

Recommendation Report for Planning Permission

REF NO: P/95/21/PL

LOCATION: Bowley Farm
Bowley Lane
South Mundham
Chichester
PO21 1NB

PROPOSAL: Retention of 4 mobile homes for countryside workers together with drainage and service connection provision in connection with permission P/72/09 as varied by P/22/017/PL (resubmission following P/86/20/PL). This site is in CIL Zone 5 (Zero Rated) as other development.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks permission for the retention of 4 caravans for agricultural workers engaged in agricultural employment at Bowley Farm located on the western side of the approved 20 mobile homes (P/72/09/) together with drainage and service connection provision.
SITE AREA	2190.00 square metres.
TOPOGRAPHY	Predominantly flat. The land then slopes down gently to the north.
TREES	None affected by the development.
BOUNDARY TREATMENT	Hedgerows.
SITE CHARACTERISTICS	Existing caravan site with caravans laid out in rows on hardstanding, surrounding by grassed areas and with hardstanding tracks for access/circulation. Four additional caravans (subject to current application) are located in the buffer zone alongside the watercourse. Small solar farm to the north surrounded by further caravans.
CHARACTER OF LOCALITY	Rural farmland. The site is approached via the Chichester district along a country lane on which there are a few residential properties. To the rear of the land is Seftor Farm.

RELEVANT SITE HISTORY

P/86/20/PL	Retention of 4 No. mobile homes for countryside workers together with drainage & service connection provision in connection with permission P/72/09 as varied by P/22/17/PL. This application in in CIL Zone 5 (Zero Rated) as 'other development'.	Refused 09-02-21
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P/22/17/PL	Variation of condition 2 imposed under P/72/09/ relating to occupancy dates.	ApproveConditionally 23-06-17
P/52/14/PL	To install a 100.00kWp Solar PV Ground array.	ApproveConditionally 30-07-14
P/72/09/	Formation of hardstanding and use of land for siting of agricultural workers mobile homes together with drainage & service connection provision	ApproveConditionally 05-01-10

P/86/20/PL for retention of 4 No. mobile homes for countryside workers was refused.
The reasons of refusal:

1 The site lies in Flood Zone 3, which is land defined by the planning practice guidance as having a high probability of flooding. The National Planning Policy Framework (paragraph 163, footnote 50) states that a Flood Risk Assessment must be submitted when development is proposed in such locations. The applicant failed to demonstrate the development will be safe without increasing flood risk elsewhere and reduce flood risk overall.

2 The 4 mobile homes are in a buffer zone (approved by P/72/09) alongside the watercourse which should be kept without structures, footpaths and formal landscaping to protect the watercourse and the wildlife. The proposal represents a threat to groundwater pollution and disruption or loss of the protected species.

P/22/17/PL for variation of condition 2 imposed under P/72/09/ relating to occupancy dates. Condition 2 has been deleted and replaced by new conditions:

01 The caravans shall not be occupied as a person's sole or main place of residence.

02 The owners/operators shall maintain an up to date register of the names of all of the occupiers of individual caravans on the site of their main home addresses and dates of occupation and shall make this information available at all reasonable times to the Local Planning Authority.

P/72/09/ was approved with 8 planning conditions. Of particular note are numbers 2, 3, 4 and 7:

(2) The caravans hereby approved shall only be occupied between 1st March and 31st October in any year.

(3) The caravans shall only be occupied by agricultural workers engaged in agricultural employment at Bowley Farm and other land in the same ownership and/or control as Bowley Farm.

(4) In the event of the caravans for which permission is hereby granted ceasing to be used for agriculture or horticultural purposes, as defined by Section 336(1) of the Town and Country Planning Act 1990, they shall be demolished and removed from the site and the land restored to pasture or arable cultivation within 3 months of the cessation of such use or within such extended time as may be agreed in writing with the Local Planning Authority.

(7) All of the caravans delivered and taken away from Bowley farm shall be via Sefter Farm and Pagham Road not through Mundham.

