

Recommendation Report for Planning Permission

REF NO: F/4/22/PL

LOCATION: Wicks Farm
The Glasshouse
Ford Lane
Ford
BN18 0DF

PROPOSAL: Provision of 14 No staff accommodation units for 56 people and welfare facilities for a minimum of 3 years. This site is in CIL Zone 3 (Zero Rated) as other development.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	This application seeks planning permission for the provision of 14 no. static caravans for agricultural workers 11m by 3m, each with 4 bed spaces, 2 toilet/leisure units 11m by 6m and 4 covered cycle stores. 12m by 2.6m. The application seeks temporary planning permission for 3 years for accommodation units for the exclusive use of agricultural/horticultural workers at Berry Farming, Wicks Farm. The main berry crop being grown in the glasshouses is strawberries. The horticultural workers will be employed throughout the strawberry growing season. The Site Plan shows the 14 caravans as being located either side of a central pathway. There are no car parking spaces indicated and no elevations of the caravans have been provided.
TOPOGRAPHY	Predominantly flat.
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Hedgerows/ trees and fencing on field perimeters.
SITE CHARACTERISTICS	Predominantly rural. The site is part of a field to the north-west of Ford and is situated between Ford Lane to the south, and the railway line to the north.
CHARACTER OF LOCALITY	The surrounding area predominantly consists of agricultural and commercial buildings, as well as agricultural fields, pasture fields and small blocks of plantation woodland with connective treelines and hedgerows.

RELEVANT SITE HISTORY

F/7/21/PL	Building a new 1.28 Ha high-tech glasshouse, reservoir and parking area adjacent to the existing 6 Ha glasshouse, reservoir and nursery area. This site is in CIL Zone 3 (Zero Rated) as other development.	ApproveConditionally 10-09-21
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F/2/21/PL	Variation of condition 2 imposed under F/30/18/PL referring to approved plan numbers to include a gas tank.	ApproveConditionally 09-04-21
F/8/20/PL	Variation of condition 2 following the grant of F/30/18/PL relating to the change of cladding from polythene to glass.	ApproveConditionally 16-06-20
F/23/19/PL	Variation of condition 2 (plans condition) to show new site access & red edge & removal of conditions 13 & 14 following the grant of F/30/18/PL dealing with the use of an existing access instead of creation of new access.	ApproveConditionally 17-04-20
F/11/19/PL	Construction of agricultural barn with flexible storage use (B8 Use Class) with ancillary office space	ApproveConditionally 05-03-20
F/30/18/PL	2 multispan tunnels, 2 ancillary outbuildings, drainage pond, associated drainage works, external hardstanding for vehicle parking, access and turning.	ApproveConditionally 27-09-19
F/24/18/AG	Prior notification for agriculture-steel portal framed agricultural building to be used for the storage of fresh produce.	No Objection 11-12-18
PAA/133/21/	26 no. staff accommodation units + welfare facilities.	Refuse Pre App 22-02-22

The proposal follows recent approvals for glasshouses at Wicks Farm. These refer to staff numbers of 5 in respect of F/7/21/PL and 20 for F/30/18/PL. This provides a proposed total 25 staff.

The pre app enquiry PAA/133/21 was refused on the basis of -

1) Its countryside location being unacceptable in principle and not justified, and therefore in conflict with policies C SP1 and H DM3 of the Arun Local Plan.

This application has sought to justify that the proposal is for staff working exclusively on this site.

2) The proposed Pre-App development of 26 accommodation units is excessive.

This application reduces that number from 26 units to 14.

3) The Pre-App failed to make provision for adequate parking.

It is asserted in this application that there is ample existing parking provision on the wider glasshouse site.

REPRESENTATIONS

None.

COMMENTS ON REPRESENTATIONS RECEIVED:

None.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Environmental Health - No Objection.

Conditions requested in respect of contamination, car parking, access, lighting, EVP provision and additional information requested in respect of site licensing.

Drainage Engineer - No Objection.

No conditions requested.

County Highways - No Objection.

No changes to access are proposed.

The employment use of the land has already been considered in terms of vehicle trip rates under the previous applications; therefore, the addition of live on-site units is likely to reduce AM and PM peak hour movements to and from the site and using the access onto Ford Lane for employee movements.

