

REPORT UPDATE

Application No: AL/67/25/PL

Reason for the Update / Changes

Reason for Update/Changes:

The applicant has responded to the concerns of WSCC Fire and Rescue by making the following changes:

- The site plan has been amended to show all caravans at least 5.25m apart. The licensing standards for caravan parks states that caravans can be sited between 5.25m and 6m apart provided that fire resistant cladding is applied.
- The amended plan shows caravans 11 and 12 having been moved slightly to achieve the 5.25m distance.
- In addition, the applicant has agreed to install fire resistant cladding to caravans 3, 4, 7, 11, 12, 13 and 14 as these are less than the 6 metre distance from other caravans.
- A new condition has been added to the recommendation to secure the cladding and to prevent non-fire rated materials or equipment being stored between the caravans.
- The same amended site plan now also shows the proposed site of a water tank for fire fighting purposes.
- A further new condition is included to approve the details of the tank and secure its implementation.
- In addition, the applicant has provided a plan to demonstrate that a fire tender can park in a position that allows the fire fighters to connect the tender to the water tank and also to ensure that all caravans are within a 45m hose lay distance of the tender.

WSCC Fire and Rescue have now stated that are happy with the proposals and therefore have withdrawn their objection.

Officers Comment:

The changes to the conditions are shown on the enclosed replacement recommendation sheet.

Notes: Changes to recommendations, conditions and / or reasons for refusal will always be reflected in the recommendation section of the attached Officer's Report.

Recommendation Report for Planning Permission

REF NO: AL/67/25/PL

LOCATION: Nyton Rest
Nyton Farm Shop
Nyton Road
Aldingbourne
PO20 3TU

PROPOSAL: Permanent planning permission for change of use to agricultural worker's accommodation comprising of 14 No. chalets, low level lighting, retention of existing hardstanding, utilisation of existing individual foul treatment plants and

existing permitted access with associated works. This application falls in CIL Zone 3 (Zero rated) as other development.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application is to make the existing temporary use permanent. The details are the same as with the two previous applications.
SITE AREA	0.3772 hectares.
TOPOGRAPHY	Predominantly flat.
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	2m high close boarded fencing to the boundaries. There is an earth mound to part of the rear of the site.
SITE CHARACTERISTICS	The site reflects what is described by the approved plans - namely 14 chalets (hereafter referred to as caravans), 3 fire points, a portable washroom structure and parking spaces. Two of the caravans are for use by travelling show persons (to act as site managers) and the other twelve by agricultural workers. Each caravan has three bedrooms and access to utilities. The caravans are no higher than 3m from ground to roof.
CHARACTER OF LOCALITY	There are three permanent travelling show-persons plots on the adjacent land to the west, a further 11 such plots on land further to the north-west (AL/107/18/PL) and to the east and south, the Aldingbourne Nurseries site (including the Plymouth Brethren Church). To the north, is a large pony paddock. It is appropriate to describe the area as rural.

RELEVANT SITE HISTORY

AL/94/22/PL	Extension of duration of planning permission for a further 3 year period to run from expiry of current temporary permission granted under AL/61/20/PL for continued use of land for agricultural workers accommodation for an initial period of 2 years comprising 14 no. chalets, low level lighting, retention of existing hardstanding, utilisation of existing individual foul treatment plants and existing permitted access and associated works. This application falls in CIL Zone 3 (Zero rated) as other development.	ApproveConditionally 24-08-22
AL/61/20/PL	Continued use of land for agricultural workers accommodation for a temporary period of 2 years comprising 14 No chalets, low level lighting, retention of existing hardstanding, utilisation of existing individual foul treatment plants and existing permitted access, and	ApproveConditionally 28-10-20

associated works. This application falls in CIL Zone 3 (Zero Rated) as 'other development'.

AL/47/14/PL	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.	ApproveConditionally 02-09-14
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The site is one of the permanent travelling show persons plots approved by AL/47/14/PL. This allowed 4 no. permanent plots for travelling show people with a pony paddock. Each plot was to be bordered by 2m high close boarded fencing with permeable hardstanding. The permission was subject to a condition limiting the occupancy of each plot to 1 household with no more than 8 mobile homes and 12 touring caravans stationed across 4 plots.

