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Our Ref: C222234

12 January 2018

Dear Madam/Sir,

CONSULTATION UNDER THE TOWN AND COUNTRY PLANNING ACT 1990 (as amended) & THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015

Application: LU/386/17/PL

Proposal: Use of land as site for residential mobile homes consisting of 14 pitches

Location: Land east of Torri House, Old Mead Road, Littlehampton, BN17 7PU

I have had regard to the documents available on the planning website, to Arun District Council's relevant site licensing policies & procedures and the National Planning Policy Framework and Guidance, including relevant DCLG documents. Please have regard to the following:

Considerations

Design - good site design is an essential element of both the Planning and the Site Licensing regimes. The proposals fall under the licensing requirements of the Caravan Sites and Control of Development Act 1960 (as amended) and some of the responses below reflect the crossover between the two regimes.

Noise - noise needs to be considered when new developments may create additional noise and when new developments would be sensitive to the prevailing acoustic environment. The principle considerations are:

- Whether or not a significant adverse effect is occurring or likely to occur;
- Whether or not an adverse effect is occurring or likely to occur;
- Whether or not a good standard of amenity can be achieved.

Lighting - artificial light provides valuable benefits to society, including through extending opportunities for sport and recreation, and can be essential to a new development. Equally, artificial light is not always necessary, has the potential to become what is termed 'light pollution' or 'obtrusive light' and not all modern lighting is suitable in all locations. It can be a source of annoyance to people, harmful to wildlife, undermine enjoyment of the countryside or detract from enjoyment of the night

sky. For maximum benefit, the best use of artificial light is about getting the right light, in the right place and providing light at the right time.

By encouraging good design, planning policies and decisions should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation. The new development proposal has the potential to adversely affect the use or enjoyment of nearby buildings or open spaces, both during the construction phase and when works are completed and the site is occupied, due to poorly designed artificial lighting.

Air Quality – Action to manage and improve air quality is largely driven by EU legislation. The [2008 Ambient Air Quality Directive](#) sets legally binding limits for concentrations in outdoor air of major air pollutants that impact public health such as particulate matter (PM₁₀ and PM_{2.5}) and nitrogen dioxide (NO₂). As well as having direct adverse effects on human health, these pollutants can combine in the atmosphere to form ozone, a harmful air pollutant (and potent greenhouse gas) which can be transported great distances by weather systems.

Whether or not air quality is relevant to a planning decision will depend on the proposed development and its location. Concerns could arise if the development is likely to generate air quality impact in an area where air quality is known to be poor. They could also arise where the development is likely to adversely impact upon the implementation of air quality strategies and action plans and/or, in particular, lead to a breach of EU legislation (including that applicable to wildlife). The steps a local planning authority might take in considering air quality are set out [here](#).

Potentially Contaminated Land –. The contaminated land regime under [Part 2A of the Environmental Protection Act 1990](#) provides a risk based approach to the identification and remediation of land where contamination poses an unacceptable risk to human health or the environment. The regime does not take into account future uses which could need a specific grant of planning permission. To ensure a site is suitable for its new use and to prevent unacceptable risk from pollution, the implications of contamination for a new development would be considered by the local planning authority to the extent that it is not addressed by other regimes.

The development should comply with approved details in the interests of protection of the environment and prevention of harm to human health in accordance with policies GEN7 and GEN31 of the Arun District Local Plan.

Model Standards - a residential mobile home park must normally be licensed. It cannot be licensed unless there is planning consent for that use. The model standards¹ include a range of factors which must be considered when designing and operating such a park – although no detailed submission is required at this stage, and the Model Standards are not an exhaustive list, it may be worth drawing the applicant's attention to the following:

1. Separation distances between mobile homes should generally be a minimum of six metres
2. Mobile homes should generally not be sited within three metres of the site boundary or two metres of a roadway
3. Roads shall be designed to provide adequate access for emergency vehicles and routes within the site for such vehicles must be kept clear of obstruction at all times
4. Every caravan shall be connected to a road by a footpath with a hard surface which shall be maintained in good condition
5. Every unit must stand on a concrete base or hard-standing. The base must extend over the whole area occupied by the unit, and must project a sufficient distance outwards from its entrance or entrances to enable occupants to enter and leave safely. The hard standings must be constructed to the industry guidance, current at the time of siting, taking into account local conditions

¹ Model Standards 2008 for Caravan Sites in England, Caravan Sites and Control of Development Act 1960 – Section 5, DCLG, April 2008

6. There shall be satisfactory provision for foul and waste water drainage. Surface water drainage shall be provided where appropriate to avoid standing pools of water
7. On sites where it is practical to do so, suitable space equivalent to about one tenth of the total area of the site shall be allocated for communal recreational purposes, unless in the local authority's opinion there are adequate recreational facilities within a close proximity to the site
8. The lighting provided for communal paths and roads should be adequate to allow safe movement around the site during the hours of darkness. Many sites use low lighters rather than traditional street lamps and these work well as long as they are well maintained and plants/vegetation are not allowed to grow around them and stop them emitting light effectively. The lighting must be fit for purpose i.e. to allow vehicles and pedestrians to navigate around the site between dusk and dawn
9. Fences and hedges, where permitted and forming the boundary between adjacent caravans, should be a maximum of one metre high
10. Any structure which extends more than one metre into the separation distance shall be of non-combustible construction

Justification

Noise - Having reviewed the development proposal, it has been determined that noise from the proposed use may be noticeable at the nearest noise sensitive receiver at the lowest observed adverse effect level.

