

Recommendation Report for Planning Permission

REF NO: Y/151/20/PL

LOCATION: Pollards Nursery
Lake Lane
Barnham
PO22 0AD

PROPOSAL: Permanent siting of temporary seasonal horticultural worker accommodation (8 mobile homes & 3 retrospective mobile homes), hardstanding & service building. This site also lies within the parish of Barnham, is in CIL Zone 3 (Zero Rated) as other development.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Permission is sought for siting 11 mobile home units (eight new and three retrospective) and a utility room for seasonal occupation by workers employed by The Green House Sussex Ltd. The units will be sited permanently but only occupied by workers between March to October each year and unoccupied November to February. The units, each measuring 10.9m x 3.6m, provide accommodation for multiple workers with basic facilities and the utility room provides an area for laundry (a small caravan site). Access to the mobile homes will be via an existing soft surfaced road and permeable paving to each home. No parking area is provided; only a hard-surfaced area 3m x 3m near the utility room. The site is accessible from the main entrance via an existing path which runs in an east-west direction within the nursery.
SITE AREA	0.3 hectares.
TOPOGRAPHY	Sloping up to the north.
TREES	None affected by the development.
BOUNDARY TREATMENT	Along the north and west edges of the site is a line of trees. Tree species present included Austrian pine, oak, hawthorn and hazel with occasional ash and alder. The northern line of trees is linked to the tree lined road along the north of the site, Lake Lane.
SITE CHARACTERISTICS	The site consisted of a central area of semi-improved grassland with a line of trees along the western and northern boundaries and sections of scrub and tall ruderals.
CHARACTER OF LOCALITY	The surrounding landscape is mainly dominated by

greenhouse and agricultural fields with some residential development to the west and south east. The site is on the eastern edge of the village of Barnham. The main access is from Lake Lane.

RELEVANT SITE HISTORY

BN/19/16/PL	Demolition of vacant office building & erection of 7 No. dwellings with associated garaging & landscaping. This application is a Departure from the Development Plan.	ApproveConditionally 08-12-17
BN/17/10/	Development of a a glasshouse, water storage reservoir and boiler room.	ApproveConditionally 14-10-10
BN/18/05/	Construction of reservoir (amendment to applications BN/14/03 & Y/14/03) Main File - Dual Parish with Y/41/05.	Approve 05-08-05
BN/14/03/	Construction of new glasshouses on sites L1 and L2 including provision of toilets, installation of boiler and provision of chimney. Construction of 2 reservoirs. (This application affects a Public Right of Way) - Main File (Dual Parish with Y/14/03).	App Cond with S106 13-10-04

Site history noted..

REPRESENTATIONS

Barnham & Eastergate Parish Council: No objection.

Yapton Parish Council: support with the comments as follows:

Whilst support growth of employment opportunities in the area have concerns with the associated anti-social behaviour that can arise from seasonal worker accommodation. Support application on the basis of the following conditions being imposed:

- A full site management plan is provided relating to ensure reduced anti-social behaviour in terms of noise and light pollution.
- Each unit is not occupied as a permanent residence. It must be occupied on a weekly basis with a void of 4 weeks during every 12-month period.
- Each unit must have sufficient parking provision for a two-bedroom unit.
- Each unit must be conditioned for agricultural worker/seasonal work occupation only.
- Utility Room to be for storage and welfare use only and not to be used as sleeping accommodation.

Walberton Parish Council: No objection to this application, but emphasises that the use of the mobile homes in question must be for temporary horticultural workers only.

5 letters of objection:

- Any mobile homes in a field adjacent to the Lane would change its character in a retrograde way.
- A precedence in removing the 'green belt' between the lane and the glasshouses.
- It would introduce noise and disturbance especially to the occupant of Bowley Cottage.
- Gaps between the villages of Yapton and Barnham should be preserved.
- There must be more suitable secluded part of the nursery where these homes could be located.
- There does not appear to be any vehicular access to the site of the 8 mobile homes.

COMMENTS ON REPRESENTATIONS RECEIVED:

With respect to Yapton Parish Council comments:

- The applicant submitted a full site management plan.
- The units will be occupied by workers between March to October each year and unoccupied in November to February.
- WSCC, commented with respect to parking: 'From inspection of the plans, there appears to be adequate space on-site for sufficient parking to be accommodated.'