REPRESENTATIONS

Pagham Parish Council: Objection.

- The Council was concerned to note the comments of the Officer representing FRS Water and Access regarding the proximity of the caravans to the nearest fire hydrant.
- The Council wish to be assured that the access meets the standards as outlined in the Officer's letter of 9th July 2021.
- Given the proximity of the rife, Members wanted to be assured that the drainage team had been consulted before this application is determined.

North Mundham Parish Council: Objection.

- The proliferation of caravans on this site has led to an unacceptable volume of traffic along the narrow and winding Bowley Lane and through the other narrow lanes in the parish.
- The comments submitted by local residents will attest to this. Notwithstanding the claims in Luken Beck's covering letter that migrant workers tend not to own cars, they are a regular feature at all times of day and night as an addition to the regular traffic of private minibuses. Traffic levels far exceed the capacity of this part of the rural road network.
- Should this application receive consent it should be conditional on all traffic associated with the caravans at Bowley Farm being routed along the existing track to the Sefter Farm site and thence to the Pagham Road.
- The Parish Council wishes to be reassured that Arun District Council's drainage team be consulted and that the applicants revised flood risk assessment is reviewed against the District Councils latest strategic flood risk assessment.

3 letters of objection received:

- These four caravans, and the other 50 that are located at the farm, are occupied by many workers that have no connection with Bowley Farm; many even not employed in agriculture at all.
- These caravans are placed as a permanent residence, not as temporary structures. In effect a village of 50+ properties has been built with no approval.
- The road leading to Bowley Farm is unsafe due to the amount of traffic generated by the site.
- If there was to be a major fire on the Bowley Farm Caravan site with the added risk of exploding gas canisters with injuries or fatalities where would the responsibility rest?
- The applicant has a track record of ignoring planning requirements and any conditions attached to any approvals granted.
- No response about the further ten or so caravans located around the solar array without planning permission, not shown on the applicant's site plan.
- It is only a matter of time before there is a fatality on Bowley Lane.
- In deciding this application, the proper context of the site must be taken into account. It is understood that there are in fact 54 mobile homes present on the site, of these structures, 34 do not have planning permission. Their existence is relevant due to their cumulative impact on highway and fire safety and foul water infrastructure.
- The cover letter states "development has caused no difficulties or given rise to any complaints". A number of objections were made about the site and there have been considerable difficulties and complaints as a result of the development.
- The applicant's suggestion in their cover letter that the accommodation is for "migrant workers living on the site temporarily for short periods of time" and for "workers to engage in the production of food for a few months at a time before returning home" is an inaccurate; Chichester District Council provides a taxi

service to transport children to the local school.

- Using the site as a primary residence contravenes planning condition 1 of P/22/17/PL imposed on the 20 approved mobile homes that they "shall not be occupied as a person's sole or main place of residence".
- The Church of England as the landowner recently ordered notices to quit be served on 30 persons because they were not employed in agriculture at Bowley Farm.
- Citation of relevant NPPF's paragraphs, NPPG guidance and the requirements of Arun Local Plan policies C SP1 and H DM3 concluding that the proposed conflicts with planning policies.
- There is no essential need for the workers to be located at the site on a permanent basis. There are no farm animals present on site. Even if some of the workers located in the 20 mobile homes granted planning permission are employed by Bowley and/or Sefter Farm, there can be no basis for a further 4 workers to be present on site to provide on-site attention 24-hours a day.
- Accounts filed with Companies House for the year ended 30 April 2020 state the average number of employees for the whole of Clarkes Of Bowley Limited was 19.
- Lack of supporting evidence for the rural enterprise; applications submitted in 2010 and 2017 are out of date and the most recent accounts do not support the view that additional workers are needed on the farm.
- Two of the four mobile homes have been in situ since at least 9 April 2015 what contravenes requirement of H DM3 part 2 which requires temporary rural dwellings to be for "the first three years" only.
- H DM3 part 3 requires temporary seasonal dwellings to be "an interim measure and approved on a temporary basis only"; use of caravans for over six years.
- Many of the workers are not employed by either Bowley Farm or by Sefter Farm but at distant locations, not employed in agriculture or horticulture.
- While this application relates to 4 mobile homes, the large numbers of other mobile homes present on the site and without planning permission, the grant of permission will act as a precedent for further mobile homes on the site.
- A significant new development" for which no consideration has been given.
- The Expert Highways Report (Annex II) concludes the application raises serious concerns for highway safety when taken in the context with 54 occupied mobile homes present on site.
- The applicant's cover letter states the workers living on site "tend not to own cars due to the short intervals of temporary employment relying on walking, cycling or the private minibus".
- A private security camera captured 4,800 vehicle movements over a four-week period, an average of approximately 170 movements per day.
- List of serious accidents in recent years included.
- While the application is restricted to 4 dwellings, the cumulative impact must be taken into account.
- The response of the West Sussex Fire and Rescue Service makes clear that there are fire safety concerns.
- It is maintained that ADC cannot reasonably rely on conditions to grant planning permission since the applicant has persistently flouted planning law.
- Images showing Bowley Farm from 2005 to 2019.