The current use first commenced in May 2020, and AL/61/20/PL was then lodged in August that year. It was approved at Planning Committee on 28/10/20 and allowed a 2-year permission for agricultural workers chalets. It was subject to a condition that required agreement of lighting details, and this was discharged on 11/01/20 by AL/98/20/DOC. Alongside details submitted with AL/98/20/DOC, the applicant supplied photos to demonstrate the parking spaces and minibus drop-off area had been marked out as per the approved plan.

AL/61/20/PL was extended for a further 3 years by AL/94/22/PL as granted in August 2022. AL/94/22/PL has thus expired, and the applicant is seeking a permanent permission. The use has now been operating continuously for 5 years and around 8 months.

REPRESENTATIONS

Aldingbourne Parish Council object and the following is a summary of their objections:

- The proposal conflicts with Aldingbourne Neighbourhood Development Plan (ANDP) policy GA1 as the site is on a main road with no footway/path access and no sustainable public transport in place for residents.
- The Parish Council agrees with the concerns of the West Sussex Fire and Rescue Service in that there is no supply of water for firefighting purposes.
- The Parish Council has concerns regarding flooding and drainage as there is extensive flooding in the parish at the moment and the submitted report states the site has a permeable surface which is free-draining. Should extreme rainfall events occur which exceed the grounds capacity to drain efficiently, surface water flooding may occur.
- Whilst the site is at very low risk of surface water flooding, no investigation of ground water levels has been undertaken to properly determine the risk of flooding from all sources.

The Parish Council request another three-year temporary permission so that measures can be put in place on the above concerns before a decision on change of use on a permanent basis is given.

COMMENTS ON REPRESENTATIONS RECEIVED:

The applicant has provided a written response to the Parish Council comments. This is in two documents on the website as "Planning Response to Parish Council objection" and "Flood/Drainage Response to Parish Council objection" both dated 13/01/26. The following is a summary of the responses:

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- The applicant has operated the very same subject development without cause for complaint over a period of almost 6 years. A rolling 3-year temporary period of planning permission is of limited value, and the absence of a permanent permission undermines their confidence in investing further in the site, additional landscaping or upgrading the caravans.
- It is simply not possible to provide footpaths in every instance to service developments, and this is particularly the case where sites are located in rural locations
- The applicant is not aware of any reports of any residents of this site walking along Nyton Road in the almost 6 years covering the period of the 2 no. temporary planning permissions.
- The accommodation provided is not family accommodation but is for individuals working on farms and in agricultural processing. Therefore, there is no requirement to provide transport to creches, schools etc.
- The submitted letter from BP Civils Engineers states clearly that there is no history of flooding on the application site. The site is located within Flood Zone 1 and consequently identified as being at 'very low' risk of surface water flooding. Any flooding that could possibly occur, not that it has ever occurred, would be confined to just the site.
- Groundwater investigation has been undertaken on site, with groundwater encountered at circa 400mm below ground level.
- Any ponding that would potentially occur, would regress as ground conditions would allow.
- It is noted that ADC Drainage do not raise any objections or concerns.

In addition, the applicant provided a further document "Nyton Rest Permanent Agri Workers Accommodation Fire Assessment" on 21/01/26 undertaken by "Safety First". Their document sets out the following:

- Fire separation distances between caravans are on the over generous side in the event of a fire (5m or more).
- The access gate is 5.2m wide (a standard fire vehicle needs an operating width of 3.7m).
- The permeable ground surface is suitable for use/access by large vehicles.
- Static fire extinguishers are provided on the site.
- The caravans have smoke alarms, a carbon monoxide alarm, fire blankets and are subject to annual gas certification and a 5-year electrical inspection.
- The site has a dedicated fire assembly area.
- An external water tank for firefighting would provide little benefit to this site as fire vehicles can reach the site in 15mins and they carry their own water supplies.
- Fire vehicle water tanks have a capacity of 2500 litres and this would be sufficient to extinguish a caravan fire and mitigate any spread; and
- The fire service trains regularly for rural conditions where water supplies are sparse and regularly train with water relays to ensure water supplies to the scene of the fire.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

SOUTH DOWNS NATIONAL PARK - state they have no comments to make.

SOUTHERN WATER - state no objection. Request a condition to ensure existing public sewers are protected from new landscaping.

PORTSMOUTH WATER - state the site is currently served by a treatment plant, with treated effluent discharging to the ground. There is no evidence that the plant has an environmental discharge permit (EPR) and therefore the applicant should contact the EA to request one. Request a foul treatment

condition to secure the details of the plant.