Other planning issues will be discussed in the Conclusions section.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

DRAINAGE ENGINEERS:

As no final drainage strategy has been submitted apply condition PCENG2 and PCEND3 (INFORMD) if you are minded to approve this application, this will ensure flood risk is not increased elsewhere.

WSCC: County Highways:

The applicant should demonstrate the location of where cars will be accommodated on-site and to implement secure and covered cycle parking provision for use by residents, in accordance with parking standards.

WEST SUSSEX FIRE & RESCUE SERVICES:

The size and location of the alternative water supply looks like it would meet with the requirements. The evidence of suitable access and a hard standing area for a fire appliance to enable the water to be extracted and used to extinguish a fire and the evidence will showing the access from the reservoir to the accommodation area has been provided by applicant.

SOUTHRN WATER:

Requires formal application for connection to public foul sewer to be made.

NATURAL ENGLAND:

The development will not have significant adverse impacts on statutorily protected nature conservation sites.

ECOLOGY ADVISORY: No objection subject to suggested conditions.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designation applicable to site:

Outside Built-Up Area;
Lindsey Treatment Catchment.

DEVELOPMENT PLAN POLICIES

Arun Local Plan 2011 - 2031:

CSP1	C SP1 Countryside
DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
EMPDM1	EMP DM1 Employment Land: Development Management
ENVDM4	ENV DM4 Protection of trees
ENVDM5	ENV DM5 Development and biodiversity
HDM3	H DM3Agricultural forestry and horticultural Rural dwellings
LANDM1	LAN DM1 Protection of landscape character
ENVSP1	ENV SP1 Natural Environment
TDM1	T DM1 Sustainable Travel and Public Rights of Way
SDSP3	SD SP3 Gaps Between Settlements
QESP1	QE SP1 Quality of the Environment
SDSP1	SD SP1 Sustainable Development
TSP1	T SP1 Transport and Development
WMDM1	WM DM1 Waste Management
WSP1	W SP1 Water

Barnham & Eastergate Neighbourhood Plan 2014 POLICY EE1

	Support for business
Barnham & Eastergate Neighbourhood Plan 2014 POLICY ES1	Applications for new development must meet the local drainage requirements
Barnham & Eastergate Neighbourhood Plan 2014 POLICY ES10	Trees and hedgerows
Barnham & Eastergate Neighbourhood Plan 2014 POLICY ES3	The Local Gap/Green Infrastructure Corridor
Barnham & Eastergate Neighbourhood Plan 2014 POLICY ES5	Quality of design
Barnham & Eastergate Neighbourhood Plan 2014 POLICY GA1	Connection to sustainable transport
Barnham & Eastergate Neighbourhood Plan 2014 POLICY GA4	Parking and new development
Yapton neighbourhood plan 2014 Policy BE1	Protection of existing commercial premises or land
Yapton neighbourhood plan 2014 Policy E10	The former Portsmouth and Arundel Canal

Yapton neighbourhood plan 2014 Policy E3	Protection of natural habitats
Yapton neighbourhood plan 2014 Policy E4	Minimising the environmental impact of development
Yapton neighbourhood plan 2014 Policy E5	Enhancement of biodiversity

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD11	Arun Parking Standards 2020
-------	-----------------------------

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 relevant policies of the Yapton Neighbourhood Development Plan have been taken into account in determining this application: E3 Protection of Natural Habitat, E4 Minimising the Environmental Impact of Development, E5 Retention and Enhancement of Biodiversity, E10 Minimising the Impact of Flooding from Development and BE1 Protection of Existing Commercial Premises or Land.

Since the site lies also in the Parish of Barnham, the relevant policies of Barnham Neighbourhood Development Plan have been taken into account in determining this application as well: ES1 Flooding, Drainage and New Development, ES3 The Local Gap/Green Infrastructure Corridor, ES10 Trees and Hedgerows, Policy ES5 Quality of Design, ES15 Green Infrastructure and Ecosystem Services, ES16 Dark night skies, Policy EE1 Support for Business, GA1 Connection to Sustainable Transport and GA4 Parking and new development.

