

PLANNING APPLICATION REPORT

REF NO: CM/14/22/PL

LOCATION: Land adjacent to Church Farm Barn
Horsemere Green Lane
Climping
BN17 5QZ

PROPOSAL: Use of land for Class B8 (Storage) for caravan storage (resubmission of CM/64/21/PL). This application may affect the setting of a listed building and is in CIL Zone 3 (Zero Rated) as other development.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposal relates to the change of use of a parcel of land, currently used as a paddock, to caravan storage. It is intended the site would provide a maximum of 46 caravan storage spaces and includes a space with disabled accessibility, along with four parking spaces for owners to use when tending to their caravans. The application does not relate to the provision of boundary fencing as this can be constructed under Permitted Development rights where planning permission is not required.
SITE AREA	2730 sq. m.
TOPOGRAPHY	Predominantly flat.
TREES	None affected by the proposed development. There are established trees along the southern boundary and a large group to the east of the site.
BOUNDARY TREATMENT	Timber gates and close boarded fencing to Horsemere Green Lane. Tree lined boundary to Church Lane to the east and hedgerow to the south. Ranch style and wire fencing to other boundaries.
SITE CHARACTERISTICS	The site comprises a grassed field used as a paddock which is roughly rectangular in shape. Access to the site is taken from the south west corner via a bell mouth junction to Horsemere Green Lane with gates set back from the highway.
CHARACTER OF LOCALITY	Predominantly semi-rural. Ford Prison to the east. Rudford Industrial site to the north and mainly detached low density residential properties of individual design and materials fronting Horsemere Green Lane.

RELEVANT SITE HISTORY

CM/64/21/PL	Use of land for Class B8 (Storage) for caravan storage. This application may affect the setting of listed buildings	Withdrawn 12-01-22
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& is in CIL Zone 3 (Zero Rated) as other development.

CM/64/21/PL was withdrawn, due to the lack of a tree report which has now been included with this application.

REPRESENTATIONS

Climping Parish Council - Objection.

- The proposal will result in the addition of substantial vehicles using Horsemere Green Lane and will impact on an already busy road causing a possible safety issue.
- The applicant could consider moving the entrance into Rudford Estate entrance to the north rather than Horsemere Green Lane.
- Concerns regarding the impact on the existing residents and the Grade II Listed Building.
- Observations by the Conservation Officer should be considered.
- A condition should be included restricting operations to day light hours.

12 Objections.

- This is a semi-rural area. The proposed development is not in keeping with the area.
- The lane is narrow. Caravans and motorhomes will cause traffic problems.
- The verges and pavements will be damaged by vehicles seeking to pass.
- There is no need for this facility. There are plenty of other caravan storage facilities in the area.
- Large, towed caravans turning across the existing traffic in a narrow lane will add to the existing danger experienced by pedestrians and cyclists.
- The proposal includes operating from seven a.m. This is unacceptable for those living in the immediate vicinity of the site.
- Will set a precedent for other commercial facilities.
- The junction of Horsemere Green Lane and Church Lane is already a dangerous junction, slow moving vehicles towing caravans entering onto Church Lane could increase the accident rate.
- Concern regarding privacy and the noise disturbance of a commercial site operating in close proximity to residential property which faces the site.
- Will cause light pollution.
- The caravans will be highly visible from the St Mary's Church, particularly in the winter months.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted and will be covered in the Conclusions section of the report.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Conservation Officer - No Objection.

The immediate setting of the Listed Parish Church and the neighbouring Vicarage are contained within their own curtilages, whereas the wider setting has been impacted upon through the modern, or more recent C.20 development. The proposed development would also be screened from the assets by existing vegetation/trees. The development will not impact the setting of both of the Listed Buildings and as a consequence, there is no harm to the overall significance of the heritage asset.

The submitted Design and Access/Heritage Statement identifies that the proposal will cause less than

substantial harm to the neighbouring Listed barn in accordance with the NPPF. There is no reason to disagree with this. However, such harm could be identified as being on the lower end of the scale. As such the public benefits that the development may achieve should be considered in the assessment of the application, along with the contents of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

Drainage Engineer - No Comment.