WSCC HIGHWAYS - state no objection and recommend no conditions.

WSCC MINERALS AND WASTE - state no objection. Advise the wider application site has permanent planning permission for traveling show person plots and therefore, irrespective of the temporary nature of the previous permissions, it is considered that the underlying mineral resource, if any, has already been sterilised by way of the extant planning consent across the site.

WSCC FIRE AND RESCUE - states that the nearest fire hydrant for the supply of water for firefighting is 455m away, 280m further than the 175m distance required for domestic premises, and 365m further than the distance required for commercial premises. Requests consideration of an alternative water supply for firefighting. Also request evidence that a fire vehicle can access the site.

ADC ECOLOGIST - states no objection but conditions are required to secure the proposed biodiversity enhancements and control lighting. States the site is within the Singleton and Cocking Tunnels Special Area of Conservation (SAC) 12km buffer but that given the scale and nature of the development an appropriate assessment is not required.

ADC DRAINAGE ENGINEERS - state no objection and recommend no conditions. Advise that the permeable surface is considered to be existing and the application poses no significant change which would affect surface water drainage on or offsite and therefore is not required to meet National Sustainable Drainage Standards.

ADC ENVIRONMENTAL HEALTH - state no objections and recommend no conditions.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted except as discussed below:

SOUTHERN WATER - the plan included within the Southern Water response shows no sewers/public apparatus within the site and no new landscaping is proposed or required either. Therefore, the requested condition is not relevant and will not be included.

WEST SUSSEX FIRE AND RESCUE - a re-consultation has been issued to them on the basis of the fire safety submission detailed elsewhere and any response will be reported to members by a committee update report.

ADC ECOLOGIST - a condition will be included to secure the biodiversity enhancements however; it is not appropriate to impose a lighting condition as one was previously imposed on AL/61/20/PL and discharged by AL/98/20/DOC.

POLICY CONTEXT

Designations applicable to site:

- Outside the Built Up Area Boundary.
- CIL Zone 3.
- Current/Future Flood Zone 1.
- No known surface water flood risk.
- Potential for high groundwater levels.
- Water Source Protection Zone 2C.

- Within 12km of Singleton and Cocking Tunnels Special Area of Conservation (SAC); and
- WSCC Mineral Consultation Area (Sharp Sand & Gravel).

DEVELOPMENT PLAN POLICIES

Arun Local Plan 2011 - 2031:

CSP1	C SP1 Countryside
DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
ENVDM5	ENV DM5 Development and biodiversity
HDM3	H DM3 Agricultural forestry and horticultural Rural dwellings
HSP5	H SP5 Traveller and Travelling Showpeople accommodation
LANDM1	LAN DM1 Protection of landscape character
QEDM2	QE DM2 Light pollution
QESP1	QE SP1 Quality of the Environment
SDSP1	SD SP1 Sustainable Development
TSP1	T SP1 Transport and Development
TDM1	T DM1 Sustainable Travel and Public Rights of Way

Joint Minerals Local Plan 2018:

Joint West Sussex M9 Safeguarding Minerals

Aldingbourne Neighbourhood Plan 2019-31 Policy EH1

Built up area boundary

Aldingbourne Neighbourhood Plan 2019-31 Policy EH2 2019 Protection of bat habitation

Aldingbourne Neighbourhood Plan 2019-31 Policy EH5 Surface water management

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

Aldingbourne Neighbourhood Plan 2019-31 Policy GA1 Promoting sustainable movement

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

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance
PPTS	Planning Policy for Traveller Sites

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

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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 conflicts with relevant Development Plan policies in that it proposes to retain development in the countryside not in complete accordance with Arun Local Plan (ALP) policy C SP1 (by virtue of not meeting all of the criteria in policy H DM3) and is not in accordance with Neighbourhood Plan (ANDP) policy EH1 either. It is in conflict with policies designed to minimise reliance on motor vehicles for transport needs. However, the proposal does not result in significant or adverse harm to the landscape or character of the area, the safety of the local highway or the amenities of residential properties occupiers.

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 other material considerations to be weighed in the balance with the Development Plan and these are discussed in the conclusions.

BIODIVERSITY NET GAIN

This application is exempt from BNG as it is a retrospective application.