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 comply with Policy C SP1 of the Arun Local Plan, criterion a. which refers to development for the operational needs of agriculture and horticulture in that the proposed temporary seasonal horticultural workers' accommodation would not result in significant or adverse harm to the landscape and character of the area, the safety of the local highway or the amenities of nearby occupiers.

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:

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states applications should be determined in accordance with the plan unless material considerations indicate otherwise. The development plan comprises the Arun Local Plan (ALP), the Yapton Neighbourhood Development Plan (YNDP), the Barnham Neighbourhood Development Plan (BNDP) and the West Sussex Waste and Minerals Plans.

The site is outside of the built-up area boundary in the countryside and the Barnham to Walberton Settlement Gap where policies C SP1 and SD SP3 of the Arun Local Plan apply.

ALP policy C SP1 states development in the countryside will only be permitted where it relates to certain criteria or is in accordance with other policies in the Plan which refer to a specific use or type of development. Policy SD SP3 states the criteria (a-f) by which development will be permitted in gaps between settlements:

Policy H DM3 "Agricultural, forestry and horticultural rural dwellings" is relevant and so it is necessary to assess the proposal against its criteria. This policy allows for temporary accommodation for seasonal horticultural workers but only in exceptional circumstances where there is clear evidence that the structures are absolutely essential for the provision of staff accommodation to facilitate economic running of a farm or horticultural holding and subject to criteria.

YNDP policy BB1 states development outside the Built-up Area Boundary shall not normally be permitted (subject to the other policies in the Neighbourhood Plan and the Arun Local Plan). BNDP policy ES3 stresses that a new development within the Local Gap will not be generally supported subject to a Landscape and Visual Impact.

The mobile homes are proposed to accommodate seasonal agricultural workers who work for the Green House Sussex Ltd, who employ 45-50 permanent staff and 20 seasonal staff. As stated in the DAS, there are no suitable alternative means of providing accommodation and the mobile homes are on a temporary basis only, subject to seasonal and temporary occupancy conditions. The mobile homes would be surrounded by a landscape mainly dominated by greenhouse and agricultural fields with some residential development to the west and south east. Along the north and west edges of the site is a line of trees therefore the proposed mobile homes would be invisible from the Lake Lane.

As such it is considered that the proposal would comply with policies C SP1, SD SP3 and H DM3 of the Arun Local Plan, policy BB1 of the YNDP and policy ES3 of BNDP.

ACCESS AND PARKING:

ALP policy T SP1 seeks to ensure development: provides safe access on to the highway network; contributes to highway improvements & promotes sustainable transport. It states: "The Council will support transport and development which: explains how the development has been designed to: (i) accommodate the efficient delivery of goods and supplies; (ii) give priority to pedestrian and cycle movements and have access to high quality public transport facilities; (iii) create safe and secure layouts for traffic, cyclists and pedestrians whilst avoiding street clutter."

In respect of parking, T SP1 states: "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 forthcoming Arun Design Guide taking into consideration the impact of development upon on-street parking". Policy T DM1 requires development be located in easy access of established non-car transport modes/routes, contribute to the improvement of such routes & facilities and contribute towards the provision of a joined-up cycle network and Public Rights of Way network.

BNDP Policy GA1 seeks to promote sustainable (non-car) forms of transport. It requires development to be located in places accessible to public and community transport and policy GA4 requires that parking spaces provided will be required to be made available in perpetuity.

Para 108 of the NPPF states: "In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that: (b) safe and suitable access to the site can be achieved for all users". Regard should be had to para 109 which 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."

The site is accessed off Lake Lane, unclassified road, which provides access to Barnham to the west. Barnham Village includes a good range of services and facilities. It also benefits from a train station which is circa 1,100m from the site. The nearest bus stops are available on Lake Lane, 800m to the west of site, and provides services to Bognor Regis, Chichester and Westergate. There is a Public Right of Way running from Lake Lane to the pedestrian railway crossing which follows a route through the centre of the site.

No alterations are proposed to the existing vehicular access on Lake Lane. The applicant has not demonstrated vehicular parking provision for this development. The Design & Access Statement states that additional parking is not proposed, as car ownership amongst seasonal workers is anticipated to be low.

