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Our Ref: PA/JCG21508
Your Ref: A/9/18/PL

Date: 1st June 2018

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

For the attention of MrJ. Baeza

By email: juan.baeza@arun.gov.uk

Dear Sir/Madam,

PLANNING APPLICATION REFERENCE: A/9/18/PL
THE CARAVAN SITE, NEW ROAD A259, RUSTINGTON
APPLICATION BY MR T CASTLE
PROPOSED CHANGE OF USE OF LAND TO A GYPSY AND TRAVELLER CARAVAN SITE

On behalf of our client, Rustington Golf Centre Limited, we wish to lodge an objection to this application.

Our client is the owner of land located directly to the north east of the application site.

The planning application proposes the change of use of the land for the purposes of establishing a gypsy and traveller caravan site consisting of one mobile home, one touring caravan and one amenity building. The amenity building includes a kitchen, bathroom and seating area.

The submitted site plan shows provision for two parking spaces, perimeter fencing including an acoustic fence to the A259, landscaping including proposed tree planting and a grass play area. Significantly, the majority of the site is shown as a proposed 'parking area and courtyard area'. Vehicle access to the site is proposed via the existing access arrangement directly from the A259.

The application forms indicate that building work/use of the site commenced in 2016 although no evidence has been provided by the applicant regarding the extent of these works as part of the application. Indeed, under question 14 of the application form, the existing use of the land is described as "travellers site". The Council's online planning history records for the site do not provide any indication of the lawful use of the land.

As submitted, we consider the proposed use of the site does not satisfy the policies of the Arun Local Plan. The applicant has provided insufficient information to support the proposals.

Planning applications are required to be determined in accordance with the policies of the development and other material considerations as relevant.



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In this case the statutory development plan covering the application site comprises the saved policies of the Arun District Local Plan 2003. The Council is in the advanced stages of formulating a replacement Local Plan, the examination into which has been concluded and the Inspector's report is awaited.

On the Proposals Map to the adopted Local Plan, the application site is shown to lie outside of the defined settlement boundary (policy GEN2) within the Countryside (policy GEN3). These policies require proposals to conform to other relevant policies of the Local Plan.

The Council's policy (policy DEV24) relating to gypsy and traveller sites was not saved. Nevertheless, the policy vacuum has been filled by the emerging Local Plan which has reached an advanced stage of formulation. Draft policy H SP5 relates to traveller and travelling show people accommodation. Policy H SP5 is a material consideration.

The policy sets out a number of criteria which application proposals such as these are required to be considered against, including:

- Be located in areas not prone to flooding
- Be located in areas that are well located with respect to the highway network and enable easy and safe access to sustainable settlements.
- Sites should not be located immediately adjacent to major transport corridors unless noise, safety and air quality impacts can be mitigated.

We note that the application site is located within an area at risk of flooding (Flood Zone 3). This has recently been confirmed by the representation submitted by the Environment Agency. Their advice is clear that the proposed use of the land is unsuitable and the application should be refused. Indeed, the proposals would represent a clear breach of draft policy H SP5. The applicant has not provided any detailed flood risk assessment or potential mitigation measures to support the proposals.

Whilst the application site has direct access to the A259, no improvements are proposed to assist the safe access and egress to the site. The existing access arrangement is a potential danger to the safety of the highway. Furthermore, the application proposals provide no safe means of access by foot or cycle and in this respect the site is isolated from nearby settlements where local services are provided. The proposals therefore fail part c) of draft policy H SP5.

Although the applicant is proposing to erect an acoustic fence along the A259, no evidence is presented to support the effective of this fence to mitigate noise. The Council should reasonably request relevant technical assessments from the applicant.

As part of the evidence base to the emerging Local Plan, the Council commissioned a *Gypsy, Traveller and Travelling Showpeople Sites Study*. The study examines the need to provide for sites for travellers. It identifies a range of opportunities including the expansion of the existing traveller site to the south of the A259. The application site is not one of the sites identified by the Study. The Council's Study provides an up to date assessment of need.

The National Planning Policy Framework ('NPPF') and the governments' separate Planning Policy for Traveller Sites (August 2015)('PPTS') are material considerations in the determination of this planning application.

Policy H of the PPTS requires local planning authorities to consider the following matters in relation to deciding planning applications for traveller sites:

- The level of existing local provision and the need for new sites
- Availability (or lack) of alternative accommodation for the applicant
- Other personnel circumstances of the applicant

The applicant has not put forward any evidence in terms of the 'need' for the proposed development or advanced any specific personnel circumstances pertinent to the consideration of the application. Similarly, the applicant has not undertaken any assessment of the suitability of the various sites identified by the Council's Study in terms of meeting his needs.

Paragraph 25 of the PPTS states that local planning authorities should, "very strictly limit new traveller site development in open countryside that is away from existing settlements or outside areas allocated in the development plan". The application site is one such location.

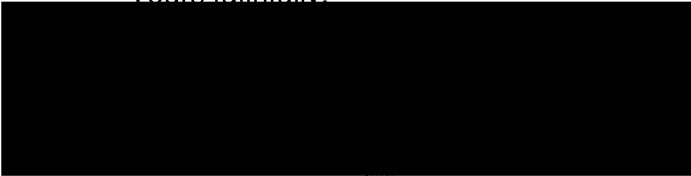
In summary, the applicant has presented no evidence to support his case regarding the need for the proposed development in this location. In contrast, the Council's study identifies a range of sites, in accordance with the government planning policy requirements, suitable to meet identified needs for traveller sites.

The large area of proposed hard standing has the potential to attract significant additional activities, structures and the parking of vehicles in this countryside location which could result in a more intensive use of the site, harmful to the visual appearance of the area if not properly controlled.

In conclusion, on the basis of the information submitted by the applicant, we consider that the proposals are contrary to the Council's policies relating to the use of the land, visual amenity, flood risk and highway safety and accessibility. In the absence of additional supporting information, planning permission should be refused.

Should you require clarification regarding any of the matters raised above then you should not hesitate to contact us. We should be grateful if the Council could keep us informed regarding the progress with this planning application.

Yours faithfully,



PAUL ALDRIDGE
Planning Director

c.c. Mr S. Langmead - Rustington Golf Centre Limited