CONCLUSIONS

PRINCIPLE:

The site is outside of the built-up area boundary (BUAB) as set out in both the ALP and the ANDP. However, ALP Policy C SP1 states that development in the countryside will be supported where it complies with another ALP policy. In this case, policy H DM3 "Agricultural, forestry and horticultural rural dwellings" provides support for accommodation for rural workers and so it will be necessary to assess the proposal against the policy criteria.

Policy H DM3 allows for temporary accommodation for seasonal horticultural workers but only in exceptional circumstances where there is clear evidence that the structures are absolutely essential for the provision of staff accommodation to facilitate the economic running of a farm or horticultural holding and subject to certain criteria. The application states:

- The 12 caravans provide essential year-round accommodation for up to 40 of Pro-Force's seasonal workers at 5 farms in the surrounding Chichester and Arun areas (comprising APS Produce, Barfoots of Botley, Newey, Farplants and Vitacress).
- The average take home pay is approximately £1,800 per month and therefore the workers are unable to compete in the competitive open market for rental accommodation in-and-around Chichester or in rural locations closer to farms.
- Seasonal workers are also on short-term contracts and are therefore unable to commit to rental accommodation which in most cases requires a 6+ month tenancy agreement.
- The accommodation of agricultural workers in temporary chalet/caravan accommodation also means that they do not take up valuable housing stock or leave properties empty out of season.

It is material that the site is fully occupied by agricultural workers with no vacant accommodation and as per the Pro Force letter there is a continuing need for the accommodation. Nevertheless, the proposal does not comply with all of the policy HDM3 criteria as the accommodation is not to assist with agricultural activities on the same site and workers will instead be transported to nearby locations. Neither this nor the previous applications made any assessment of alternative locations. However, criteria (b) to (g) of the policy are met as is demonstrated by the rest of this report.

NPPF para 84 states decisions should avoid isolated homes in the countryside unless certain circumstances apply one, of these is if there is an essential need for a rural worker. Whilst this application is for more than "a rural worker" the essential need has been demonstrated.

ANDP Policy EH1 promotes the use of land and allows some residential development outside of the built-up area if seven criteria are met. The ANDP does not allow for any other forms of development in the countryside. The permanent use is therefore in conflict with the ANDP and as per section 38(5), the proposal is in conflict with the development plan as a whole.

IMPACT ON TRAVELLER OR SHOW PERSON ACCOMMODATION:

ALP policy H SP5 states permission will not normally be granted for development which results in the loss of lawful accommodation for Gypsy and Travellers and Travelling Show People unless alternative provision is made to make good any loss. The site has permission as a travelling show persons plot and can be occupied by one household unit. The site retains an existing mobile home in one corner of the site and includes two caravans occupied by travelling show persons who will act as on-site managers. Therefore, there is no loss of the approved accommodation.

MINERALS SAFEGUARDING:

The site is in a Sharp Sand and Gravel Mineral Safeguarding Area as defined by the West Sussex Joint Minerals Local Plan. Policy M9(b) of that Plan states that proposals for non-mineral development within the Minerals Safeguarded Areas will not be permitted unless: (i) Mineral sterilisation will not occur; or (ii) it is appropriate and practicable to extract the mineral prior to the development taking place, or (iii) the overriding need for the development outweighs the safeguarding of the mineral and it has been demonstrated that prior extraction is not practicable or environmentally feasible.

The site previously had permanent permission as a travelling show persons plot and so prior extraction of minerals from underneath the site would not be possible. Such extraction is also unlikely to be practical given the size of the site and the proximity of existing residential occupiers. WSCC Minerals & Waste have stated no objection, and the proposal is therefore in accordance with policy M9.

ACCESS AND PARKING:

ALP policy T SP1 seeks to ensure development provides safe access on to the highway network; contributes to highway improvements (where appropriate) and promotes sustainable transport. Schemes should accommodate the efficient delivery of goods and supplies; give priority to pedestrian and cycle movements, be accessed by high quality public transport facilities, create safe and secure layouts for traffic, cyclists and pedestrians and provide appropriate levels of parking. Policy T DM1 requires development be located in easy access of established non-car transport modes/routes, contribute to the improvement of such routes and facilities, and contribute towards the provision of a joined-up cycle network and Public Rights of Way network.

ANDP policy GA1 requires that proposals are sustainably located and accessible to local facilities and services and sufficient capacity exists or can be provided to accommodate additional needs. Policy GA3 requires parking be provided to meet current standards. Para 115 of the NPPF states: "In assessing ... specific applications for development, it should be ensured that: (b) safe and suitable access to the site can be achieved for all users". Para 116 states: "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios."

