<br>13-09-2012 |
| AL/78/12/ | Permission to retain earth bund.                                                                                                                  | ApproveConditionally<br>12-10-2012 |
| AL/10/14/ | Application for Removal of Condition 7 imposed under AL/119/10 relating to period of occupation on the land. Departure from the Development Plan. | ApproveConditionally<br>21-05-2014 |

Permanent planning permission for the three plots on the adjacent land to the west was granted in May 2014 under Ref AL/10/14.

#### **REPRESENTATIONS**

##### **Representations received:**

Aldingbourne Parish Council - comments awaited.

1 letter has been received from Strutt & Parker who write on behalf of WSCC. They point out that the land is subject to a restricted covenant that only allows for agriculture, horticulture and the keeping of horses & ponies.

##### **Comments on Representations received:**

The fact that there is a restrictive covenant is noted but this is a legal matter and is not a material planning consideration. An informative will be added to highlight this matter to the applicant.

#### **CONSULTATIONS**

WSCC Strategic Planning  
Environment Agency  
Southern Water Planning  
Engineering Services Manager  
Engineers (Fluvial Flooding)  
Environmental Health  
Parks and Landscapes

##### **Consultations responses received:**

Southern Water - request that should this application receive planning approval an informative is attached to the consent regarding connection to the public sewerage system.

West Sussex Highways - "From an inspection of the plans alone, there is no apparent visibility issue at the point of access and the most recently available verified accident records reveal there have been no personal injury accidents in the vicinity of the existing point of access. As with my colleague's previous comments to AL/119/10 and AL/92/10, WSCC would request that the existing access is upgraded, with 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 carriageway. Furthermore, any gates at the site should also be set back 10m into the site. No concerns would be raised to this application from a highways perspective."

ADC Environmental Health Officers - "no adverse comments on the application. However, where placed near a boundary there should be a space of 3 metres clear to the boundary from any caravan. Additionally, adequate arrangements for foul drainage will be required for the units which, if consent is given, will have to comply with site licence conditions (via an application for a Caravan Site Licence as this is an application for a permanent site) in relation to fire safety, distances between caravans, roadways, site electrics and overall maintenance of the site. Please ensure the applicant is aware that they will need to apply to Environmental Health for a Caravan Site Licence separately to the Planning Application."

ADC Drainage Engineers - "The applicant states that surface water will be discharged to Sustainable Drainage System. Surface water drainage must be provided for impermeable areas. Please apply standard conditions ENGD2A."

Environment Agency - "The site is located in Flood Zone 1 and not adjacent to any main rivers. As this development proposal falls outside our current working arrangements we have no comments to make on the proposal as submitted."

**Comments on Consultation responses:**

Comments noted and recommended conditions/informatives are included.

**POLICY CONTEXT**

Designations applicable to site:

Outside Built Up Area Boundary;  
PD Restriction;  
Class B Road;  
Advert Control Area; and  
No Public Sewer.

**DEVELOPMENT PLAN POLICIES**

Arun District Local Plan 2003: [GEN3](#)  
[GEN7](#)  
[GEN9](#)  
[GEN32](#)  
[GEN33](#)

Protection of the Countryside  
The Form of New Development  
Foul and Surface Water Drainage  
Noise Pollution  
Light Pollution

[Publication Version of the Local Plan -  
Excluding the Spatial Portrait, Employment,  
Housing Allocations, Transport, Monitoring and  
Implementation sections \(February 2014\):](#)

C SP1 Countryside  
D DM1 Aspects of Form and Quality  
QE DM1 Noise Pollution  
QE DM2 Light Pollution  
H SP5 Traveller & Travelling Showpeople  
Accommodation

**PLANNING POLICY GUIDANCE**

NPPF  
PPTS

National Planning Policy Framework  
Planning Policy for Traveller Sites

**SUPPLEMENTARY POLICY GUIDANCE**

XXX5

Circular/1/2006 Planning for Gypsy & Traveller  
Caravan Sites

**POLICY COMMENTARY**

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to visual and residential amenity.

The Development Plan consists of the Arun District Local Plan 2003.