Cycle parking has been shown. No parking spaces have been provided. It is likely that some of these employees will own vehicles. However, this parking will take place on private land off the adopted highway network. It is suggested that some parking for the units is conditioned under the planning application.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designation applicable to site:

Outside Built Up Area Boundary

DEVELOPMENT PLAN POLICIES

[Arun Local Plan 2011 - 2031:](#)

CSP1	C SP1 Countryside
HDM3	H DM3Agricultural forestry and horticultural Rural dwellings
DDM1	D DM1 Aspects of form and design quality
QESP1	QE SP1 Quality of the Environment
TSP1	T SP1 Transport and Development
TDM1	T DM1 Sustainable Travel and Public Rights of Way
DSP1	D SP1 Design

LANDM1	LAN DM1 Protection of landscape character
WSP1	W SP1 Water
WDM2	W DM2 Flood Risk
WDM3	W DM3 Sustainable Urban Drainage Systems
QEDM2	QE DM2 Light pollution
QEDM4	QE DM4 Contaminated Land
ENVDM5	ENV DM5 Development and biodiversity
HORDM1	HOR DM1 Horticulture

Ford Neighbourhood Plan 2019 Policy EH4	Surface water management
Ford Neighbourhood Plan 2019 Policy SP1	Spatial Plan for the Parish
Ford Neighbourhood Plan 2019 Policy BUA1	Built Up Area (BUA) boundary
Ford Neighbourhood Plan 2019 Policy H1	Quality of Design
Ford Neighbourhood Plan 2019 Policy GA2	Parking and new development

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

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 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.

The relevant policies of Ford Neighbourhood Plan have been considered.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is considered to conflict with the relevant Development Plan policies in that it is for a new accommodation in the countryside, where in this case there are no exceptional circumstances given to justify the development in this location, and so it is unacceptable in principle, as per Arun Local Plan policies C SP1 and H DM3. It also results in a poor quality of accommodation for occupants, unacceptable residential amenity impacts for neighbouring occupants, lack of parking provision and on-street parking pressure. In addition there are potential visual impact, drainage, and land contamination issues. This conflicts with Policies D DM1, QE SP1, T SP1, T DM1, D SP1, LAN DM1, W DM3, W SP1, QE DM4 and H DM3 of the Arun Local Plan, policies HP 13 and VE 7 of the Walberton Neighbourhood

Plan, and the Arun District Council Design SPD and Parking SPD.

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

It is considered that there are no other material considerations to be weighed in the balance with the Development Plan.

CONCLUSIONS

KEY ISSUES:

The key issues in the determination of this application are as follows:

- Principle of development.
- Impact on residential amenity.
- Quality of accommodation.
- Parking provision.
- Potential visual impact issues.
- Potential drainage issues.
- Potential land contamination issues.

PRINCIPLE OF DEVELOPMENT:

The site is located outside the Built-Up Area Boundary (BUAB), in the designated Countryside. New development should be focussed within the BUAB, according to Arun Local Plan (ALP) policy SP SD2. New residential accommodation in the countryside is normally unacceptable in principle and precluded by ALP countryside policy C SP1. However, policy C SP1 contains several exception tests, where countryside development is justified. This includes where it is (a) for the operational needs of agriculture, horticulture, forestry and (f) in accordance with other policies in the Plan which refer to a specific use or type of development. In respect of (f) one such policy in the Development Plan which refers to a specific use or type of development is H DM3 which refers to 'rural workers dwellings'. H DM3 (3) states temporary seasonal horticultural workers dwellings shall only be granted in exceptional circumstances, where there is clear evidence that the structures are absolutely essential for the provision of staff accommodation for running a farm or agricultural holding and various tests are met. This includes that there is no suitable alternative means of providing the accommodation, approved on temporary basis only with use of planning conditions to ensure seasonal and temporary occupancy, structures sited to minimise visual impact on area, structures are designed to provide adequate accommodation, meet requirements in terms of access/fire/ventilation and light/services and drainage issues are addressed.

Ford Neighbourhood Plan (FNP) policy BUA1 states 'Proposals for development outside of the built-up area boundary will not be acceptable other than for the purposes of Agriculture, Forestry or Recreation or where other policies of the Development Plan indicate otherwise' and policy SP1 refers to a spatial plan for the Parish and refers to provision of a minimum of 1545 new dwellings within the settlement boundary.

Policy HOR DM1 of ALP states that 'Redevelopment of under-used, redundant or derelict glasshouses,

polytunnels or packhouses will be supported provided that'...the redundancy is proven to the Local Planning Authority (LPA), land is remediated from any contamination and is used for direct diversification of horticulture or countryside based enterprise activity which supports the rural economy and proposed works include full details of landscaping, screening, trees/vegetation/structures to be retained on site.