COMMENTS ON REPRESENTATIONS RECEIVED:

WSCC Highways' comments on this application concluded they would not anticipate that the proposal would generate a highways safety concern at the existing access.

Other planning issues will be discussed in the Conclusions section.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Chichester District Council: No Response.

WSCC, Highways: No objection subject to conditions.

WSCC: The response on the letter of Bowley Lane resident: I'm aware of the local representation on this application. From my understanding of the site it has been established the site does have permission for 20 existing units. If there are over 20 units on site this would be a matter for Arun District Council Planning Enforcement Team. In my opinion the presence of circa potentially 30 'unapproved' caravans on the site is not a material matter for determining this particular application for an additional 4 caravans above the permitted 20 caravans. It would not be reasonable to anticipate that the specific provision of +4 caravans would generate the large agricultural vehicles as demonstrated in your photographs. These would be an existing situation with the wider agricultural use. With regard to the other car accidents on the lane we do look at recorded personal accident injury data when assessing applications. However the scale of this application is such that it would not trip any recognised threshold for insisting that the application is supported with additional technical highways assessment, namely a Road Safety Audit, Travel Plan, Transport Statement/Assessment, Traffic Surveys or junction modelling.

ENVIRONMENT OFFICER: Bats - the ditch, bankside vegetation or the existing hedgerow/tree line as these are important as foraging and commuting routes for bats. The hedgerows on site are used by bats for commuting and foraging and will need to be retained and enhanced for bats. This will include having a buffer strip around the hedgerows (5m).

Water Voles: Due to the presence of water vole habitat, no works can take place within this ditch or area and a 5m buffer should be set up from the ditch bank and fencing used during the construction period to ensure this area remains undisturbed. If any works need to take place in this area, and then a full mitigation strategy for water voles will be required.

DRAINAGE ENGINEERS: Due to the scale, location and type of application we have no conditions to request. I note the caravans are in the 3m buffer zone approved under P/96/11/DOC. This buffer zone was requested and agreed to by the Environment Agency. I would add that the 3m buffer provides the necessary area to undertake maintenance to the watercourse. If any formal connection is to be made to the watercourses in the vicinity of the site then Ordinary Watercourse Land Drainage Consent will be required.

ENVIRONMENTAL AGENCY: After reviewing the Flood Risk Assessment, we have no objection to the proposal as submitted as all 4 units are situated outside the 1 in 200 2115 climate change flood extent for the undefended scenario.