Paragraph 215 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight. The weight afforded to the policies with Local Plan policies can be assessed according to their level of consistency of the various policies with the National Planning Policy Framework. It should be noted that the NPPF states that weight is given to individual policies and not to the plan as a whole.

NPPF Paragraph 216 confirms that weight can be given to policies in emerging plans following publication. The Council agreed the majority of the Arun Local Plan in February 2014 (Publication Version) and this is a material consideration in the determination of this planning application. The remaining chapters of the Local Plan namely: the Spatial Portrait, Employment & Enterprise, Housing Allocations, Transport, Monitoring and Implementation will be considered for publication at a later meeting of Full Council. Following 'publication' of the Local Plan a formal public consultation, examination and adoption process takes place. The chapters that have been published will undergo public consultation alongside the remaining chapters when they have been agreed. The weight given to the current published policies can be significant depending:

- the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given);
- the degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

The policies within this published version of the plan are at an advanced stage as they have been agreed by Full Council for regulation 19 consultation, they have been subject to independent audit and are considered to meet the NPPF and there are no known significant unresolved issues arising from regulation 18 consultation for the published policies.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The statement of representations procedure and statement of fact produced by the Council under regulation 19 explains that the consultation will take place once the remaining chapters / policies have been published.

**The Neighbourhood Development Plan**

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan. Whilst an NDP is under preparation it will afford little weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation (Reg.14).

## **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 visual amenities of the locality or the residential amenities of the adjoining properties, nor would it have an adverse impact upon the established character of the surrounding area.

## **OTHER MATERIAL CONSIDERATIONS**

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

## **CONCLUSIONS**

### **PROPOSAL**

This application seeks permission to create 4 new permanent travelling show persons plots. Each plot will have hardstanding and include space for mobile homes, touring caravans and a yard area. The plots will be bordered with 2m high fencing.

### **PRINCIPLE**

The application site is currently used for low intensive grazing of animals. It is located outside of the built-up area boundary and within designated countryside. Local Plan Policy GEN3 states that uses unrelated to the needs of agriculture will not be permitted unless very special circumstances are demonstrated to justify allowing development not normally appropriate in these areas. Such circumstances are likely to include the likely impact on the surrounding area, the existing level of provision/need for sites in the area and other personal circumstances.

### **PROVISION OF TRAVELLING SHOW PERSONS SITES IN THE AREA**

The Government's Planning Policy for Traveller Sites (PPTS) as published in March 2012 states that local planning authorities should set plot targets for travelling showpeople in order to meet the provision for permanent and transit site accommodation. If an up-to-date five year supply cannot be demonstrated then this should be a significant material consideration. In this case, the Council has identified a demand for 7 plots between 2012 and 2027. Three of these plots have been met by the permanent permission on the adjacent land. This permission, if approved would meet the remaining demand for 4 plots.

The PPTS states that applications should be assessed and determined in accordance with the presumption in favour of sustainable development, the application of specific policies in the National Planning Policy Framework and this planning policy for traveller sites. It goes on to state (at paragraph 22) those issues (amongst other relevant matters) that local authorities should consider when considering planning applications for such 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) that they should determine applications for sites from any travellers and not just those with local connections.

Paragraph 24 states that: "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".

The application site (i.e. the location of the plots not the wider red edge) is currently greenfield land. However, the wider site is in an agricultural use and contains a hatchery building as well as living accommodation for the worker and their family. In terms of landscaping, the front of the site has a bund along its length and there is mature trees planting along the southern and eastern boundaries. Further landscaping is proposed and the details of this would be obtained through a planning condition. As with the adjacent site, it is not considered that the effect of the landscaping will be to isolate the site from the surrounding area. The site will be self-contained in the southern part of the site, well set back from the road but will also be seen at significant distance from the road. In short, whilst well screened, the site will still be evident to people passing along Nyton Road.