Section 38(5) of the Planning and Compulsory Purchase Act 2004 states: If to any extent a policy contained in a development plan for an area conflicts with another policy in the development plan the conflict must be resolved in favour of the policy which is contained in the last document to become part of the development plan. In this case, the ALP pre-dates the WNP and so any conflict would be resolved in favour of the NP policies. In this particular matter, there is no conflict between the relevant policies in the LP and NP.

The applicant does not refer to policy H DM3 in any supporting information and there is no statement as to need. The only reference is to the need for accommodation for workers exclusively employed within the adjacent glasshouses at Berry Farming, Wicks Farm. The proposal provides 56 beds and at the time the applications for the glasshouses were considered the total number of staff was indicated as 25. The proposal therefore exceeds the amount of accommodation likely to be generated at the site and there is no detail as to how the total number of units has been derived or why this does not amount to an over provision.

The justification provided is not considered to demonstrate that these are exceptional circumstances for why this type of accommodation should be granted. Neither is there clear evidence of the need, that the structures are absolutely essential for the provision of staff accommodation to facilitate the economic running of the farm. The use of the accommodation could be restricted to proposed agricultural workers, but there is no explanation provided as to why the accommodation needs to be provided on the site itself and why staff can't be bussed in from nearby locations. No clear evidence has been provided that there is an essential need for this accommodation in this location to facilitate the running of the farm. The application does not consider suitable alternative means of providing the accommodation e.g., local rental properties and low-cost HMOs/bedsits, so fails to meet criteria (a) of H DM3 (3). The agent states the structures would be used on a seasonal basis, but it is not evident that the structures would be removed outside of the season, although planning conditions could be used to meet criteria (b). Criteria (c) is not met as the glasshouse has not been in productivity for a least 3 years and neither is (d) as other agricultural worker dwellings are available at Wicks Farm and it has not been demonstrated that these are not available to the applicant. Criteria (e) is not met as there are too many units proposed for the staff employed. Parts(f) to (g), are met as is demonstrated by this report. It has not been proven in this case that the development would be essential to serve the operational needs of agriculture and horticulture (policy C SP1, a).

As such, the proposals would conflict with Development Plan policies C SP1 and H DM3 of the Local Plan and BUA1 of the Neighbourhood Plan. There are no other material considerations (as detailed within this report) which would outweigh this conflict. As such, the proposed development in this countryside location is unacceptable in principle.

RESIDENTIAL AMENITY:

Para 130 (f) of the NPPF states development should have a high standard of amenity for existing and future users.

Policy D DM1 of the ALP states new development will have minimal impact to users and occupiers of nearby property and land, by avoiding significant loss of sunlight, privacy and outlook and unacceptable noise and disturbance. QE SP1 states the Council requires development contributes positively to the quality of the environment and will ensure that development does not have a significantly negative impact

upon residential amenity. Policies QE DM1, QE DM2, QE DM3 and QE DM4 relate to noise, light, air and land pollution and the need for impacts from development to be controlled.

The Arun Design Guide (ADC) SPD includes detailed guidance on the protection of residential amenity, including setting out the required distances between properties to accord with the 45-and 25-degree tests for daylight, sunlight and overlooking (Section G.03), required separation distances between habitable rooms to ensure privacy (Section H.04), measures to maintain privacy (Section J.02) and minimisation of impacts of noise and overshadowing (Section J.06).

The structures are single storey, located some distance from neighbouring properties and the site is well screened. As such, the structures would not have a detrimental impact on the outlook, light or privacy levels of the nearest residential properties.

However, the addition of 14 caravans with up to 56 workers on this size of site is an over-intensive use and results in a high number of coming and goings of occupants. This is thought to cause an unacceptable level of general noise and disturbance to neighbouring occupants potentially at early hours of the day (the nature of agricultural work) and late in the evening (particularly in the summer months). This will have a significant negative impact on the amenity and the quiet enjoyment of the occupants of these properties. As such, the application conflicts with the NPPF, and ALP policies D DM1 and QE SP1.

QUALITY OF ACCOMMODATION:

No internal layout plans of the caravans have been provided with the application. Since the application relates solely to a change of use of the land (rather than the structures), ALP policy D DM2 (Internal space standards) and Nationally Described Space Standards for internal habitable accommodation are not applicable in this instance, and instead the Caravan Act which specifies maximum dimensions will apply.

