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CHARTERED TOWN PLANNER

Planning and Building Control Division
Arun District Council
The Arun Civic Centre
Maltravers Street
Littlehampton
BN17 5LF

Wednesday, 20 April 2022

Dear Sir/Madam:

**Retrospective planning application for continued use of
land for agricultural workers accommodation for a
temporary period of 2 no. years comprising 14 no. chalets.
Resubmission of planning application WA/37/21**

Cherry Tree Nursery, Eastergate Lane, Walberton

I have the pleasure of submitting the above resubmission, the original retrospective planning application being at the request of the enforcement team.

The development the subject of this application is the provision of 14 no static caravans for agricultural workers. This application is for retrospective planning permission for these 14 no. chalets that have been located on site initially since April 2020 with occupation delayed due to COIVD-19 until July / August 2020.

It was my clients original wish to retain the current number of chalets which were reached in May 2021 of this year. We originally requested that permission be granted for a period of 2 years from 1st April 2021. At the end of this two-year period it was anticipated that the continued need for the provision of these caravans for agricultural workers will be reviewed. Following the successful use of the caravans last year it is clear that a need continues and therefore we seek a three year temporary permission from 1st May 2022.

The existing static caravans are on site and spread throughout the site and are at least 6m apart. The chalets are indistinguishable from the chalets that would be used by any caravan dweller. Next door, to the west, showpeople caravans are on site already.

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SPECIALISING IN:
DEVELOPMENT CONTROL,
AGRICULTURE,
ENFORCEMENT AND
NATURE CONSERVATION LAW

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Cherry Tree Nursery has historically been a horticultural nursery, located on the north side of Eastergate Lane. Prior to the applicant's ownership there was a substantial glasshouse to the north the horticultural use of which ceased some time ago and the area was overgrown and the structures were falling into disrepair. Much of the area adjacent to the south elevation of the glasshouse was used for storage.

Being a former horticultural nursery, the site has good access onto Eastergate Lane.

The nearest settlements are Fontwell, about 1 km to the north; Walberton, about 1 km to the east; and Westergate and Eastergate, approximately 1km to the south. In the wider context, Chichester and Tangmere are both located nearby. These settlements provide post offices, a variety of shops and supermarkets, garages and fuel stations, public houses, churches, village halls, GP surgeries and recreational grounds — all the necessary amenities for workers being based in the area.

Eastergate Lane has been used for numerous horticultural nurseries and more recently many of these, and other parcel of land, have changed use to gypsy, traveller and travelling showpeople sites. Accordingly, it is has clearly been found by the LPA to an a landscape which can accommodate caravans.

Planning Policy

The proposal is considered to be compliant with national and local planning policy for the reasons set out below.

Arun Local Plan 2011-2031 - paragraph 3.45 - seeks to limit impacts on the environment and the countryside. In this case this is a site with a historic horticultural use and is adjacent to, and nearby, to sites where numerous caravans have been permitted.

Operationally and visually there is little material difference from what has been permitted in the locality and what is now proposed on this site on a temporary basis potentially allowing the site to revert back to its permitted use.

No additional access, servicing or screening is required and it is considered that this is a sustainable and appropriate use of an existing horticultural site. In this regard there would be no further incursion into the open countryside.

The proposal is also consistent with Policy SD SP1 which seeks to facilitate sustainable development set out in the NPPF and para 6.25 where the site is already developed and is not in an area of high amenity value. The proposal will also not impact upon the district or the local area's built heritage.

There is consequently no reduction in any existing gap between settlements consistent with Policy SD SP3. The proposal is also consistent with Policy LAN DMI as the site is already well screened and is located well within the confines of the sites developed area.

The proposal is clearly also consistent with Policy D SPI which seeks to make efficient use of land and seeks to ensure that proposed development reflects the characteristics of the site and the local area. This proposal is entirely compatible on both fronts namely a use consistent with the nature of the site and a compatibility with uses and activities in the area especially the many agri-businesses and commercial nurseries in the area. The proposal is similarly consistent with Policy D DMI .

The proposal is also consistent with Policy W DMI in that (a) sufficient water supply is already available to the application site to serve the proposed development and (b) the provision of water supply is not considered detrimental to existing abstraction, river flows, water quality, fisheries amenity and nature conservation. The proposal is consistent with Policy W DM2 as the site is not prone to flooding.

