

Recommendation Report for Planning Permission

REF NO: BE/6/18/PL

LOCATION: Chalcroft Nurseries
Chalcroft Lane
Bersted
PO21 5TS

PROPOSAL: Change of use of part of land to allow for use of land for the hire of cars and vans in addition to the permitted display of caravans and motor homes for sale

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Change of use of land to the sui generis use of land for the hire of cars and vans in addition to the permitted display of caravans and motor homes already existing on part of the land. The hours of opening applied for are 8.30 - 18.00 Monday to Friday, 8.30 to 18.00 Saturday and 10.00 - 16.00 Sundays. The proposal is for 17 additional parking spaces to be used for cars/vans for hire. The site plan also indicates the following ; 1) 15 spaces for caravans/motorhomes on site. 2) The retention of two portacabins on site to be used as offices for the caravan and car & van sales businesses respectively. 3) An area for overflow van parking area also to be used for the valeting of vehicles 70 metres away from residential properties located centrally within the garden centre site. 4) Customer parking to be shared with St. Wilfreds furniture warehouse, aquatic sales centre, garden centre and nursery.
SITE AREA	Approx. 0.4 hectares
TOPOGRAPHY	Predominantly flat.
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Low fence to the western and northern internal boundaries with the garden centre. Hedgerow to the eastern & part of the southern boundary. The southern boundary is also interspersed with trees. The hedgerow to the eastern boundary is a bit low in places and would benefit from enhancement.
SITE CHARACTERISTICS	The application site occupies approx. 15% of a site of a garden centre, aquatic sales centre and nursery to the rear. A

number of areas of land within the original use have incrementally gained planning permission for alternative uses including caravan and motorhome sales, building supplies and retail building for sale of conservatories and garden buildings now used for a charity shop selling large furniture items (St.Wilfreds).

The application relates to an area of land currently used for caravan and motorhome sales, building supplies and the car parking and service access shared with other uses on the site.

Access to the site is via an existing access from Chalcraft Lane. This access is used by vehicular traffic accessing the nursery and other businesses on the site which include an aquatic and angling centre, an irrigation supplier, a florist and furniture warehouse.

CHARACTER OF LOCALITY

This is a long established garden centre and aquatic sales centre which is located just beyond the edge of the defined settlement (there are houses to the east including a retirement home) and has a semi-rural character. There is a cemetery adjacent to the south of the site.

RELEVANT SITE HISTORY

BE/103/16/PL	Variation of conditions 1, 3, 4 & 5 imposed under planning reference BE/91/14/PL to allow the display & sale of motor homes in addition to touring caravans.	ApproveConditionally 25-08-16
BE/41/16/PL	Variation of condition 2 imposed on planning permission BE/168/12 to enable minor changes to elevations	ApproveConditionally 03-05-16
BE/158/15/DOC	Application for approval of matters reserved by condition imposed under BE/89/14/PL (appeal APP/C3810/W/15/3003163) relating to condition 4 for scheme to control of dust generated by vehicle movement.	DOC Approved 09-11-15
BE/155/15/DOC	Application for approval of matters reserved by condition imposed under BE/91/14/PL (Appeal AAPP/C3810/W/15/3003132) relating to conditions 2 & 6 for scheme for maintaining & reinforcing hedge on eastern boundary & scheme for control of dust generated by moving vehicles.	DOC Approved 09-11-15

BE/23/15/DOC	Application for approval of matters reserved by conditions imposed under BE/168/12 relating to Conditions No. 3, 4, 5, 8, 10 & 11 - Surface water drainage scheme, access & maintenance of any watercourse or culvert, contamination risk, protection &/or mitigation of damage to BAP species & BAP habitat, secure covered cycle storage & Construction Management Plan	DOC Approved 02-06-15
BE/91/14/PL	Continuation of use of 1 no parcel of land by Motorhome & Caravan Services for the sale of touring caravans & associated spares and accessories.	Refused 19-11-14 Appeal: Allowed+Conditions 29-07-15
BE/89/14/PL	Continuation of use of 2 No parcels of land by Sussex Reclaim and Supplies Ltd for a temporary period of three years for the siting of a sales office portable cabin/unit and a storage yard.	Refused 19-11-14 Appeal: Allowed+Conditions 29-07-15
BE/168/12/	Erection of showroom for indoor display of conservatories and garden buildings. (Departure from the Development Plan).	ApproveConditionally 21-02-13
BE/156/07/CLE	Application for a lawful development certificate for an existing use - garden centre, aquatic sales centre and nursery	Approve 14-01-08
BE/126/06/CLE	Application for a Certificate of Lawfulness for an existing use - garden centre, aquatic centre, straw composting, storage of building materials and plant hire storage	Refused 16-01-07
BE/24/95	Retail shop and polytunnel for sale of tropical, coldwater fish and associated aquatic items (amendment to BE/4/95)	ApproveConditionally 19-05-95
BE/4/95	Retail shop and polytunnel for sale of tropical, coldwater fish and associated aquatic items	ApproveConditionally 27-02-95
BE/156/07/CLE		