Notwithstanding this, the caravans should still be designed to provide 'adequate accommodation' as per ALP policy H DM3 and policy H1 of FNP which requires new housing to be of high quality and to contribute positively to the environment. It is noted that the caravans are spaced very close together, only around 5-6m apart in most cases. The Environmental Health Officer has confirmed that under a Caravan Site Licence the minimum distance between caravans is 6m and this can be reduced to 5.25m if the caravans are fitted with fire retardant cladding to its facing walls. As such, the development would appear to accord with the Caravan Site Licence requirements and providing adequate accommodation as per ALP policy H DM3 for temporary seasonal workers accommodation. It is also noted that additional amenity space is provided within the proposed leisure block. An informative would be added stating that the development would be subject to a Caravan Site Licence where spaces between caravans are taken into account and that it needs to comply.

SITE ACCESS AND PARKING PROVISION:

Para 110 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 111 of the NPPF 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 would be severe.

Policy T SP1 of the Arun Local Plan requires development proposals to provide safe access on to the highway network and to incorporate appropriate levels of parking in line with adopted planning policies "The Council will support transport and development which: incorporates appropriate levels of parking in line with West Sussex County Council guidance on parking provision and the Arun Design Guide taking

into consideration the impact of development upon on-street parking". ALP policy T DM1 requires development to make provision for facilities for sustainable modes of transport such as cycling, to meet the parking standards, including cycle storage. The ADC Design Guide SPD (Sections I.01, I.02 and I.03) includes guidance on the provision and design of car parking, electric vehicle bays and charging points, and cycle parking. Policy GA2 of Ford Neighbourhood Plan requires car parking where possible to be accommodated within the curtilage of the dwelling in the form of a garage and/or parking space. Development proposals will be supported only if they include the maximum level of off-street parking consistent with the current local standards.

The Local Highways Authority (LHA) WSCC have raised no objection to the application. No alterations to the existing site access off Ford Lane are proposed. The site is proposed for 56 agricultural workers who are not all anticipated to have access to private vehicles of their own. The employment use of the land has already been considered in terms of vehicle trip rates under the previous applications; therefore, the addition of live on-site units is likely to reduce AM and PM peak hour movements to and from the site and using the access onto Ford Lane for employee movements. As such, the LHA would not anticipate that the proposal would result in a severe intensification of use of the existing access, or any capacity issues on the local highway network. The LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network. Therefore, it is not contrary to the NPPF (para 111), and that there are no transport grounds to resist the proposal.

No parking spaces are proposed and no manoeuvring and turning spaces are shown on the Site Plans. County Highways have concluded that some employees will own vehicles. However, this parking will take place on private land off the adopted highway network. As such, the LHA have not raised any concerns over car parking provision. It is suggested that some parking for the units is conditioned under the planning application. No Transport Statement has been provided but the supporting letter refers to the seasonal nature of the accommodation for employees to live and work on the site and that the likelihood of significant traffic movements, particularly in the peak hours, is negligible. The ADC Parking SPD specifies 1 car parking space per 1 and 2 bed dwelling and 2 spaces per 3/4 bed in Parking Behaviour Zone 4. The proposal for 14 units (with up to 56 bedrooms) would generate a requirement 28 car parking spaces. However, this is not a typical permanent residential dwelling type use proposed and in those instances and for certain types of uses the ADC Parking SPD states that parking provision will be determined on a case by case basis on Travel Plan and needs. The Local Planning Authority (LPA) agree with the LHA that some car parking will be required, but none is included in the application. Since no parking provision has been made this lack of provision means the provision is insufficient to serve the needs of this type of development, there appears to be no space on-site according to the layout to accommodate this parking provision nor allow for turning and manoeuvring. As such, the application fails to provide adequate parking provision on-site, which could result in on-street parking pressures and potential highways safety issues along the lane and would conflict with the NPPF and ALP policy T SP1 and the ADC Parking SPD and policy GA2 of FNP.

In addition, the site is in a location poorly related to local facilities and amenities which does not have easy access to sustainable modes of transport, contrary to sustainable travel policies in the NPPF and ALP policy T DM1.

VISUAL AND LANDSCAPE IMPACT:

Para 174 of the NPPF (2021) states decisions should protect and enhance valued landscapes and recognise the intrinsic character and beauty of the countryside. Para 130 requires that applications for developments (b) are visually attractive as a result of good architecture and (c) are sympathetic to local character and history, including the surrounding built environment and landscape setting. Para 134 states "Development that is not well designed should be refused".