The Nyton Rest site as a whole is lawfully occupied as a travelling show persons site and the existing access serves it as well as a residential barn conversion (former Nyton Farm Shop) and also the seasonal agricultural workers caravan site. WSCC Highways continue to raise no concerns with the use of the existing access which has good visibility and does not have a history of accidents.

Whilst there are bus stops 360/460m from the site entrance to the south-east, this site is not a sustainably accessed location as there is no pavement on Nyton Lane and no footpaths otherwise connecting the site. Cycling would be a viable option as it is not too far to cycle to the shops/facilities of Westergate however, persons living on the site will be largely reliant on some form of vehicle (albeit including shared minibus/coach transport) to access places of work and local facilities/services. The proposal does conflict with ALP policy T DM1 and with ANDP policy GA1 in this respect.

As per the previous applications, the layout shows 4 visitor spaces, a minibus drop-off/pick-up location and there is space alongside the two retained show person caravans for car parking. There is also plenty of space within the site for the parking of cars and other vehicles.

The Arun Parking Standards SPD does not set out parking standards for caravans or agricultural workers accommodation, and it is not appropriate to impose a full residential standard (which would equate to 28 allocated spaces and 2 visitor spaces). Car ownership amongst temporary workers is unlikely to be high (indeed it was observed on a previous site visit that only 1 car and 1 minivan was present - and this was at a time when workers were present) and therefore the provision of the spaces shown remains appropriate. WSCC Highways raise no objections to the parking provision from a highway safety point of view.

The proposal conflicts with ALP policy T DM1 and ANDP policy GA1 but is in accordance with ALP policy T SP1. There is no conflict with the Parking Standards SPD. However, it is material that the NPPF at para 89 states that planning decisions should recognise that sites to meet local business needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. It is material that, in granting temporary permissions, the issue of transport was considered and it was concluded the development was acceptable in terms of these policies. The use of previously developed land should be encouraged where suitable opportunities exist.

LANDSCAPE AND VISUAL IMPACT

ALP policies D SP1 and D DM1 require development make the best possible use of land by reflecting or improving on the character of the site/surrounding area. Policy LAN DM1 states development should respect the particular characteristics and natural features of the relevant landscape character areas and seek, wherever possible, to reinforce or repair the character of those areas. The Arun Design Guide (ADG) is a material consideration but does not provide any guidance on caravan sites.

This site is a part of a much larger site with permission for 4 travelling show person plots. Each of those plot is fenced, has a mix of hardstanding and grass, and can be occupied by mobile homes, touring caravans, and other vehicles. Outside of these areas, the wider site has a large area of hardstanding and other built features. The site benefits from a dense tree screen along the southern and eastern boundaries to the adjacent Aldingbourne Nurseries site. The level of planting along the Nyton Road frontage is such that there are no views of the site from this vantage point.

The development is entirely single storey with no development higher than 3m and it will not be seen from nearby public viewpoints. It may be possible to view the site from higher ground to the North but at such a long distance, the caravans will readily assimilate in the landscape particularly noting the approved show persons plots on site and the adjacent site to the west/northwest.

Additional landscaping is not required given that some landscaping was implemented in accordance with AL/47/14/PL and no harm has been identified to the character and appearance of the local landscape. The proposal is not in conflict with ALP policies D DM1, D SP1 or LAN DM1. There will also not be any adverse impact on the statutory purposes and duty of the National Park.

RESIDENTIAL AMENITY:

ALP policy D DM1 requires there be minimal impact to users/occupiers of nearby property and land. Policy QE SP1 requires all development contribute positively to the quality of the environment and ensure development does not have a significantly negative impact on residential amenity.

The nearest bricks and mortar type dwelling is no. 4 Aldingbourne Nurseries which is approximately 80m to the south-east or no. 1 Aldingbourne Barn (former Nyton Farm Shop), some 64m to the north-east. These are too far away to have their amenities adversely affected by the agricultural workers caravans. There are existing residential mobile homes on the wider site and on adjacent plots and these are much closer. However, the single storey nature of the caravans/mobile homes and the existing 2m high screen fencing means there will be no direct line of sight to/from the site therefore no loss of privacy or loss of light. Therefore, there is no conflict with policies D DM1 or QE SP1.