In early 2008, a certificate of lawfulness was granted for the existing use of the site as a garden centre, aquatic sales centre and nursery. The site as a whole has an unrestricted use for this A1 retail purpose with no hours of use conditions applying to either visiting members of the public or to delivery and servicing vehicles using the site. I would note however that the use of part of the site for the sales of motorhomes and caravan sales does have restrictive hours conditions applied to it (BE/103/16/PL see below).

The following planning permissions are relevant to this application which permitted additional uses on the site of the garden centre and nursery including;

- 1) Indoor conservatories and garden buildings
- 1) Caravan and motorhome sales
- 2) Temporary permission for use of land as a builders merchant.

BE/168/12

Planning permission was granted for the indoor display of conservatories and garden buildings. No restrictions were applied to this A1 retail permission and the building is now use for the sale/storage of furniture by a local charity. This included the existing access and car parking areas which also serve the garden centre. No conditions restrict the hours of use/opening or servicing were applied to this permission.

BE/103/16/PL

The latest planning permission on the Caravan and Motorhome site is BE/103/16/PL which extended the caravan sales use to include the sale of motorhomes as well. The original use for the sale of caravans was granted planning permission gained on appeal (BE/91/14/PL).

The following conditions apply to this use;

Condition 2 - The use hereby permitted, excluding the moving of caravans and motorhomes on and off the site, shall only be open between the hours of: 08.30-17.30 Mondays to Fridays; 09.00-17.00 on Saturdays; and 10.00 - 16.00 on Sundays and Bank Holidays.

Reason: To protect the amenities of occupiers of adjoining properties in accordance with Arun District Local Plan policies GEN7 and GEN32.

Condition 3 - Moving caravans and motorhomes on and off the site shall be limited to the hours of: 08.30-17.30 Mondays to Fridays; and 09.00-17.00 on Saturdays.

Reason: In the interests of the residential amenities of neighbouring properties in accordance with policy GEN7 and GEN32 of the Arun District Local Plan.

Condition 4 - The premises shall be used for the sale of touring caravans, motorhomes and associated spares and accessories and for no other purpose (including any other purpose in Class A1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: To enable the Local Planning Authority to control the specific nature of the use and to protect the amenity of adjacent properties in accordance with Arun District Local Plan policy GEN7.

BE/89/14/PL (allowed on appeal)

I would also note that a temporary planning permission for a building merchants to the east of the site (also part of the retail parking area of BE/168/12/ see above) is due to expire on 31st July contains a condition restricting hours of operation to 08.30 - 17.30 Monday to Friday and 09.00 - 17.00 Saturday (Condition 2) and a condition to restrict the use of the land to no other purpose or use than a builders merchants (Condition 3). In addition conditions were applied relating to schemes for the suppression of dust (Condition 4 - Discharged under BE/158/15/DOC).

BE/91/14/PL (allowed on appeal)

Apart from those conditions set out at BE/103/16/PL above, conditions were applied relating to schemes for the suppression of dust (Condition 6) and for a scheme for the maintenance and reinforcing of the hedge on the eastern boundary of the site (Condition 2). Both these conditions were discharged (BE/155/15/DOC).

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Bersted Parish Council

No objection but with a condition that the hours of business are kept to the already agreed times of 8.30 to 17.30 Monday to Friday, 9.00 to 17.00 on Saturdays and 10.00 16.00 on Sundays if required.

1 letter of no objection.

Site already used by various traders and will not detract from the area.
It will provide employment for local people.

2 letters of objection were received citing the following;

Increased opening hours above and beyond that currently permitted for Caravan & Motor Home Services not acceptable.