Policy D SP1 of the ALP states development should seek to make efficient use of land but reflect the characteristics of the site and local area. ALP policy D DM1 looks at aspects of form and design quality, including character, appearance, density, scale, innovation, adaptability, residential amenity impact, trees and crime prevention. New buildings should be harmonious with their surroundings and successfully integrate with the surrounding environment. ALP policy LAN DM1 states that development should respect the particular characteristics and natural features of the relevant landscape character areas. Policy H DM3 (3) states temporary seasonal horticultural workers dwellings shall only be granted in exceptional circumstances, including (c) The structures are sited in order to minimise their visual impact on the surrounding area. Policy QE DM2 requires that proposals which include outdoor lighting must be accompanied by a lighting scheme and that there should be no adverse impacts on the wider landscape, particularly with regard the SDNP International Dark Sky Reserve designation.

The site is located within the designated Countryside on a rural lane comprising a mix of dwellings, gardens and agricultural businesses. The site is within the farm complex adjacent to a substantial glasshouse. The site itself is also physically contained by boundary treatments and other developments. As such, the siting of caravans on the application site is not incompatible with the character of existing built form and uses in the area and would not result in a significant incursion into the open countryside nor harm significant views across the open countryside and landscape.

However, 14 caravans on a site of this size and their cramped spacing does represent 'overdevelopment' of the site. That being said, this 'overdevelopment' of the site is not readily appreciable, since the structures are single storey, located well within the confines of the sites' developed area away from the frontage with Ford Lane, and the site is well contained and screened.

No elevations have been submitted of the caravan structures denoted on the Site Plan. It is understood that these structures are/would be all single storey and it is evident that the leisure buildings would be single storey with low pitched roofs. A planning condition could be applied to ensure the caravans adhere to the maximum dimensions (including single storey height) under the Caravans Act. A planning condition could also be used to secure details of the utility building to be submitted to and approved in writing by the LPA within 3 months of the date of the decision, to ensure this would be single storey and have an acceptable visual impact. Based on the structures being single storey, their set back siting within the site away from the lane, and the existing fencing/vegetative screening they would have an acceptable visual impact. As such, the structures have been sited to minimise the visual impact on the surrounding area, as per policy H DM3, and would integrate sufficiently and have an acceptable impact on the appearance and character of the street scape, landscape and countryside, in accordance with ALP policies D SP1, D DM1, LAN DM1 and FNP policy H1.

In terms of the impact of external lighting on the landscape and SDNP Dark Sky Reserve designation, a planning condition could be used to secure details of any external lighting to be submitted to and approved in writing by the LPA to ensure an acceptable impact in this regard to accord with policy QE DM2.

DRAINAGE:

The NPPF seeks to direct sensitive development away from areas at highest flood risk. ALP policy W DM2 sets out the requirements for development in areas at risk of flooding, including the need for the sequential test, an FRA, adaptation and mitigation measures, flood warning and evacuation plans and site drainage plans. ALP policy W DM3 states that all development must identify opportunities to incorporate a range of Sustainable Urban Drainage (SUDs) systems. Policy W SP1 requires that development proposals are water efficient. Policy H DM3 states temporary seasonal horticultural workers dwellings shall only be granted in exceptional circumstances, including (f) Any drainage issues are

satisfactorily addressed. The ADC Design SPD (Section K.04) requires that development incorporate Sustainable Drainage Systems (SUDs) and flood risk mitigation. Policy EH4 of the FNP states that new development should aim to reduce the overall level of flood risk in the area and include surface water management measures, SUDs and FRAs as appropriate.

The site is in Flood Zone 1 (lowest risk of flooding) and the plot is smaller than 1 hectare and as such a Flood Risk Assessment nor flood mitigation measures are required. The online mapping does not identify any flood risk to the site from any source. The threshold requiring a Flood Risk Assessment for this development to support a Planning Application has not been met.

Drainage Engineer has confirmed that they are not suggesting imposition of conditions and that this can be dealt with by Building Regulations. The proposal would accord with the NPPF, ALP policies W SP1, W DM3 and H DM3, and NP policy EH4.

CONTAMINATION:

Policy QE DM4 of the ALP states that 'The Council promotes, and will permit, the use of previously developed land and the remediation of contaminated land to ensure that land is brought back into use' where evidence to show that unacceptable risk from contamination will be successfully addressed through remediation is provided.

The former use of the land was as farmland. The Council's Environmental Health Officer has suggested that planning conditions could be used to deal with land contamination and unexpected contamination. This would ensure any land contamination issues are addressed, as required by the NPPF and ALP policy QE DM4.