The LHA advises the applicant should demonstrate the location of where cars will be accommodated. From inspection of the plans, there appears to be adequate space on-site (although outside of the red edge) for sufficient parking to be accommodated. The LHA advises the applicant to implement secure and covered cycle parking provision for use by residents, in accordance with parking standards. Cycling is a viable option in the area and opportunities for sustainable transport methods are in walking/cycle distance of the site. 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 is not contrary to the National Planning Policy Framework (para 109).

The Arun Parking Standards SPD does not set out parking standards for caravans or agricultural workers accommodation and it is not appropriate to impose the residential standard (which would equate to 28 allocated spaces and 2 visitor spaces). It is not considered that car ownership amongst workers will be high and therefore the provision of the spaces indicated on the plan is appropriate.

The proposal is in general accordance with the ALP policies T DM1 and T SP1 and policies GA1 and GA4 of the BNDP, subject to conditions attached.

LANDSCAPE & VISUAL IMPACT:

Policy D DM1 requires development makes the best possible use of land by reflecting or improving upon the character of the site and the surrounding area, in terms of scale, siting, layout, density, building materials and landscaping. It states development is expected to incorporate existing and new tree planting as an integral part of proposals. LAN DM1 states "Development throughout the plan area should respect the particular characteristics and natural features of the relevant landscape character areas and seek, wherever possible, to reinforce or repair the character of those areas".

Policy E4 of the YNDP expects development to retain well-established features of the landscape, including mature trees, species-rich hedgerows and ponds.

Para 127 of the NPPF states: "Planning policies and decisions should ensure that developments: (c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities)." Para 122 states decisions should support development that makes efficient use of land but that the desirability of maintaining an area's prevailing character and setting should be taken into account.

The site forms part of The Green House Sussex (former Eric Wall Nursery) which lies to the south of Lake Lane and to the north of the railway line. The site benefits from a dense tree screen along the northern and western boundaries to the adjacent Lake Lane. The level of planting along Lake Lane frontage is such that views of the site are limited. 3 of the mobile homes are sited amongst the glasshouses.

The development is entirely single storey with no development higher than 3m and it will not be seen from nearby public viewpoints. It is considered the mobile homes would readily assimilate in the landscape.

The development is for a site in or close to a nationally designated landscape namely South Downs National Park. Natural England considers that the development will not have significant adverse impacts on statutorily protected nature conservation sites.

The proposal is not considered to result in harm to landscape character (including the setting of the National Park) or local visual amenity and is not in conflict with ALP policies D DM1, LAN DM1 and policy E4 of the YNDP and relevant paragraphs of the NPPF.

RESIDENTIAL AMENITY:

Policy D DM1 requires the Council have regard to certain aspects when considering development including: (3) Impact - "Have minimal impact to users and occupiers of nearby property and land. For example, by avoiding significant loss of sunlight, privacy and outlook and unacceptable noise and disturbance." Policy QE SP1 states the Council will ensure development does not have a significantly negative impact upon residential amenity.

There is Bowley Cottage to the west of the proposed site and residential dwellings along the northern side of Lake Lane to the west and Binsted Nursery on the opposite of the site. The single storey nature of the caravans/mobile homes and the existing line of trees along the western and northern boundaries of the proposal site with sections of scrub would not allow any direct line of sight to/from the site therefore no loss of privacy or loss of light.

With regards to an anti-social behaviour in terms of noise and light pollution a full site management plan has been submitted by the applicant to ensure that the occupiers of the nearby dwellings would not be disturbed.

Therefore, there is no conflict with policies D DM1 or QE SP1 in respect of residential amenity.

LIGHT POLLUTION:

ALP policy QE DM2 states outdoor lighting should not have any adverse impact on neighbouring uses or

the wider landscape, particularly with regard to the South Downs International Dark Sky Reserve designation. Light levels should be the minimum required for security and working purposes. BNDP policy ES16 states proposals which detract from unlit environments of the Parish will not be supported and that new lighting will be required to conform to the highest standard of light pollution restrictions in force at the time.

The applicants Design and Access Statement confirms no external lighting or additional car parking is proposed. Additional trees, planting and hedgerows to reduce noise, visual impacts and provide additional screening to the adjacent residential unit would be provided on the western boundary.

It is not considered that there is any conflict with ALP policy QE DM2 or BNDP policy ES16.