This site is not sustainably located being within the countryside, some distance from nearby facilities and (aside from the footpath to the rear) is a car reliant site. The absence of street lighting and pedestrian pavement on both sides of Nyton Road also reflects badly on the sustainability of the site. Policy HSP5 of the Emerging Local Plan (see separate section analysing this policy below) also requires sites to be well located with respect to the highway network and enable easy and safe access to sustainable settlements with a range of services including shops, schools and healthcare facilities by foot, cycle, public transport or car. Although the site is well located to the main road network (with easy access on to the A27 for the movement of fairground equipment and trailers), it is poorly located in relation to day to day needs and such. There are bus stops on Nyton Road to the northwest and southeast, however, these are a walk of 0.5-0.6km from the site and there is no pavement between the site and the bus stops. The location of this site is therefore contrary to this guidance. However, it should also be noted that the site is adjacent to an existing permanent site and that it is very well located for access to the main road network for the movement of HGV's and fairground rides.

With regard to the existing level of local provision and need for sites, Arun District Council published in April 2013, a "Coastal West Sussex Authorities Gypsy and Traveller and Travelling

Showpeople Accommodation Assessment". This report states that there is a need for 5 additional plots for travelling showpeople between 2012 and 2017, a further 1 plot between 2018 and 2022 and then 1 extra plot between 2023 and 2037. This demand has since been reduced to 4 as a result of the change in the permission on the adjacent site to the west from temporary to permanent. It is clear then that there is a demand for 4 plots by 2027. Advice from the Councils Local Policy team is that there is no suggestion of 'rationing' provision to reserve supply for future years as that doesn't make sense with such small numbers. Furthermore, it is understood that the quoted figures should be seen as the minimum amount of provision which is necessary to meet the statutory obligations towards identifiable needs of the population. It is therefore considered acceptable to fulfil the demand at the current time for the period up to 2027.

In February 2014, Arun District Council published the "Coastal West Sussex Authorities and South Downs National Park Authority Gypsy, Traveller and Travelling Showpeople Sites Study". Paragraph 9.2.2 of this document references the application site as being potentially suitable for travelling showpeople to meet identified future needs. It also states that the site could accommodate 4 plots. Appendix 4 of the document ("Sites with Potential at Stage 2") sets out an assessment of the application site. It concludes that: "The adjacent land to the east is in the same ownership (as the Nyton Stables site) and would be suitable for an extension of the existing site, subject to suitable landscape mitigation measures to protect the public rights of way and reduce the visual impact from the site on the countryside and neighbouring uses". It is proposed to impose a condition requiring a full landscape scheme as a condition.

There is therefore an argument to support the need for the new travelling showpersons plots. Whilst the Planning Policy for Traveller Sites considers need to be a significant material consideration when assessing applications for temporary permission this must be weighed against other key constraints and issues as per the following paragraphs (Character & Appearance, Residential Amenity, Flood Risk, Highway Matters and Protected Species). Compliance with Policy HSP5 of the Emerging Local Plan will also be discussed.

## **CHARACTER AND APPEARANCE**

The site is part of a flat rural landscape. The exception to this is the landscaped earth bund along the front of the site (and also the front of the adjacent Nyton Stables site). Taken together with the adjacent stables site, the land is relatively open; however, the whole area is enclosed by the tree planting to the south, east and to a lesser extent, west. There is also tree planting along the Nyton Road frontage. It is considered that the wider area of land and the site itself is well landscaped with both a landscaped earth bund and also tree planting. The effect of this bund is to severely restrict views into the site from persons standing on the Nyton Road frontage. It is also noted that the distance from the road frontage to the new plots will be between 70 and 85m.

There is a footpath running along part of the eastern boundary to the adjacent stables site. Additional landscaping may be required to mitigate views from this footpath; however, it does not border directly with the application site and is a distance of between 70m and 140m from the site. A landscaping condition will be imposed to ensure any gaps in the boundary are filled in.

The permanent mobile homes would be located on within 4 new fenced plots at the rear of the site. The boundary fencing will give them an urban appearance but this can be softened with new planting. Whilst a large amount of hardstanding is proposed, this will (aside from the access road along the front of the plots) be located behind the fenced boundaries. The new section of

hardstanding (for access) is as stated above, a long way from the nearest public viewpoints.

It is also noted that part of the proposal is to relocate the existing mobile home from the farm shop site into one of the plots. This is because the show person who looks after the hatchery is currently living on the hardstanding part of the site and he will relocate to one of the new plots. This will be an improvement to the visual appearance of the site from Nyton Road.