Parks and Landscape Officer - No Objection. Landscaping should be conditioned.

Environmental Health - No Objection. Conditions suggested regarding restriction of use to caravan storage only, hours of operation, provision of access road and lighting.

County Highways - No Objection.

This proposal is for the change of use of land to Class B8, for the storage of caravans. The site is located on Horsemere Green Lane, an unclassified road subject to a speed restriction of 30 mph. The Local Highway Authority 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 and is therefore not contrary to the National Planning Policy Framework (paragraph 111). There are no transport grounds to resist the proposal. Provision of car parking should be conditioned.

Ecology Officer - No Objection.

The biodiversity enhancements recommended within the Ecological Mitigation and Enhancement Plans (Jan 2022) are suitable and should be conditioned and incorporated into the landscaping scheme.

Lighting should take account of bats and be conditioned.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designation applicable to site:
Outside Built Up Area Boundary
Mineral Consultation Area

DEVELOPMENT PLAN POLICIES

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

DDM1	D DM1 Aspects of form and design quality
CSP1	C SP1 Countryside
DSP1	D SP1 Design
EMPDM1	EMP DM1 Employment Land: Development Management
ENVDM4	ENV DM4 Protection of trees
ENVDM5	ENV DM5 Development and biodiversity
QEDM2	QE DM2 Light pollution
QESP1	QE SP1 Quality of the Environment
TSP1	T SP1 Transport and Development
WDM3	W DM3 Sustainable Urban Drainage Systems

HERDM1 HER DM1 Listed Buildings

HERSP1 HER SP1 The Historic Environment

Clymping Neighbourhood Plan 2015 Policy CPN14	Traffic and the Environment
Clymping Neighbourhood Plan 2015 Policy CPN8	Protection of Trees and Hedgerows
Clymping Neighbourhood Plan 2015 Policy CPN9	Protection of Natural Habitats
Clymping Neighbourhood Plan 2015 Policy CPN11	Quality of Design
Clymping Neighbourhood Plan 2015 Policy CPN13	Retain buildings or structures of character

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans, The South Inshore & South Offshore Marine Plan and Made Neighbourhood Development Plans. The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

The relevant policies in Clymping Neighbourhood Plan have been taken into account.

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 relevant Development Plan policies in that there would be no adverse impact on the character of the area, visual or residential amenity or the setting of the Listed Buildings.

Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that:

- (2) in dealing with an application for planning permission the authority shall have regard to -
- (a) the provisions of the development plan, so far as material to the application,
 - (aza) a post examination draft neighbourhood development plan, so far as material to the application,
 - (b) any local finance considerations, so far as material to the application, and
 - (c) any other material considerations.

OTHER MATERIAL CONSIDERATIONS

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

CONCLUSIONS

PRINCIPLE

The site lies outside the built-up area boundary of Clymping as defined in the Local Plan. Policy C SP1 therefore applies which prevents development unrestricted to the needs of agriculture unless it accords with policy elsewhere in the plan related to the development proposed. Whilst the proposed use is not related to agriculture it is in accordance with other policies of the Local Plan which refer to a specific use or type of development (employment).

Policy SD SP1 (Sustainable development) of ALP states that a positive approach will be taken to development proposals that reflect the presumption in favour of sustainable development and will work proactively to find solutions to secure development.

COMPLIANCE WITH POLICY EMP DM1

Policy EMP DM1 of ALP addresses the provision of employment land through a number of criteria. Part 6 of the policy refers to economic growth outside of the Built-Up Area Boundary and applies to the application site which is located within the countryside, but is close to Rudford Industrial Estate to the north. The criterion positively acts to support economic growth indicating that permission will be granted where the proposal meets 8 relevant criteria. These seek to ensure no detriment to public access/highway routes results, proposals are of a high standard of design and layout and landscaping is appropriate to its context.

Policy EMP DM1 recognises that the continued health of the local economy will depend to a significant extent on being able to accommodate the future expansion needs of local firms. The applicant already runs a successful and secure caravan storage site within Arun. The applicant is a member of CaSSOA (Caravan Storage Site Owners Association) which is a nationally recognised Association.

