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Our ref: IM/JCC/CJ/5153/Nyton Road/Condition 7/Arun DC 04092013
Planning Application Ref. AL/119/10

Arun District Council
Arun Civic Centre
Maltravers Road
Littlehampton
West Sussex
BN17 5LF

04 September 2013
Planning Portal Ref: PP-02819394

Dear Sir/Madam

NYTON STABLES, NYTON ROAD, ALDINGBOURNE PO20 3TU

On behalf of our client, Mr J Cole, we have submitted a planning application using the Planning Portal online services which seeks removal of Condition 7 of the planning permission AL/119/10. The application has been given a reference number PP-02819394.

The application submission comprises the following documents:

- Completed and signed application form;
- Site Location Plan, ref: CTP/5153/LOC2;
- Landscape Details, ref: CTP/5153/LAND(R3); and
- Landscape Details – Additional Information, ref: CTP/5153/LAND(R3)

I also enclosed a planning fee cheque for £195, made payable to Arun District Council, a receipt for which will be appreciated along with your formal acknowledgement of the application.

In April 2011, temporary planning permission was granted for change of use 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. Condition 7 restricts the temporary use of the site and states that

“The mobile homes, caravans, and associated hardstandings hereby permitted shall be removed and the land restored to its former condition on or before the expiration of 24 months from the occupation of the first mobile home following permission.”

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All pre-commencement conditions had been discharged by the Council. The work has been carried out in accordance with the approved drawings. The landscaping buffer zones have been created along Nyton Road and plants have been planted in last planting season. The first plot was occupied in August 2012, and therefore, in accordance with Condition 7 of AL/119/10, the permission will expire in August 2014.

At the time of granting planning permission, the Officers recognised that the proposal, raised an in principle policy objection as the application site was outside the built up area boundary. However, the Officer also recognised that the policy requirement to meet unmet need where there are no other sites currently available carried significant weight and was sufficient to overcome the other policy objections in this case. On the balance, the officer's recommended the application to be approved for two years to allow further time to find alternative sites through the emerging Site Allocations study for Gypsy and Travellers.

Since the temporary planning permission was granted, the DCLG published 'Planning Policy for Traveller Sites' (PPTS) in March 2012. This document provides up to date Government policy for Traveller Sites which includes Travelling Showpeople's sites. The Government's overarching aim is to ensure fair and equal treatment for travellers, in a way that facilitates their traditional and nomadic way of life while respecting the interests of the settled community. Amongst other identified aims in respect of traveller sites, Paragraph 4 of the PPTS document requires the promotion of more private traveller site provision. It also recognises that local authorities should make their own assessment of need for the purpose of planning, and increase the number of traveller sites in appropriate locations with planning permission.

Opinion Research Services (ORS) and Peter Brett Associates (PBA) were commissioned by the Costal West Sussex authorities (including Arun District Council) and the South Downs National Park, to undertake a Gypsy and Traveller and Travelling Showpeople Accommodation Assessment. The main objective of this study is to provide the Councils with robust, defensible and up-to-date evidence about the accommodation needs of Gypsies and Travellers and Travelling Showpeople in the Costal West Sussex authorities during the period until 2027. A 'Gypsy and Traveller and Travelling Showpeople Accommodation Assessment' report was published in April 2013.

The report recommended that there is a minimum need for 5 additional plots for Travelling Showpeople between 2012 and 2017; 1 plot between 2018 and 2022; and 1 plot between 2023 and 2027. Overall, there is a need for additional 7 plots between 2012 and 2027. Paragraph 6.7 of the report recognises that the application site has a temporary planning permission for 3 plots and has therefore been counted as need within the assessment. In summary, it is clearly demonstrated that there is an immediate need for 5 additional plots, including the 3 temporary plots, to be met by 2017. It is acknowledged that the Site Allocations study is currently being finalised, but not yet published. The application site is also put forward for allocation as a permanent site for Travelling Showpeople.

As mentioned in our original planning statement, due to the nature of the Travelling Showpeople's requirements, the sites generally combine residential, storage and maintenance uses which are unlikely to be accommodated on land within a settlement. A site outside of a settlement boundary is therefore often suitable for Travelling Showpeople. Since the decision issued in 2011, the applicants have been looking for an alternative sites, but have been unable to find one. The recent study demonstrates that there is an immediate need for at least 5 plots over next 5 years within the Arun District area. As mentioned above, all the pre-commencement conditions had been discharged and the site already has developed and ready for Showpeople's use. The applicant has invested a significant amount of monies to implement the planning permission as their homes, in particular on the hardstanding areas and landscape buffer zones and plantings.

It has been over a year since the PPTS published in March 2012. Paragraph 25 states that if a local authority cannot demonstrate an up-to-date five year supply of deliverable sites, this should be a significant material consideration in any subsequent planning decision when considering applications for the grant of temporary planning permission. Furthermore, the government recognises that 'substantial' weight should be given in applicants' favour where unmet need for sites within the local authorities areas and applicants' personal circumstances, which is the case here.

As the application land is positioned at a lower level than Nyton Road by approximately 1.0 metre, the development has limited visibility from Nyton Road and would result in less obstructive in visual terms. Furthermore, the proposed landscape buffer zones along Nyton Road screen the site effectively. Due to its location and siting, the proposed development would not cause harm to the character and appearance of the countryside and its is an ideal site for Travelling Showpeople's use.

The site has a safe, easy and convenient access via Nyton Road. The site has excellent access to main highway network via Nyton Road (B223) to the A27 and the region in which the applicants' fairground operate. There are two bus stops located at the junction of Nyton Road and Marsh Lane which are less than 450 metres from the application site. In addition, there are two bus stops located close to Church Road and Nyton Road which are approximately 700 metres south-west of the site. The bus stops serve regular and frequent bus services running between Chichester, Barnham and Bognor Regis which are offering a wide range of shops and services. In addition, the residents of the application site have very strong business and family ties with Aldingbourne and the Arun District Council. The application site is an ideal site for Showpeople's use and owned by the applicants. It is suitable, appropriate and sustainable development therefore the officers approved the temporary permission in a first place.

There would be a clear advantage to grant permanent permission for the site to meet the applicants' own needs as well as meeting the identified needs of additional pitches within the Arun District. As far as the applicants are aware, no other sites are available to meet their family needs for three plots. It is considered that this unmet need, coupled with the need of the applicants for this site, the site location and its suitability and the fact that the site has now developed as a Showmen's site should be given substantial weight in determination of this application which constitute special circumstances to justify that permanent planning permission should be granted.

I trust the attached documents will be sufficient for you to remove Condition 7 of this planning permission. If you have any queries or require any additional information please do not hesitate to contact me. I propose to contact you shortly to ascertain progress on the application and the likely timescale to a decision.

Yours sincerely



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cc Mr J Cole

Encs.