BIODIVERSITY:

In terms of legislation, development will need to avoid impacts on legally protected species, and where this is not possible, mitigation or compensation will be necessary, and a Licence from Natural England may be required. Paras 174 and 180 of the NPPF indicates that developments should aim to protect or enhance, minimise impacts, and provide net gains to biodiversity. Net Biodiversity Gain is an important aspect of the new Environment Act and the NPPF. ALP policy ENV DM5 states development shall seek to achieve a net gain in biodiversity and protect existing habitats on site.

The site is not located within a Biodiversity Opportunity Area in Local Plan. There is no evidence that the application has a negative impact on biodiversity as the proposal involves development on agricultural land and little biodiversity is identified on the submitted Preliminary Ecological Assessment. Provided the recommendations within the report are followed to improve biodiversity it is the proposal would be acceptable in terms of biodiversity impacts. A planning condition could be used to secure measures to be implemented in full on-site in accordance with the Environment Bill, NPPF, ALP and Policy ENV DM5.

SUMMARY:

The development applied for conflicts with Arun Local Plan (ALP) policies C SP1 and H DM3, since it is for new temporary rural workers accommodation in the countryside, where, in this case, no clear evidence has been provided that there are exceptional circumstances to justify development in this location, the amount of accommodation proposed and that it cannot be located elsewhere. Therefore, the development is unacceptable in principle in this countryside location.

The development also results in significant harm to neighbouring residential amenity, in conflict with ALP policies D DM1 and QE SP1. In addition, the development has a total lack of vehicle parking provision

with consequent increased on-street parking pressure in the local area, in conflict with ALP policies T SP1 and T DM1 and the Arun District Council Parking Standards SPD (2020). Impacts on visual amenity (in respect of the utility building) and land contamination would need to be resolved through planning condition.

In terms of other material planning considerations, it is acknowledged that there is a pressing need for agricultural workers (and thus potentially workers accommodation) in the UK and that a 3 year temporary planning permission is being applied for so impacts would be time-limited. The LPA also acknowledges the recent application for similar development at the Nyton's Rest site (AL/61/20/PL) which was approved. In that case, however, it was concluded that the conflict with the Development Plan in respect of policies C SP1, H DM3 and HP1 was outweighed by other material considerations, in the form of the pressing need for agricultural workers (and accommodation) in the UK and the fact that given it was for a temporary 2-year permission there would be no permanent harm from its siting in this countryside location. The same cannot be concluded in respect of this current application, since along with conflict with policies C SP1, H DM3 and HP1 there is conflict with a number of other Development Plan policies including D DM1, QE SP1, T SP1 and T DM1, in terms of significant harm to neighbouring residential amenity and a total lack of parking provision and consequent increased on-street parking pressure in the locality. As such, in this particular case, there are no other material considerations which outweigh the conflict with the Development Plan in this instance.

Accordingly, this application is recommended for refusal, for the following reasons.

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), Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for refusal of permission in this case interferes with applicant's right to respect for their private and family life and their home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of neighbours). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for refusal 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

REFUSE

- 1 The development introduces temporary workers accommodation into a Countryside location

with no clear and compelling evidence to demonstrate that there are exceptional circumstances for the use where the structures are absolutely essential for the provision of staff accommodation to facilitate the economic running of an agricultural or horticultural holding. Its countryside location is unacceptable in principle and is not justified, and therefore conflicts with policies C SP1 and H DM3 of the Arun Local Plan.

- 2 The stationing of 14 caravans with their occupation by up to 56 rural workers is a significant over-development, and an over-intensive use of the site which will result in a significant number of comings and goings of occupants at unsociable hours and thereby having an unacceptable level of general noise and disturbance to neighbouring occupants preventing the quiet enjoyment of their properties, in conflict with policies D DM1 and QE SP1 of the Arun Local Plan and the National Planning Policy Framework.
- 3 The submitted Site Plan does not show any space or provision for on-site car parking, turning and manoeuvring which could result in on-street parking pressures and highways safety issues, contrary to policies T SP1 and T DM1 of the Arun Local Plan, the Arun District Council Parking SPD, policy GA2 of Ford Neighbourhood Plan and the National Planning Policy Framework.
- 4 **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 identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reasons for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to meet with the Applicant to discuss the best course of action and is also willing to provide pre-application advice in respect of any future application for a revised development.
- 5 **INFORMATIVE:** The applicant is reminded that, separate to planning permission, a Caravan Site Licence may be required if agricultural workers using the accommodation will not be employed to work on land in the same occupation. Licensing details can be found on the Council's website.