Concern that hire vehicles will be returned late out of operating hours.

Concern that vehicles will be parked on laybys outside the site causing danger to traffic.

Access from Chalcraft Road dangerous.

Emergency services would be hindered using Chalcraft Lane as a result of traffic congestion caused.

Bruce Dixon hire cars,vans and trucks have put up a number of incongruous advertising sites at their previous address.

Visual amenity of local area harmed as the site is visible from Chalcraft Lane and cemetery.

Chalcroft Nursery located within the strategic gap between Bognor Regis and Chichester

Noise disturbance to old peoples home/cemetery and residential properties adjoining the site.

Car & Van hire use inappropriate due to traffic nuisance.

.Time limits, advertising, noise and pollution restrictions are required in the event of permission.

Maintenance of shrubbery/hedging on site and adjacent to residential properties as a condition if permitted.

Noise pollution.

Dust Pollution.

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COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

Environmental Health
 Economic Regeneration
 WSCC Strategic Planning
 West Sussex Fire Brigade
 Environmental Health

CONSULTATION RESPONSES RECEIVED:

ADC Environmental Health;

In order to protect the amenity of nearby residential properties, Environmental Health would ask for a condition restricting the times of use to be kept to those that the Planning Inspector (as noted in the Planning Statement) required. That is:

- The use of the premises shall be restricted to the hours of 09.00 to 17.30 Mondays to Fridays, and 9.00 to 17.00 on Saturdays, and 10.00 to 16.00 Sundays.

Please also apply the following condition on any permission given, in order to protect the amenity of nearby residential properties:

- No vehicle repair or maintenance activities to take place on site.

WSCC Highways;

No objection is raised as the relocation is not considered to significantly impact the local highway network in terms of safety and capacity.

The proposal will see the site change from a caravan sales and storage use. Although part of the site will still be used for this purpose the reduction in stock means the applicant now has land available to accommodate up to 17 cars and vans (specifically 7 cars and 15 vans).

Bruce Dixon is currently located on Shripney Road and has 22 vehicles in total however 5 of the vans are on longer term leases and as such do not require storage space. However if these 5 vehicles needed to come back on site does the applicant have a plan for where they could be stored should these lease vehicles come back.

It is anticipated there could be at least 10 vehicles parked within the compound on a regular basis, and considering this movements created from this activity could be anything from 7 to 17 per day. This is a worst case scenario and most likely will be lower than this due to rentals often including returns the following day.

The existing access and car park for the nurseries will provide a safe access in and out of the site. Visibility is good, and already used by delivery vehicles and vans related to the nursery. There is a car park for customers dropping off drivers, and turning space is available for allow vehicles to exit in forward gear

Overall WSCC would not consider the proposal to create any severe highway safety or capacity issues although the LPA may wish to limit the number of vehicles stored on site to avoid over storage from an aesthetic and capacity point of view. A plan for the storage of an additional 5 vehicles should be considered if the longer term leases are not renewed.

No issues have been raised with respect to emergency access onto the site on any previous planning applications, planning permissions or grants of planning permission on appeal.

Economic Regeneration - Support

COMMENTS ON CONSULTATION RESPONSES:

Under Planning Permission BE/103/16/PL the opening hours for the motorhomes and caravan use was allowed opening hours of 8.30 - 17.30 Monday to Friday. It would be unreasonable to restrict the opening hours beyond this for a similar use.

Further information has been provided by the agent that there is no expectation that the 5 larger vehicles on long term leases will return to the site.

POLICY CONTEXT

Designation applicable to site:

ADOPTED LOC PLN

OUTS BUILT AREA

NO PUBLIC SEWER

DEVELOPMENT PLAN POLICES

Arun District Local Plan (2003):

GEN3	Protection of the Countryside
GEN7	The Form of New Development
GEN12	Parking in New Development
GEN32	Noise Pollution
DEV8	Circumstances in which Additional Development may be Permit'd
AREA10	Strategic Gaps

Publication Version of the Local Plan (October 2014):

C SP1	Countryside
D DM1	Aspects of Form and Design Quality
QE DM1	Noise Pollution
SD SP3	Gaps Between Settlements

<u>Bersted Neighbourhood Plan 2014 Policy EE1</u>	Business expansion
Bersted Neighbourhood Plan 2014 Policy ES1	Design of new development
Bersted Neighbourhood Plan 2014 Policy ES7	Development outside of the Built Up Area Boundary
Bersted Neighbourhood Plan 2014 Policy CLW4	Provision of Allotments

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun District Local Plan 2003, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

A new local plan is in preparation and is a material consideration when determining Planning Applications. At this stage the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and supporting documents were submitted for independent examination on 30 January 2015.