Part (a) of policy EMP DM1 requires that the proposal demonstrates that there is no acceptable alternative for the development within existing permitted or allocated sites, or within or through redevelopment of existing commercial premises. The proposed site is positioned close to the Rudford Industrial Estate and there are no sites available for the proposed use with external storage yards all linked to the buildings and ancillary to the extant uses. The proposed caravan storage does not require a building to support the use therefore making plots within existing storage sites uneconomical should any site become vacant. It would also be inappropriate to remove any existing commercial buildings to provide the required storage space as this would prejudice other more intensive employment uses from taking place in the future. In addition, it is not economically viable for the applicant to purchase alternative land when the application site is already in the applicant's ownership and sits in very close proximity to the Rudford Industrial Estate where permission has previously been granted for similar storage adjacent to Unit W, under reference CM/6/14/PL.

As discussed below in accordance with parts (b), (c) (e) and (g) of EMP DM1 the proposal does not cause detriment to existing public access routes and highways, residential amenity parking and access and the design, layout and landscaping are acceptable.

With regard to part (d) whilst the site is not sustainably located the use would be dependent on car borne traffic to deliver and pick up caravans, no alternative modes of travel can be utilised, so sustainability is not an issue. Notwithstanding this, the site is within proximity to the village therefore enabling local users of the site opportunity to walk or cycle to tend to their caravans should they choose to do so. The proposal is compliant with part (f) in that the development site is sympathetic to the surrounding area in terms of scale and layout with consideration of the natural, built and historic context. The retention of the existing landscaping provides opportunity to ensure that the natural habitats present are retained.

Part (h) of policy EMP DM1 refers to site security. The development would provide for a secure caravan storage within an enclosed site. The positioning of the site away from immediate public view or from direct access to the highway (i.e. through two gated entrances) ensures that the location meets security requirements. The CaSSOA sets appropriate standards for caravan storage to combat theft, to which caravan insurance companies will direct customers to for their storage needs. CaSSOA requires sites to have a high level of security such as fencing, lockable gates, CCTV and monitored entry and exit points. The site will be enclosed by a 2m palisade fence erected under permitted development rights.

The proposal is therefore compliant with the requirements of policy EMP DM1.

VISUAL AMENITY AND CHARACTER OF THE AREA

Policies D DM1 and D SP1 of Arun Local Plan (ALP) state that planning permission will be granted where development meets amongst other criteria, the highest standards of design, providing a high-quality living environment in keeping with the character of the surrounding area. The Arun Design Guide suggests development in rural areas respects and enhances this distinctive rural character. In addition, paragraph 130 of the NPPF requires developments to be visually attractive and sympathetic to local character. Government advice in section 12 of the NPPF indicates that design which is inappropriate in its context should not be accepted. Policy CPN 11 of Climping Neighbourhood Plan refers to quality of design and the need to protect and enhance local character as assessed by the Climping Character Assessment.

The site is in a semi-rural area. It is currently used as paddocks and residential development adjoins the site to the south and east. The access to Rudford Industrial Estate is located to the north. The proximity of the site to Rudford Industrial Estate demonstrates the mixed character and appearance and land uses of the area. The site is not located within wholly rural countryside. The character of the area is semi-rural by nature. In addition, the site is well screened by existing planting and would not therefore be readily visible in the wider landscape. The development will be relatively simple and low key both in terms of appearance and activity. It will not be viewed as an isolated feature in the countryside as it is relatively close to other buildings. Landscape mitigation is proposed which seeks to make sure all existing trees and maturing vegetation on the southern boundary of the site is maintained and protected. The development of the site would not require operational development such as the erection of new buildings and can provide the appropriate level of security on site with the applicant residing at an adjacent property.

The use of the site for a storage purpose would be screened from public vantage points by virtue of its backland position and boundary planting. Therefore, there would not be any significant change to the character of the surrounding area where the use would be of a low level in terms of activity. The submitted layout which is recommended for approval by drawing number 21/194/01 D, demonstrates that the proposal would not result in a cramped form of storage with space to individually manoeuvre caravans on site.