BIODIVERSITY:

ALP policy ENV DM5 states: "Development schemes shall, in the first instance, seek to achieve a net gain in biodiversity and protect existing habitats on site. They shall also however incorporate elements of biodiversity including green walls, roofs, bat and bird boxes as well as landscape features minimising adverse impacts on existing habitats (whether designated or not)."

YNDP policy E5 requires retention and enhancement of biodiversity. In order to retain and encourage biodiversity, flood attenuation ponds should, where possible, be included in the design of development proposals and these should incorporate links and corridors for wildlife.

The habitats surrounding the site were largely comprised of large greenhouses and agricultural fields with some residential development to the west. All of which were considered to be suboptimal in terms of foraging habitat. The site has limited connectivity across the landscape.

There is one internationally designated site within 10km of the site: Duncton to Bignor Escarpment (SAC and SSSI) approximately 8.5km north of the site. At this distance no impacts, direct or indirect, to the site or its qualifying features are predicted.

The tree line and scrub areas were the most ecologically valuable features on site. These formed part of the green infrastructure of the local area. Additional trees, planting and hedgerows to reduce noise, visual impacts and provide additional screening to the adjacent residential unit would be provided on the western boundary and would help to achieve a net gain in biodiversity.

Ecology are satisfied that the biodiversity enhancements recommended within the Preliminary Ecological Appraisal (Nov 2020) are suitable and should be incorporated into the landscaping scheme.

The application includes measures to improve biodiversity therefore it is considered that proposed development is in accordance with ALP policy ENV DM5 and YNDP policy E5.

WEST SUSSEX FIRE AND RESCUE SERVICE

Have not raised any objection subject to condition. As part of the Building Regulations 2004, adequate access for firefighting vehicles and equipment from the public highway must be available and may require additional works on or off site, particularly in very large developments. (BS5588 Part B 5).

WATER SUPPLY AND QUALITY

The site falls in the Lidsey Wastewater Treatment Works Catchment Area. Policy W DM1 (ALP) states that although minor developments are unlikely to raise significant flood risk, surface water drainage

design should be carefully considered and infiltration must be fully investigated.

BENDP policy ES1 and YNDP policy E10 deal with Flooding, drainage and new development and require minimising the impact of flooding from development.

The site falls in Flood Zone 1 and the risk of flooding from tidal or fluvial sources is limited. As no final drainage strategy has been submitted, Arun District Council's Drainage Engineers requested that conditions be imposed to ensure the development can be adequately drained and does not increase flood risk elsewhere. Conditions requiring a Surface Water Drainage scheme prior to commencement of development (notwithstanding site survey and investigation) meets with the tests outlined in paragraph 56 of the 2019 Framework.

On this basis, the development would not give rise to significant flood risk or cumulative impacts upon foul water disposal and would therefore accord with Policy W DM1 of the Arun Local Plan and BNDP policy ES1 and YNDP policy E10.

SOUTHERN WATER

Southern Water requires a formal application for a connection to the public foul sewer to be made. Due to surface water inundation issues in the Lidsey Catchment the applicant is advised to adopt, where appropriate, the measures set out in the table "Practical measures to reduce the potential impacts of development". The developer should look to protect the public sewerage system from inundation and infiltration, which contribute to flooding in unfavourable conditions.

SUSTAINABLE DEVELOPMENT & NPPF PRESUMPTION:

Policy SD SP1 "Sustainable Development" states that the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF.

Para 11 of the NPPF sets out the application of the 'presumption' for sustainable development which is triggered where the Council's policies most important for determining the application are out-of-date. The Council can demonstrate a Housing Land Supply (HLS) of 3.3 years and there is a significant shortfall and hence, its policies most important for determining applications for residential development are considered to be out of date.

To be able to benefit from the presumption, the proposal must be assessed as being sustainable development and this assessment should consider environmental, social and economic factors.

The site is rather sustainably located where cycling is a viable option in the area and opportunities for sustainable transport methods are within walking/cycle distance of the site. Barnham Train Station is situated approximately 1.1km west of the site. Bus services are available from Lake Lane, located approximately 900m west of the site. The accommodation of persons working on agricultural sites in the area will be positive to the economy. On balance, it is considered the proposal represents sustainable development.