Design & Lighting - The plans do not address many of the above points or show that standards are unlikely to be met. Of particular note:

- There does not appear to be any lighting provision to meet the requirement at point 8 above,
- Foul water disposal is not supported by a design capacity assessment for flows and loads – proposed unit is for minimum 36 persons but potential occupancy is for 64 persons
- Separation and boundary distances are not fully met
- Communal recreation facilities are not provided (or an explanation of their absence is not provided)
- Combustible (timber) sheds are proposed
- Pitch / hard standing construction does not appear to meet industry guidance; local ground conditions must be taken into account

Air Quality - The National Planning Policy Framework states (para35) that '*Plans should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people. Therefore, developments should be located and designed where practical to [...] incorporate facilities for charging plug-in and other ultra-low emission vehicles*'

Consideration should be given to development that:

- Significantly affects traffic in the immediate vicinity of the proposed development site or further afield. This could be by generating or increasing traffic congestion; significantly changing traffic volumes, vehicle speed or both; or significantly altering the traffic composition on local roads
- Exposes people to existing sources of air pollutants. This could be by building new homes, workplaces or other development in places with poor air quality.
- Gives rise to potentially unacceptable impact (such as dust) during construction for nearby sensitive locations.
- The National Planning Practice Guidance advises odour and dust can be a planning concern, for example, because of the effect on local amenity. Consideration shall be given to development that may potentially have an unacceptable impact (such as from dust) during construction for nearby sensitive locations. It is considered that the proposed development will potentially give rise to an unacceptable impact from dust during construction for nearby sensitive locations.

The proposed development will significantly affect traffic in the immediate vicinity of the proposed development site and expose people to existing sources of air pollutants. It may also give rise to dust impacts during construction.

Potentially Contaminated Land - Contamination is more likely to arise in former industrial areas but cannot be ruled out in other locations including in the countryside (e.g. by inappropriate spreading of materials such as sludges, or as a result of contamination being moved from its original source). In addition, some areas may be affected by the natural or background occurrence of potentially hazardous substances, such as radon, methane or elevated concentrations of metallic elements. The site may have been subject to pesticide or other chemical treatments in the past; records show waste disposal and on-site burning issues.

Only a specific investigation can establish whether there is contamination at a particular site, but the possibility should always be considered particularly when the development proposed involves a sensitive use such as housing with gardens, schools or nurseries.

After remediation, as a minimum, land should not be capable of being determined as contaminated land under Part 2A.

Conclusion - It appears that the proposed use is unlikely to comply with the accepted standards for residential mobile home parks or site licensing requirements. As insufficient information is available for the assessment and determination of the proposed use, I therefore recommend refusal unless a suitable scheme is in place. Similarly, there is insufficient information with regard to potentially contaminated land. The site poses an unacceptable risk to the environment and I recommend refusal unless a suitable scheme is in place.

If, contrary to the recommendations for refusal, it is considered that the development is desirable then I recommend conditions as below. At the design stage, a robust assessment and determination of required measures should be undertaken and steps agreed with the Local Planning Authority prior to any works being carried out.

Condition(s)

1. No development shall take place, including any works of demolition, until a Construction Environmental Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. The approved Plan shall be adhered to throughout the construction period. The Plan shall provide for:
 - a. An indicative programme for carrying out of the works
 - b. The arrangements for public consultation and liaison during the construction works
 - c. Measures to minimise the noise (including vibration) generated by the construction process to include hours of work, the careful selection of plant and machinery and use of noise mitigation barrier(s)
 - d. Details of any floodlighting, including location, height, type and direction of light sources and intensity of illumination
 - e. The parking of vehicles of site operatives and visitors
 - f. Loading and unloading of plant and materials
 - g. Storage of plant and materials used in constructing the development
 - h. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 - i. Wheel washing facilities
 - j. Measures to control the emission of dust and dirt during construction
 - k. A scheme for recycling/disposing of waste resulting from demolition and construction works
2. No development shall commence until a detailed scheme of external lighting has been submitted to and approved in writing by the Local Planning Authority. The development should be carried out in strict accordance with the approved details. The scheme shall be maintained and shall not

be altered without the prior written approval of the Local Planning Authority. The lighting shall be installed, maintained and operated in accordance with the approved details unless the local planning authority gives its written consent to the variation.

3. No development shall commence until a detailed design scheme for the proposed pitches and dwellings, reflecting the recommendations of the Model Standards, has been submitted to and approved in writing by the Local Planning Authority. Any works which form part of the scheme approved by the authority shall be completed before any permitted dwelling is occupied unless an alternative period is agreed in writing by the authority.
4. Electric Vehicle charging Points (EVCPs) shall be installed at each residence in the ratio of one EVCP per unit with dedicated parking. Electric vehicle charging points shall be installed in unallocated parking areas in the ratio of 1 EVCP per 10 spaces or part thereof.
5. Prior to the commencement of development (parts 1, 2) and prior to occupation (parts 3, 4) approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:
 1. A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site.
 2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
 3. The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
 4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.
 5. Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.
6. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.
7. Prior to occupation of any part of the permitted development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring

of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the local planning authority.

Yours sincerely

Colin Giddings
Senior Environmental Health Officer