A number of Main Modifications to the Arun District Local Plan 2011-2031 (Publication Version) October 2014 were approved by the Council on 22nd March 2017 and consultation on these has taking place. The Main Modifications should be read alongside the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and where there are changes the Main Modification. The examination was completed in September 2017. The Main Modifications to the Arun Local Plan (2011-2031) were out for Public Consultation over a six week period starting on Friday 12 January 2018 until 5pm on Friday 23 February 2018.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

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. 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).

Made Plans in Arun District Council's Local Planning Authority Area are: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton.

Polices EE1 ES1, ES7 and CLW4 of the Bersted Neighbourhood Plan relate to this application.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

PLANNING

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 conflict with relevant Development Plan policies in that it would be outside of the built up area boundary and would be contrary to policy CLW4 of the Bersted Neighbourhood Plan.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background in that the planning history of the site has allowed a wider commercial use to develop such that development subject of this application would be in

character with the local area and have no significant additional impact on the countryside.

CONCLUSIONS

PRINCIPLE

The application site falls within the parish of Bersted and as such the development plan for the determination of this application will comprise of the Arun District Local Plan (2003) and Bersted Neighbourhood Plan (2014).

Arun District Local Plan (2003):

The key policy considerations in the determination of this application are considered to be GEN2, GEN3, and AREA 10 of the Arun Local Plan (ALP). The application site is situated outside of the built up area boundary (BUAB) as specified by policy GEN2. Policy GEN2 will not permit development situated outside of the BUAB unless it is consistent with other ALP policies. Policy GEN3 of the ALP seeks to protect the countryside for its own sake and as such exerts strict control over development situated outside of the BUAB. Policy AREA 10 seeks to maintain the strategic gap between Bognor Regis and Chichester unless it is consistent with other ALP policies or it would not compromise the objectives and fundamental integrity of the strategic gap.

Due to the sites location outside of the BUAB development on land allocated for allotments within a strategic gap in this location the proposal would be in conflict with policies GEN2 and GEN3 of the Arun District Local Plan.

However it is noted that Policy GEN3, in protecting the countryside for its own sake, therefore this policy is inconsistent with the approach in the NPPF which is to protect valued landscape, these policies are all therefore inconsistent with the NPPF and being inconsistent with the NPPF is out of date carrying very limited weight.

Policy GEN 2 is clear that the boundaries of the built up area were defined 'for the purposes of the West Sussex Structure Plan and this District Local Plan'. The built-up areas were drawn for the purposes of defining the extent of the built up areas and countryside. This was done with the background of the required number of dwellings for the plan making period being provided within the built-up areas or on allocated sites (up to 2011). Therefore this policy is out-of-date as it does not relate to the development needs after 2011.'

Bersted Neighbourhood Plan (2014):

The Bersted Neighbourhood Plan (BNP) was made on the 5th November 2014 on the basis of the saved policies in the ALP and the draft policies of the emerging Arun Local Plan 2014 (eALP).

The key policy considerations within the BNP are deemed to be policies EE1, ES1, ES7 and CLW4. Policy ES7 does not support the development or redevelopment outside the built up area boundary. Policy EE1 supports the upgrade or extension of existing employment sites subject to the impact amenities of neighbouring properties. Bruce Dixon Car and Van Hire site is located on Shripney Road, Bognor Regis but is not currently located within the parish of Bersted. Policy ES1 seeks to support high quality design which contributes to local character. Policy CLW4 allocates the land at Chalcraft Nursery for allotments when the land can be shown to be no longer viable as a commercial nursery.

Therefore, the proposed development by virtue of its location is considered to conflict with policies ES7,

EE1 and CLW4 but would comply with policies ES1.

It is however considered that there are material considerations which should be taken into account relating to the previous planning permissions on the site.