SURFACE WATER DRAINAGE:

The site is entirely in Flood Zone 1 which is low risk, and this is not expected to change in the future when climate change data is considered. Furthermore, there are no known surface water flood issues at the site. There is potential for ground water levels to be high in this location, and the applicant has advised that groundwater was encountered at circa 400mm below surface level.

ALP Policy W DM3 states all development must identify opportunities to incorporate a range of Sustainable urban Drainage Systems (SuDS) as appropriate to the size of development. ANDP Policy EH5 requires developments be designed and constructed to minimise the overall level of flood risk in the parish; and provide surface water drainage. The new "National Standards for Sustainable Drainage Systems" (NSfS) were published in July 2025.

The site includes a permeable surface previously approved in connection with AL/47/14/PL which allows infiltration to ground. The council's engineer has raised no objection and states that there was no

objection to the reuse of this permeable surface for the previous applications and no alteration to the existing surface or drainage is proposed as part of this application. The engineer states the application poses no significant changes which would affect surface water drainage on or offsite and therefore is not required to meet the NSfS requirements. ADC's Drainage Engineers have confirmed that the groundwater level is high but this does not change their position. On this basis, there is no conflict with the relevant policies.

FOUL DRAINAGE:

The site is not within the Lidsey Treatment Catchment Area and as such there are no relevant ALP policies concerning foul drainage. However, ANDP policy EH5 does require that developments make appropriate provision for accommodating the foul water arising from the development. In addition, para 187(e) of the NPPF states planning decisions should prevent new development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of water pollution.

Foul drainage at the site is processed by a treatment plant which discharges clean water to the ground. The site lies in a water source protection zone where it is necessary to ensure protection of potable water supplies. It is noted that the foul treatment plant has not previously been subject to assessment through the planning process and so in accordance with the advice of Portsmouth Water, a condition will be imposed to seek approval of the system and allow for any necessary changes to be made. Portsmouth Water advise no objection provided such a condition is included and, on this basis, there is conflict with the policy or the NPPF guidance.

LIGHT POLLUTION:

ALP policy QE DM2 states outdoor lighting should not have an adverse impact on neighbouring uses or the wider landscape, particularly with regard to the South Downs International Dark Sky Reserve designation. Further, that schemes proposing outdoor lighting be accompanied by an assessment. ANDP policy EH10 states proposals which detract from 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.

The lighting detailed in the application was approved through the discharge of a condition associated with AL/61/20/PL. It consists of Deluce Lighting Thermal Photocell controlled lights mounted approximately 1m above ground level on chalets 1, 3, 5, 6, 8, 10, 11, 12, 14. and on the washroom. There is no conflict with ALP policy QE DM2 or ANDP policy EH10.

BIODIVERSITY:

ALP policy ENV DM5 states development schemes shall seek to achieve a net gain in biodiversity and protect habitats on site. ANDP policy EH6 requires that developments retain hedgerows, incorporate biodiversity in layouts and demonstrate biodiversity net gain.

The site is in the 12km buffer zone for the Singleton and Cocking Tunnels Special Area of Conservation (SAC). ANDP policy EH12 2019 states proposals for development of greenfield sites must evaluate whether there is a potential for the loss of suitable foraging habitat and/or the severance of commuting flight lines, such as in the form of mature tree lines.

This site is not green field and is not adjacent to woodland although the south and east boundaries are marked with trees. The site has an existing permanent permission as a travelling show persons plot, and the development does not result in a loss of trees or materially increase activity levels to the detriment of

wildlife species. The lighting that has been agreed was done so in consultation with the Councils Ecologist who raised no objections. There is no impact on the bats associated with the SAC and it is noted that the council's ecologist does not identify this issue as a concern.

Unlike the previous applications, this application does now include measures to improve local biodiversity, and these will be secured by condition. The proposal is therefore in accordance with ALP policy ENV DM5 and ANDP policy EH6.

SUMMARY:

The continued use of the site is contrary to development plan policy in respect of development in the countryside and in respect of the site being largely vehicle reliant. However, this should not automatically result in a refusal unless there is corresponding harm. This report demonstrates there will be no visual harm to the landscape, no harm to highway safety, no harm to residential amenity and no material impact on biodiversity. It is also material that it possible to cycle to/from the site, that the site operates a shared minibus/coach service which thus minimises individual car trips to/from the site and that the NPPF does allow for development in rural areas not necessarily accessible by public transport.