WSCC, West Sussex Fire and Rescue Service: There is insufficient supply of water for firefighting in the area, the supply of water i.e. a fire hydrant should be within 90m of a commercial properties, currently the nearest fire hydrant is 540m away. In the event of a fire there is a possibility the fire appliance may run out of water before the fire is extinguished. The Fire Appliance only carries a certain amount of water and water supply hoses, that is why we require a water supply in this distance. As the nearest fire hydrant is 540m away, the Fire Crew would need the attendance of another three fire appliances to have sufficient water supply hoses to reach the hydrant.

Evidence will be required that Fire Service vehicle access meets with the requirements identified in Approved Document B Volume 1 2019 Edition: B5 Section 13, including Table 13.1 and diagram 13.1.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted; The application is for four existing mobiles in the buffer zone alongside the watercourse (min 5m wide measured from bank top for the whole extent of the site) which should be without structures, footpaths and should not include formal landscaping as such the Environment Officer's comments are inaccurate. Whilst too distant from a fire hydrant this is not considered to be an appropriate planning reason for refusal.

POLICY CONTEXT

Designation applicable to site:

Outside the Built-Up Area Boundary;
Special Control of Adverts;
No Public Sewer; and
Pagham Harbour SPA Zone B.

DEVELOPMENT PLAN POLICIES

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

CSP1	C SP1 Countryside
ENVDM2	ENV DM2 Pagham Harbour
ENVDM5	ENV DM5 Development and biodiversity
ENVSP1	ENV SP1 Natural Environment
HDM3	H DM3Agricultural forestry and horticultural Rural dwellings
HORDM1	HOR DM1 Horticulture
QESP1	QE SP1 Quality of the Environment
SDSP1	SD SP1 Sustainable Development
WDM2	W DM2 Flood Risk

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD11	Arun Parking Standards 2020
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POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans 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 Pagham Parish Council has decided not to progress further with emerging Pagham Neighbour Plan and it was withdrawn on 25th February 2021.

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 conflicts with relevant development plan policies in that it fails to satisfy the requirements of ADC policies C SP1 and H DM3 and fails to consider ecology.

OTHER MATERIAL CONSIDERATIONS

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

CONCLUSIONS

PRINCIPLE:

The site is outside the built-up area boundary in the countryside where policy C SP1 of the Arun Local Plan and policy apply.

Policy C SP1 of the Arun Local Plan states in criteria a-f the development which is permitted within the countryside. Criterion a. states 'development will be permitted in the countryside where it is for the operational needs of agriculture, horticulture, forestry...' and criterion f. concludes 'development is in accordance with other policies in the Plan which refer to a specific use or type of development'.

The four mobile homes are on the site previously granted permission for 20 mobile homes on the 5th January 2010 and re for the accommodation of workers in the agricultural and horticultural industries, as stated in submitted Covering Letter, therefore it is considered that the proposal complies with criterion a. of policy C SP1 of the Arun Local Plan, however fail to comply with criterion f. as the mobile homes do not accord with policy H DM3 as discuss below.

PLANNING POLICIES FOR AGRICULTURAL WORKERS' ACOMMODATION

Policy H DM3 of the Arun Local Plan makes it clear that outside the built-up area boundary planning permission shall be granted for dwellings for rural workers, subject to the criteria within three categories:

1. Permanent rural workers' dwellings;
2. Temporary rural workers dwellings; and
3. Temporary seasonal horticultural workers' dwellings.

The Cover Letter contains conflicting information as to the basis on which planning permission is sought citing the third category of policy H DM3.

The third part of H DM3 states permission for temporary accommodation for seasonal horticultural workers will only be granted in exceptional circumstances, where there is clear evidence that the structures are absolutely essential for the provision of staff accommodation to facilitate the economic running of farm or horticultural holding and providing:

- a. There is no suitable alternative means of providing the accommodation;
- b. The structures are recognised as an interim measure and within approved on a temporary basis only, subject to seasonal and temporary occupancy conditions;
- c. The structure are sited in order to minimise their visual impact on the surrounding area;
- d. The structures are designed to provide adequate accommodation which complies with minimum health standard;
- e. The structures are designed and sited to meet normal planning and technical requirements including access, hardstanding, fire resistance and light ventilation;