PLANNING BALANCE

However, the site already benefits from a planning permission for the storage and sale of caravans and associated equipment and other retail developments including a garden centre/aquatic sales/furniture centre. Furthermore the National Planning Policy Framework is clear that "planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should: (1) support the sustainable growth and expansion of all types of business and enterprise in rural areas" (paragraph 28). Policy DEV 8 of the Arun District Local Plan supports the re-location of local businesses on sites outside of the built up area if no other suitable sites can be found subject to impact on residential amenity being acceptable. Policy EE1 of Bersted Neighbourhood Plan seeks to encourage existing employment sites to remain in the Parish.

Planning permission was previously granted on appeal for the existing caravan sales use and a temporary use for a builders merchant and in addition other retail uses including a conservatories and garden buildings warehouse type shop now used for the sale of furniture with no time or use restrictions imposed upon them. This was despite the designation of the site, within the Bersted Neighbourhood Plan, as allotments (Policy CLW4). On the basis that the site already has permission for caravan sales and other retail uses, it is not considered that the current sui generis proposal for car and van hire will materially affect the potential future of the site as allotments over and above the existing uses.

The matter of policy CLW 4 of the Neighbourhood Plan and the proposed future use of the site for allotments was considered as above by a Planning Inspector who determined to grant planning permission for the caravan sales use and builders merchant use (BE/91/14/PL and BE/89/14/PL) notwithstanding this.

The Planning Inspector also considered the impact of additional commercial uses of caravan sales and a builders merchant on the overall site. With regard to traffic and residential amenity issues, the Inspector made the following comments:

'17. From what I saw the access road into the site is wide enough to allow, in relation to both proposals, vehicular and pedestrian access without undue conflict. Visibility at the site access is sufficient and the uses of the limited scale sought should not give rise to harm, on highway safety grounds, of increased use. No technical evidence has been provided to the contrary or to support local concerns on the safety of caravans being taken on and off the site.

18. Some degree of noise and disturbance would arise from vehicle movements to and from the sites. However, the relatively small size of the sites would be likely to limit such movements. Photographs taken of lorries on the site are not, without further evidence, greatly indicative of vehicle movements arising from the proposals. And in assessing the impact of movements associated with the new development account should be taken of the fact that traffic movements are already associated with the Nurseries site and the use to which it may lawfully be put.

The caravan sales site backs onto the rear gardens of houses. However, it is sufficiently well screened from these properties by a tall hedge to prevent an unacceptable loss of privacy. Whilst I note the concerns expressed on noise and disturbance it seems unlikely that the activities usually associated with sales from such premises, including the occasional movement of caravans, would cause unacceptable

harm.'

In summary the principle of development is considered acceptable on the site subject to other policies within the Local Development Plan.

CHARACTER & APPEARANCE:

The proposed addition of car and van hire to caravan and motorhome sales is not considered to materially adversely affect the character or appearance of the site. The only new area of external storage for larger vans is shown to be 70 metres into the site and it would not have an impact on the external appearance of the site. Cars and vans are not significantly larger than caravans or motorhomes. The Inspector considered that subject to enhancement, the site was well screened from neighbouring properties so as not to cause any visual intrusion. The enhancements required by the appeal decision conditions have been implemented and these new trees will gradually improve the existing screening. In addition a further condition to enhance the hedgerow on the eastern and southern boundary could be applied to ensure this visual protection works are maintained and further enhanced.

RESIDENTIAL AMENITY:

Policy EE1 of the Bersted Neighbourhood Plan states that: "Proposals to upgrade or extend existing employment sites will be supported provided that the impact on the amenities of surrounding properties is acceptable."

It is also noted that local residents have specifically raised objections concerning noise from vehicles which would not be significantly more than any of the existing permitted uses could generate. A condition requiring that vehicles should not be dropped off outside of the opening hours of the site can be applied.

The current permission for the Chalcraft site does not allow for repair or servicing of motorhomes and caravans and a similar condition could be applied to the car and van hire use. That being the case, there will not be any maintenance activities occurring at the site and noise/air pollution would therefore be limited to the starting & running of engines.

The Appeal Inspector previously stated with respect to caravans that the increase in traffic and the amenity impacts associated with the use would be unlikely to cause unacceptable harm. Although cars and vans for hire are likely to move more often than the caravans and motorhomes for sale subject of the current permission, given the overall unrestricted use of the Chalcraft site, it is not considered that the running and moving of car and van engines for the purposes of hiring them out would result in significant additional harm to the living conditions of the neighbouring residential properties.