The size and position of the site reduces its ability to be used for agricultural purposes and it is already isolated and detached from any adjoining agricultural uses. The proposed development would utilise an existing small paddock as a farm diversification activity which due to the established boundaries would ensure that the site is limited and does not encroach into the surrounding countryside. The scale of the development would make efficient use of the land which is too small to be of value for agricultural activity in a position that has good access to the highway and minimal visual impacts.

The land to the east of the site has planning permission granted for a new residential house and the barn is partly enclosed by a flint and brick boundary wall. The site forms part of an area of green fields/space which separates development along the lane from that of the industrial estate to the north. Land to the south is currently open fields but has outline consent for a large predominantly residential development.

In addition, the level of traffic generated by the use would not be inappropriate in this location given the activity that is generated by the industrial estate to the west and the infrequent nature of traffic levels (as set out below in the highway section) associated with the use proposed. To ensure that the use of the site cannot become a general B8 storage which would have greater traffic levels, a condition is recommended to restrict the use to the caravan storage proposed only.

It is not unusual to use countryside locations for the storage of caravans. The site has a close visual and

physical relationship to a more built-up character of the surrounding area. The scale of the proposed development accords with this countryside location in terms of visual amenity by being unobtrusively located and not readily visible and does not result in material harm in accordance with the NPPF, ALP policies D SP1 and D DM1 and policy CPN 11 of Climping Neighbourhood Plan.

RESIDENTIAL AMENITY

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

Policy QE DM2 (Light Pollution) of ALP requires that any outdoor lighting shall minimise the impact upon the landscape, be the minimum required for security and working purposes, minimises potential glare and spillage with consideration to be given to powering such lighting by on-site renewable sources.

The site is located close to residential properties to the east Church Farm Barn (the dwelling is 17m from the site boundary) and to the south Church Farm Cottages (18m -15m from the site boundary). Church Farm Barn adjoins the access and Church Farm Cottages have a parcel of land separating them from the site. The caravan site would be visible in longer views at first floor level and may also be glimpsed at ground level in winter when there is less vegetation. However, the proposal is absent of any major built development and would retain a sufficient distance from the properties as to ensure that appropriate levels of amenity remain and therefore the development would not be adversely prominent or overbearing.

Based on their experience running caravan storage sites the applicant has advised that the movement of each caravan is rarely more than twice a year, and in many cases only once a year, and indeed often not at all. Movements generally take place during daylight hours.

The nature of the development for storage purposes would not give rise to adverse levels of harm in terms of loss of privacy or sunlight or daylight. Furthermore, the use would be low level and being for storage of caravans only (to be controlled by condition), would not generate notable levels of noise or disturbance. The use is therefore appropriate for positioning in relation to residential properties, particularly with imposition of the suggested condition restricting the hours of movement of vehicles. The application is in accordance with D DM1(3) and QE SP1 of the Arun Local Plan.

HERITAGE ISSUES

The application site is located next to a Grade 2 Listed Building, Church Farm Barn, an 18th century barn that which has been converted into residential use. Nearby is The Vicarage and The Parish Church of St Mary, both located on Ford Road. The Church of St Mary is a Grade 1 Listed Medieval Building, which is located within a defined churchyard, to the east of the Church Lane and south of the prison site. The Vicarage is a Grade II Listed Building. All of these buildings and their settings are of architectural and historical significance. Therefore, consideration needs to be given to the impact of development within the setting of these heritage assets.

Policy HER SP1 (The Historic Environment) of ALP affords the highest level of protection to designated heritage assets and requires that they are conserved and enhanced in a manner appropriate to their significance. Policy HER DM1 requires that the setting of Listed Buildings are protected and where possible enhanced.

Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Local Planning Authority to have special regard for the desirability of preserving Listed Buildings and their

settings.

Chapter 16 of the NPPF paragraphs 194, 195, 196 and 197 relates to identification and assessment of the significance of the heritage asset, the weight given to the conservation of the asset and its weight against public benefits of the proposal.

Para 194 of the NPPF requires such information to be provided in order to assess the impact of the proposal upon these assets. In this instance, the development causes less than substantial harm to the setting of neighbouring Listed Buildings given the separation distances and the form of development proposed. The building works are reasonably minor in scale.