Whilst the application is for 4 mobile homes for countryside workers, referring to part 3 of policy H DM3 in submitted in the Cover Letter, in conclusion they are requesting that the same conditions are applied as the varied condition 2 of P/72/09, namely with no seasonal or temporary requirement attached. The 4 mobile homes were added on the site a couple of years ago due to a continuing need for the workers to support agriculture and horticulture as the applicant points out in submitted covering letter, as such the proposed is clearly neither temporary nor an interim measure. The workers are not temporary in nature e.g. for seasonal produce.

Policy H DM3 in part 3 stresses that permission will be granted in exceptional circumstances where there is clear evidence that the structures are absolutely essential. No evidence required by the above policy has been provided by applicant to prove that the provision of staff accommodation is absolutely essential to facilitate the economic running of Bowley or Sefter Farm or an evidence that there is no suitable alternative means of providing the accommodation.

The retention of 4 mobile homes does not comply with the requirements of the Arun Local Plan policy H DM3 particularly part 3.

The applicant in their cover letter stresses migrant workers tend not to own cars due to the short intervals of temporary employment relying on walking, cycling or the private minibuses and as far as they are aware the development has caused no difficulties or given rise to any complaints.

Reading through the letters of objections the other point of view rather different is shown;
-Taxi's are up and down the lane, collecting school children living in these mobile homes;

The issues expressed by neighbours are noted and are subject to an enforcement investigation.

WEST SUSSEX FIRE AND RESCUE SERVICE

West Sussex Fire and Rescue Service points out on an insufficient supply of water for firefighting in the area. Whilst the supply of water i.e. a fire hydrant should be within 90m of commercial properties, the nearest fire hydrant is 540m away and they carries on by stressing that in the event of a fire there is a possibility the fire appliance may run out of water before the fire is extinguished. No evidence has been provided that Fire Service vehicle access meets with the requirements identified in Approved Document B Volume 1 2019 Edition: B5 Section 13, including Table 13.1 and diagram 13.1.

The response of Building Control makes it clear that Building Control doesn't get involved with mobile structures and the comments of Environmental Health Officer with regards to caravan site licensing ensure that a licence cannot be issued if there's no planning permission for the site (or if the applicant has had a site licence revoked in the previous three years), however, there are exemptions for requiring a site licence and these include sites used for accommodating, during a particular season, persons employed in farming or forestry operations and the accommodation must be on land in the same occupation.

If EH were to licence the site, they usually reference the 2008 Model Standards, however these are designed for permanent residential units and not sites occupied by gypsies or travellers or sites which house agricultural or forestry workers.

The condition which relates to fire safety states that the site owner shall make available the latest version of the fire risk assessment carried out under the Regulatory Reform (Fire Safety) Order 2005 for inspection by residents and when demanded, a copy of the risk assessment shall be made available to the local authority. However the above does not apply for the proposal as planning policies do not relate to fire safety.

As such the fire safety of the development would not be covered by any means and the occupiers of the proposed mobile homes may be put at risk.

WATER SUPPLY AND QUALITY/ DEVELOPMENT AND BIODIVERSITY

Policy W DM1 of the Arun Local Plan, paragraph 18.2.1 highlights prevention of deterioration in the status of aquatic ecosystems, protect them and improve the ecological condition of waters and conserve habitats and species that depend directly on water. Policy ENV DM5 stresses development schemes shall, in the first instance, seek to achieve a net gain in biodiversity and protect existing habitat on site.

'This application relates only to the 4 mobile homes located on the western side of the approved 20 mobile homes', explains the applicant in their Covering Letter and continues, 'because these units were the first to be added a couple of years ago simply to accommodate four additional workers given the immediate need for extra workers.'

Condition 8 of P/72/09/ for formation of hardstanding and use of land for siting of agricultural workers mobile homes states;

'Prior to the commencement of development a scheme for the provision and management of a buffer zone alongside the watercourse shall be submitted to and agreed in writing by the local planning authority. Thereafter the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the local planning authority.'