There is no proposed lighting except sensor controlled lighting and this is consistent with Policy QE DM2 (Light Pollution) as well as being consistent with appropriate health and safety regulations. There will be no adverse effects on neighbouring uses or the wider landscape and the lighting proposed will generate no light spill, glare or skyglow from being low level and is the minimum provision required for security and safety.

The economic and employment policies contained in Chapter 8 of the Local Plan seek to meet the strategic employment needs of the district. Section 8.11.1 prophetically seeks to plan for uncertainty and flexibility and these are exactly the circumstances within which we fervently believe planning permission should be granted in this instance.

The supporting letter from Pro-Force, the company which rents the caravans for agricultural workers to serve local farm and nurseries and they explain that Mr Cole has provided the site at Nyton Rest, Aldingbourne and they approached him to see if he had any more sites to accommodate the growing demand within farming and agriculture for accommodation for seasonal staff.

The Pro-Force letter continues:

"we considered the site's historic use for horticulture to be ideally suited to our need for a two year temporary permission for 14 agricultural workers caravans. We do not anticipate every caravan to be used year round but require the flexibility for them to always be available. In addition, there is no clear season for many workers, so it is not feasible to remove the caravans each Winter."

Traffic Movements

On the matter of traffic movements, the Pro-Force letter states:

"Workers are collected each morning and returned each evening in one of our company minibuses. Few workers have cars."

Accordingly, the layout of the site has been designed to minimise the opportunity to park a car in order to limit car use by residents. Therefore just

8 parking spaces are required and it is Pro-Force's experience that such a number will be more than sufficient.

Discussions with Pro-Force and experience since the caravans have been occupied are that few of the workers residing on site will have access to, or will use, a car. The main premise is that if workers have their own access to a car they will not require accommodation in this location and they will likely drive themselves to their place of work from wherever else they reside. It is therefore very likely that residents within the site will not have their own car and that this is in part an attraction for living within the premises proposed where rural employers can access large numbers of staff efficiently. There are likely to be no private work-based car trips into and out of the site. It is anticipated that travel to places of work will be by minibus. Minibus will be the source of travel to and from work for residents.

It is estimate that there will be a maximum of 30 workers on site. They will not use private cars to get to and from work. Accordingly, there is no essential requirement to provide parking but this scheme has been modified to show a few parking spaces. Indeed since the use has been carried out there is no evidence of there being an issue with regard to parking. The occupiers are provide with a minibus by their employer(s) with a typical capacity of 17 seats per minibus. This means that either a single minibus will make a 'double run' to and from the site (round trips into and out of the site twice each day) or alternatively 2 no. minibuses will be used if pick ups or alternatively drop offs nearly coincide and demand warrants it. Irrespective of whether there is one minibus or two minibuses there will be a maximum of 2 no. minibus movements in and 2 no. maximum minibus movements out each working day which may in this case may be over a seven-day working week. If there are fewer workers to be picked up on Saturdays or Sundays only one minibus and one trip in and one trip out will be required.

It is also best practice that the opportunity to undertake shopping is provided on trips back via minibus to the application site otherwise shopping trips will be made in workers free time and via local bus service or by residents walking to the nearest shops. Where other non-work related transport is required this is likely to be by public transport. As previously stated, the application site benefits from local public transport connections with bus stops located at the junction of Eastergate Lane with Fontwell Avenue [the 85 service] which also runs West Walberton Lane to the east. There is also the 66 bus service which runs along Nyton Road and Barnham Road to the south, a 1 mile walk. This service will provide a connection to Barnham railway station with its regular and frequent services to London Victoria via Gatwick Airport, Brighton, Portsmouth, Southampton and various destinations in West Sussex.

The NPPF

In relation to accommodation for agri-workers para 80 of the NPPF states that:

"decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account

both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future."

It is also stated in para 83 Item (b) that planning decisions should facilitate development and diversification of agricultural and other land-based rural businesses.

There is also a substantial need for some 80,000 agricultural workers in the uk [<https://www.fwi.co.uk/business/business-management/staff/coronavirus-uk-eases-restrictions-on-foreign-seasonal-workers>]. The majority of these are likely to be required in the South of England.

In this regard the Government in response to the need for additional farm workers has identified this employment sector as key workers with those travelling into the country to work on farms being able to start immediately because of the importance to safeguard the UK's food supply.

We maintain the view that the previous refusal was unfounded and the fact that no formal action has been taken over the six months is indicative of the fact that there is no harm arising.

Based on the foregoing evidence I hope that officer support will now be forthcoming.

Yours sincerely,



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