SUMMARY:

This proposal is in a general compliance with development plan policy in respect of development in the The report demonstrates there will be no visual harm to the landscape, on highway safety or on biodiversity. The accommodation is required to satisfy a pressing need for agricultural workers. The nature of the proposed development means there would be no harm to the countryside.

It is recommended that permission is granted in accordance with the following conditions.

HUMAN RIGHTS ACT

The Council in making a decision should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as Arun District Council to act in a manner, which is incompatible with the European Convention on Human Rights.

Consideration has been specifically given to Article 8 (right to respect private and family life) and Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for approval of the grant of permission in this case interferes unreasonably with any local residents' right to respect for their private and family life and home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for approval is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

In assessing this proposal the following impacts have been identified upon those people with the following protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation).

The proposal would have a neutral impact on the protected characteristics.

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby approved shall be carried out in accordance with the following approved plans:

Dwg No 2029-010, Site Location Plan
 Dwg No 2029-011, Block Plan (1 of 2)
 Dwg No 2029-012, Block Plan (2 of 2)
 Dwg No 2029-015, Proposed Site Plan (1 of 2)
 Dwg No 2029-016, Proposed Site Plan (2 of 2)
 Dwg No 2029-018, Site Plan, Plans & Elevations of Existing Mobile Homes
 Dwg No 2029-018, Plans & Elevations of Proposed Mobile Homes and Utility Room
 Accommodation Induction, Issue No 5, Document No H&S 004.2

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 of the Arun Local Plan.

- 3 The mobile homes hereby permitted shall only be occupied by the temporary seasonal

agricultural workers engaged in agricultural employment for The Green House Sussex Ltd and only be occupied by workers between March to October each year and unoccupied November to February.

Reason: In the interests of the amenities of the area and of neighbouring residential properties in accordance with policies D DM1, QE DM1 and QE SP1 of the Arun Local Plan.

- 4 In the event of the mobile homes 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 grassland 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.

Reason: The site lies in a rural area where development unrelated to the essential needs of agriculture and/or forestry would not normally be permitted in accordance with C SP1 and H DM3 of the Arun Local Plan.

- 5 Development shall not commence, other than works of site survey and investigation, until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The design should follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations, and the recommendations of the SuDS Manual produced by CIRIA. Winter groundwater monitoring to establish highest annual ground water levels and winter Percolation testing to BRE 365, or similar approved, will be required to support the design of any Infiltration drainage. No building / No part of the extended building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order in perpetuity.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies W SP1, W DM1, W DM2 and W DM3 of the Arun Local Plan. This is required to be a pre-commencement condition because it is necessary to implement the surface water drainage system prior to commencing any building works.

- 6 The development shall not proceed until details have been submitted to and approved in writing by the Local Planning Authority for any proposals: to discharge flows to watercourses; or for the culverting, diversion, infilling or obstruction of any watercourse on or adjacent to the site. Any discharge to a watercourse must be at a rate no greater than the pre-development run-off values. No construction is permitted, which will restrict current and future land owners from undertaking their riparian maintenance responsibilities in respect to any watercourse or culvert on or adjacent to the site.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies W DM1, W DM2 and W DM3 of the Arun Local Plan. And to ensure that the duties and responsibilities, as required under the Land Drainage Act 1991, and amended by the Flood and Water Management Act 2010, can be fulfilled without additional impediment following the development completion. It is considered necessary for this to be a pre-commencement condition to protect existing watercourses prior to the construction commencing.

- 7 The development permitted by this planning permission shall only be carried out in accordance with the following noise mitigation measures:

1. New team members to sign an Accommodation Agreement which sets out rules and regulations concerning the use of accommodation;
2. Setting of a quiet time between 22:00 hours and 07:00 hours including no loud music and

no gathering of residents in groups;

3. No use of the external amenity space between 22:00 hours and 07:00 hours;

The mitigation measures shall be fully implemented prior to occupation and adhered to permanently thereafter. There shall be no deviation from these mitigation measures without approval in writing from the Local Planning Authority.

Reason: In the interests of the amenities of the area and of neighbouring residential properties in accordance with policies D DM1, QE DM1 and QE SP1 of the Arun Local Plan.