The scheme for the provision and management of a buffer zone alongside the watercourse (drawing No 1010-PC-01 dated Nov 2011) was submitted by the applicant and approved by the local planning authority on the recommendation of Environment Agency and condition 8 was discharged (P/96/11/DOC). As above the condition stated: the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the local planning authority. The proposal is, for the reasons below, contrary to condition 8 which has been discharged but the buffer zone should be maintained.

The proposed mobile homes, are in the buffer zone alongside the watercourse (min 5m wide measured from bank top for the whole extent of the site) which should be without structures, footpaths and should not include formal landscaping. This was the requirement of the Environment Agency in line with s.23 of the Land Drainage Act 1991 and s.109 of the Water Resources Act 1991 to protect the adjacent watercourse and land alongside watercourse with its wildlife. As mentioned in the advisory information of the Environmental Agency (P/86/20/PL), water voles have been previously recorded in close proximity to existing ditch network. The Ecology Officer stated in her comments: 'Due to the presence of water vole habitat, no works can take place within this ditch or area and a 5m buffer should be set up from the ditch bank to ensure this area remains undisturbed.'

Environmental Agency has reviewed and commented the Flood Risk Assessment only.

Since these 4 mobile homes occupy the same position assessed under P/86/20/PL, in the defined buffer zone, therefore still represents the potential threat to groundwater pollution and disruption or loss of the protected species. Contrary to the Arun Local Plan policies W DM1, ENV DM5 and H DM3 and paragraph 175(a) of the National Planning Policy Framework.

FLOOD RISK:

Policy W DM2 requires that development in areas at risk from flooding, identified on the latest Environmental Agency flood risk maps and the Council's Strategic Flood Risk Assessment (SFRA), will only be permitted where all of the criteria of this policy have been satisfied.

The access to the site is in Flood Zone 3 according to Environmental Agency Flood Risk Map. The application is supported by a full Flood Risk Assessment detailing flood resilient measures that ensures the occupants would not be put at unacceptable risk of flooding and the applicant in the Cover Letter submitted with application states the mobile homes granted permission in 2010 have never experienced any issues associated with floodwaters. According to the latest Environment Agency website Flood Map, the whole of the site forming the planning application is situated outside any likely area of flooding.

The Environmental Agency reviewed the submitted Flood Risk Assessment (FRA) and have no objection as all 4 units are situated outside the 1in200 2115 climate change flood extent for the undefended scenario.

The proposal would comply with the ADC policy W DM2 and the guidance in the National Planning Policy Framework.

HIGHWAY SAFETY AND PARKING

No objection (subject to conditions) has been raised from the County Highways and the development is not considered to have a significant adverse impact on highway safety or traffic generation in the location.

As such development would comply with policy T SP1 of the Arun Local Plan.

SUMMARY

This four mobile homes proposed are sited in a buffer zone as approved under P/72/09/. The proposal is considered to conflict with the development plan, particularly policies ENV DM5, H DM3 and W DM1 of the Arun Local Plan and relevant paragraphs of NPPF and consequently is recommended for refusal.

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 it 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 mobile homes are in a buffer zone (approved by P/72/09) alongside the watercourse which should be kept without structures, footpaths and formal landscaping to protect the watercourse and the wildlife. The proposal represents a threat to groundwater pollution and disruption or loss of the protected species, in conflict with policies ENV DM5 and W DM1 of the Arun Local Plan and paragraph 175(a) of the National Planning Policy Framework.
- 2 The development conflicts the requirements of Arun Local Plan policy H DM3 part 3 which supports temporary accommodation for seasonal horticultural workers in exceptional circumstances only subject to provision of clear evidence. The applicant has failed to provide the evidence and the structures are not recognised as an interim measure approved on a temporary basis only.
- 3 **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 reason(s) 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.