Furthermore, ADC Environmental Health have raised no objection subject to conditions.

HIGHWAY SAFETY:

The concerns of residents as to increased traffic are noted but WSCC Highways do not find the addition of a car and van hire use to be detrimental to the safety or convenience of the highway. Furthermore, the movements associated with the car/van hire use are likely to be relatively small in number with a maximum of 17 vehicle movements per day such that it is unlikely that there will be any significant adverse impact arising from this change of use. It should also be noted that the garden centre and other retail uses are an existing commercial use and as such the site already receives deliveries by HGV or similar and has been serviced by emergency vehicles for many years.

SUMMARY:

It is not considered that the addition of a car and van hire use to the existing uses on the site including the motorhome and caravan sales use and other retail uses would result in any materially adverse impacts on the amenity of neighbouring properties, would be acceptable in design terms on the character of the area nor adversely affect the safety/convenience of the local highway. Accordingly, it is recommended that permission be granted subject to the following conditions.

HUMAN RIGHTS ACT

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;

Dwg.no. 2 - Location Plan dated Jan 2018

Dwg.no. 3 - Proposed Site Layout dated Jan 2018

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN 7 of the Arun District Local Plan.

- 3 The use of the premises including the Van and Car Hire Office, the Caravan Sales Office and its surrounding car park (0.16 hectares in size), excluding the moving of cars, vans, caravans and motorhomes on and off the site, shall be restricted to the hours of 08.30 to 17.30 Mondays to Fridays, 9.00 to 17.00 on Saturdays and 10.00 to 16.00 Sundays.

Reason: In the interests of the residential amenities of neighbouring properties in accordance with policy GEN7 and GEN32 of the Arun District Local Plan.

- 4 Moving vans, cars, caravans and motorhomes on and off the site shall be limited to the hours of: 08.30 -17.30 Mondays to Fridays, 09.00-17.00 on Saturdays. Any cars being collected from or dropped off to the site on a Sunday for the Car and Van Hire business shall only be collected from or dropped to the area of land labelled as 'van overflow and valeting area' and from no other part of the site and only between the hours set out in condition 3.

Reason: In the interests of the residential amenities of neighbouring properties in accordance with policy GEN7 and GEN32 of the Arun District Local Plan.

- 5 The valeting of vehicles shall be restricted to the area indicated on the approved plan 'Dwg.no. 3 - Proposed Site Layout dated Jan 2018' as van overflow and valeting area and shall not take place on any other part of the site.

Reason: In the interests of the residential amenities of neighbouring properties in accordance with policy GEN7 and GEN32 of the Arun District Local Plan.

- 6 The use of the land for car and van hire additional to the existing caravan and motorhome use) shall not be occupied until the parking spaces shown on the approved plans have been provided and constructed. The areas of land so provided shall not thereafter be used for any purpose other than the customer parking, car and van hire parking and motorhome and caravan parking as shown on the approve plan 'Dwg.no. 3 - Proposed Site Layout dated Jan 2018' .

Reason: To ensure that adequate and satisfactory provision is made for the accommodation of vehicles clear of the highways in accordance with policy GEN7 and GEN12 of the Arun District Local Plan.

- 7 No vehicle repair or maintenance activities are allowed to take place on site.

Reason: In the interests of the residential amenities of neighbouring properties in accordance with policy GEN7 and GEN32 of the Arun District Local Plan.

- 8 The premises shall be used for the sale of touring caravans, motorhomes and associated spares and accessories, the hire of cars and vans only..

Reason: For the avoidance of doubt to enable the Local Planning Authority to control the specific nature of the use and to protect the amenity of adjacent properties in accordance with Arun District Local Plan policy GEN7.

- 9 Within 6 months of the commencement of development a landscaping scheme shall be submitted to, and approved by, the Local Planning Authority including details of enhanced soft landscaping to the southern boundary and details of existing trees and hedgerows to be retained. The approved details of the landscaping shall be carried out in the first planting and seeding season, following the approval of the submitted scheme, and any trees or plants which, within a period of five years from the granting of this planning permission, 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 residential amenity and of the environment of the development in accordance with policy GEN7 of the Arun District Local Plan.

- 10 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure)(England) Order 2015. 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.