- 8 No part of the development shall be first occupied until secure cycle parking as shown on the approved plans has been provided. The cycle parking shall be retained unless otherwise agreed by the Local Planning Authority.

Reason: To provide alternative travel options to the use of the car in accordance with policies T DM1 and T SP1 of the Arun Local Plan.

- 9 No external lighting shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage have been submitted to and approved in writing by the Local Planning Authority.

The scheme should comply with the Institution of Lighting Professionals Guidance Notes for the Reduction of Obtrusive Light GN01:2011, Environmental Zone E2 but also minimise potential impacts to any bats using the trees, hedgerows and buildings by avoiding unnecessary artificial light spill through the use of directional light sources and shielding. The lighting approved shall be installed and shall be maintained in accordance with the approved details with no alteration without the prior written approval of the Local Planning Authority.

Reason: In the interests of the amenities of the area, the site biodiversity (particularly in respect of bats) and to minimise unnecessary light spillage outside the development site in accordance with Policies D DM1, ENV SP1 & QE DM2 of the Arun Local Plan.

- 10 The development shall be carried out in accordance with the Preliminary Ecological Appraisal (Nov 2020) submitted with this application.

Reason: In accordance with Arun Local Plan policy ENV DM5 and the National Planning Policy Framework.

- 11 **INFORMATIVE:** Infiltration rates for soakage structures are to be based on percolation tests undertaken in the winter period and at the location and depth of the proposed structures. The percolation tests must be carried out in accordance with BRE365, CIRIA R156 or a similar approved method and cater for the 1 in 10 year storm between the invert of the entry pipe to the soakaway, and the base of the structure. It must also have provision to ensure that there is capacity in the system to contain below ground level the 1 in 100 year event plus 40% on stored volumes, as an allowance for climate change. Adequate freeboard must be provided between the base of the soakaway structure and the highest recorded annual groundwater level identified in that location. Any SuDS or soakaway design must include adequate groundwater monitoring data to determine the highest winter groundwater table in support of the design. The applicant is advised to discuss the extent of groundwater monitoring with the Council's Engineers.

Supplementary guidance notes regarding surface water drainage are located here <https://www.arun.gov.uk/surfacewater> on Arun District Councils website. A surface water drainage checklist is available here <https://www.arun.gov.uk/drainagechecklist> on Arun District Councils website, this should be submitted with a Discharge of Conditions Application.

- 12 INFORMATIVE: Under Section 23 of the Land Drainage Act 1991 Land Drainage Consent must be sought from the Lead Local Flood Authority (West Sussex County Council), or its agent (Arun District Council land.drainage@arun.gov.uk), prior to starting any works (temporary or permanent) that affect the flow of water in an ordinary watercourse. Such works may include culverting, channel diversion, discharge of flows, connections, headwalls and the installation of trash screens.
The development layout must take account of any existing watercourses (open or culverted) to ensure that future access for maintenance is not restricted. No development is permitted within 3m of the bank of an ordinary watercourse, or 3m of a culverted ordinary watercourse.
- 13 INFORMATIVE: The applicant should note that under Part 1 of the Wildlife and Countryside Act 1981, with only a few exceptions, it is an offence for any person to intentionally take, damage or destroy the nest of any wild birds while the nest is in use or being built. Birds nest between March and September and therefore removal of dense bushes, ivy or trees or parts of trees etc. during this period could lead to an offence under the act.
- 14 INFORMATIVE: This notice does not give authority to destroy or damage a bat roost or disturb a bat. Bat species are protected under Section 39 of the 1994 Conservation (Natural Habitats etc) Regulations (as amended), the 1981 Wildlife and Countryside Act (as amended) and the 2000 Countryside and Rights of Way Act. It is illegal to damage or destroy any bat roost, whether occupied or not, or disturb or harm a bat. If you are aware that bats roost in a tree(s) for which work is planned, you should take further advice from Natural England (via the Bat Conservation Trust on 0345 1300228) or an ecological consultant before you start. If bats are discovered during the work, you must stop immediately and contact Natural England before continuing.
- 15 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure)(England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
- 16 INFORMATIVE: The granting of this planning permission does not in any way indemnify against statutory nuisance action
being taken should substantiated complaints within the remit of the Environmental Protection Act 1990 be received.

For further information please contact the Environmental Health Department on (01903) 737555