In addition to requiring landscaping, a condition would be imposed to ensure that lighting on the site reflects that on the adjacent site by avoiding the use of floodlights, avoiding night time glare and using timers to restrict lighting during night times

#### **RESIDENTIAL AMENITY**

There are no residential properties near to the site other than the existing showpersons plots on the Nyton Stables site. However, these are under the same ownership and it is considered that the occupants of these plots will welcome the new plots as they will be part of the same community. Further afield are the residents of Church Road and Norton Lane where the level of screening and distances involved will mean that there will be little if any views of the application site.

#### **FLOOD RISK**

The site is located within Flood Zone 1 and is therefore land that is least likely to flood. The Environment Agency has raised no objections and it is therefore considered that there is no harm in respect of flood risk. ADC Drainage Engineers have requested a condition requiring surface water drainage measures but again, no particular concerns have been raised.

#### **HIGHWAY MATTERS**

The Highways Authority considers that visibility levels are acceptable. However, they have requested improvements to the surface of the site access and these will form part of a condition. The expected levels of vehicular activity from the site are not considered to be a cause for concern and it is considered that the site is ideally located for heavy vehicular activities (i.e. movement of fairground equipment) given its close proximity to the A27 trunk road. In addition the internal road layout and parking provision for cars & HGV's is in line with the relevant standards.

As set out above under "Provision of Travelling Show Persons Sites in the Area", the site is not considered to be sustainably located. However, it benefits from its location close to the A27 and Nyton Road is not a particularly busy road meaning that the increase in car trips will not be detrimental to the safety and convenience of the local road network.

#### **PROTECTED SPECIES**

No ecology report has been submitted. However, the land is currently used for agriculture, horticulture and the grazing of horses/ponies. It is not considered that the land has any value in terms of protected species and it is noted that the ecology report submitted for the adjacent site found no evidence of use by protected species.

## COMPLIANCE WITH POLICY HSP5 OF THE EMERGING ARUN DISTRICT LOCAL PLAN

The application is for travelling showpeople and therefore the above emerging policy is relevant. Policy HSP5 requires sites to be (not full text of the policy):

- \* Of a scale appropriate to their setting, having regard to the scale and form of nearby residential development;
- \* Be located in areas not prone to flooding and or near refuse sites, industrial sites or similar;
- \* Be located in areas that are well located with respect to the highway network and enable easy and safe access to sustainable settlements with a range of local services including schools, shops and healthcare facilities either by foot, cycle, public transport or car;
- \* Be located in areas that are not within an international, national or local nature conservation designation or where they will have a significant effect upon any designation;
- \* Where possible, make effective use of previously developed or derelict land;
- \* Be located so that sites, including any on-site business uses, shall not negatively impact on the safety, amenity and privacy of the occupants of the site and neighbouring residents and land uses. Adequate space for the storage of equipment for business uses shall be provided on site;
- \* Incorporate appropriate landscaping and boundary treatment, including existing natural landscape features such as trees (particularly mature trees and hedging);
- \* Be served (or be capable of being served) by an adequate water supply and appropriate means of sewage disposal. In circumstances where this is not possible, suitable alternative arrangements may be made with the agreement of the Planning Authority; and
- \* Be located to ensure there is no adverse impact on the historic environment or individual heritage assets therein or their setting.

With the exception of the sustainability of the site, it is considered that the proposal complies with the Policy.

## SUMMARY

As has been shown above, this is not a sustainably located site and is located within the countryside where non-agricultural uses are not appropriate except in special circumstances. However, these factors are considered to be outweighed by the fact that the site is adjacent to an existing travelling showpersons site and that there is existing infrastructure in place; that the site is excellently located close to the A27 to enable the movement of fairground rides without impacting on the local area; that the site is well landscaped; that the existing mobile home will be relocated from the farm shop site thus improving the visual amenity of the area; that there is clear demand for the proposed 4 plots; and that the proposal will be to the benefit of the existing showpersons community on the site. It is therefore recommended that the application is approved subject to 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.

#### **RECOMMENDATION**

##### **APPROVE CONDITIONALLY**

- 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.

- 11 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.
- 12 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.
- 13 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.
- 14 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.
- 15 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](http://www.southernwater.co.uk).

- 16      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.
- 17      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.
- 18      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.