The site has been subject to two previous temporary permissions and has been operating for almost 6 years. There have been no issues or complaints reported to the Local Planning Authority and to all extents and purposes the site has been operating invisibly outside of its immediate surroundings whilst continuing to fulfil an important need for farms in the surrounding area.

It is expected that WSCC Fire and Rescue will withdraw their stated concerns but even if they do not, it is material that the site had a previous permanent permission for travelling show people and the water supply situation would be the same for that use. The site has been operating for almost 6 years with no incidents.

Whilst previously it was argued that the temporary nature of the permissions would ensure no permanent harm to the countryside, it is clear from this assessment that there is no harm to the countryside and therefore no need to prevent the use from becoming permanent. It is recommended that the permission is granted 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.

CIL DETAILS

This application is not CIL liable as caravans are excluded from the regulations.

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 The development hereby approved shall be carried out in accordance with the following approved plans:

Location Plan (received 05/02/26).

New Layout 2026 (received 05/02/26).

Proposed Sections ref 1483-04 Rev A.

Fire Tender Plan (received 13/02/26); and

The Proposed Lighting Plan ref 1483-04 previously submitted with AL/94/22/PL.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Arun Local Plan policies C SP1, D DM1, QE SP1 and T SP1.

- 2 With the exception of caravans 1 and 2 which are to be occupied by travelling show persons in a management/site warden capacity, the remaining caravans shall not be occupied otherwise than as by a person or persons presently employed in agriculture as defined in Section 336(1) of the Town and Country Planning Act 1990 (as amended).

Reason: The site lies in an area where permission for development unrelated to the essential needs of agriculture would not normally be granted in accordance with Arun Local Plan policies SD SP2 and C SP1.

- 3 Within 3 calendar months of this permission being granted, the applicant shall submit full details of the method in which foul sewage is treated at and disposed of at the site to the Local Planning Authority for approval in writing. The scheme shall also include details of how the treatment plant is maintained and managed, and details of the installed sewage pipe work layout and specifications. Should any modifications be subsequently required to the existing system then these shall be implemented within a further period of 4 months following approval of the details and permanently retained thereafter.

Reason: To ensure that the proposed development has a satisfactory means of disposing of foul sewerage and that there is no impact on protected groundwater supplies in accordance with Arun Local Plan policies W DM1 and W DM3.

- 4 Within 3 months of planning permission being granted, the owner/applicant shall submit details of a water tank for approval in writing by the Local Planning Authority. This must be located broadly in the position indicated by the "New Layout 2026" drawing and must provide a supply of water for firefighting to meet with the requirements of The Building Regulations 2010 (as amended) Approved Document B - Volume 1, B5, section 14. The submitted details

shall include the amount of water the tank will hold and details of the connection and isolating valve. The agreed water tank shall be provided within 3 months of the approval of details and thereafter retained in perpetuity. Once the tank has been provided the applicant/owner must notify WSCC Fire and Rescue so that they are able to add it to their operational mapping and visit the site to mark up the location.

Reason: In the interests of amenity and in accordance with Arun Local Plan policies D DM1 and T SP1 and with reference to the Fire & Rescue Service Act 2004.

- 5 Within 3 months of planning permission being granted, the owner/applicant shall attach Class 1 fire rated cladding to caravans nos. 3, 4, 7, 11, 12, 13 and 14. No non-fire rated materials or equipment shall then be kept between the caravans. The cladding shall thereafter be permanently retained in a condition that ensures its continued fire-retardant properties.

Reason: In the interests of amenity and in accordance with Arun Local Plan policies D DM1 and T SP1 and with reference to the Fire & Rescue Service Act 2004.

- 6 Within 3 calendar months of this permission being granted, the applicant shall submit to the Local Planning Authority for approval in writing, a Biodiversity Enhancement Layout, providing the finalised details and locations of the enhancement measures contained within the "Biodiversity Enhancement Statement" (ref 25-072, 09 October 2025 by AEWC). The agreed enhancement measures shall be implemented in accordance with the approved details within a further period of 4 months following approval of the details 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).

- 7 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 NPPF.

- 8 INFORMATIVE: An Environmental Discharge Permit is required for the package treatment plant and consent will be required from the Environment Agency. Should you not be in possession of one already then please contact the EA to obtain one. More information is available at: <https://www.gov.uk/guidance/discharges-to-surface-water-and-groundwater-environmental-permits>.