Paragraph 195 requires the LPA consider the significance of the impact upon that heritage asset. The heritage assets are important buildings, but the impact of the proposal on them is minimised given the site is outside of their defined curtilages and has a low form. The Conservation Officer has been consulted and has raised no objection. He has agreed that the development will lead to less than substantial harm to the closest designated heritage asset (Church Farm Barn) and in accordance with para 202 of the NPPF the harm is outweighed when considered against public benefits which include efficient reuse of land that has no notable economic value to agriculture and would provide opportunity for rural diversification and support a rural business. Providing a storage site which meets a local need ensures that the site in turn can support other businesses involved in the sale and maintenance of caravans having a positive 'knock-on' effect. This constitutes a positive benefit in the public interest. Furthermore, a small local site would reduce the need for travel further afield, having a positive benefit in the public interest. In determining the application, the proposal should be positively weighed in favour of the public benefits noting that the harm to the significance of the heritage asset is minimal.

The proposal accords with the requirements of the National Planning Policy Framework (NPPF) and policies HER DM1 and HER SP1 of Arun Local Plan.

HIGHWAY CONSIDERATIONS

Arun Local Plan policy T SP1 seeks to ensure that development provides safe access on to the highway network and promotes sustainable transport, including the use of low emission fuels, public transport improvements and the cycle, pedestrian and bridleway network.

Policy CPN 14 of the Climping Neighbourhood Plan states that development which will have a detrimental impact on highway safety and the living conditions of residents will be resisted.

Para.110 of the NPPF states in assessing specific applications for development it should be ensured that (b) safe and suitable access to the site can be achieved for all users. Para. 111 of the NPPF states development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Access to the site would be via the existing access track off Horsemere Green Lane, approximately 100m west of the junction of Horsemere Green Lane and Church Lane. The proposal is supported by a Transport Statement which identifies that the existing visibility splays onto Horsemere Green Lane are in accordance with Manual for Streets (MfS). Visibility splays of 2.4m x 43m are required in each direction at the junction with Horsemere Green Lane. These splays are readily achievable at the access point. Car parking will only be required for staff members. Therefore, 4 parking spaces should be sufficient for the 1 or 2 staff on site.

The survey indicates in terms of additional trips generated by the proposed development that an average over the whole year of 3 arrivals per day is anticipated with 4 arrivals per day, less than 1 vehicle per

hour of the operating day in the peak month of July. Such volumes of additional traffic generated by the proposal would have no material impact on the general operation of the local and strategic highway network with a condition restricting the permission to the specific storage use proposed only.

County Highways have no objection to the proposal in terms of vehicle movements, access, highway safety or car parking. The proposal is not considered to have an adverse impact on highway safety or the living conditions of residents and would therefore comply with policy CPN 14 of Climping Neighbourhood Plan and policy T SP1 of Arun Local Plan.

TREES

ALP policy ENV DM4 seeks to protect trees which contribute to local amenity. Policy CPN 8 (Protection of Trees and Hedgerows) of the Climping Neighbourhood Development Plan ensures that development that will damage or result in the loss of trees or hedgerows of arboricultural and amenity value will not be permitted. Encouragement is given to the retention of trees or hedgerows of good arboricultural and amenity value.

The application is supported by an Arboricultural Method Statement which surveyed a total of thirteen individual trees, four groups of trees, one hedge and identified no trees would be removed. It concluded that the overall quality and longevity of the amenity contribution provided for by the trees within and adjacent to the site will not be adversely affected as a result of the proposal. A landscaping condition is also recommended to ensure that the site remains well screened.

It is concluded that the proposal incorporates acceptable tree protection measures which are secured by condition in accordance with policy ENV DM4 of the Arun Local Plan and CPN 8 of the Neighbourhood Plan.

BIODIVERSITY

Policy ENV SP1 of Arun Local Plan confirms that Arun District Council will encourage and promote the preservation, restoration and enhancement of biodiversity and the natural environment through the development process and particularly through policies for the protection of both designated and non-designated sites. Where possible it shall also promote the creation of new areas for habitats and species. Policy ENV DM5 of the Arun Local Plan seeks a net gain in biodiversity. Policy CPN 9 (Protection of Natural Habitats) of the Climping Neighbourhood Development Plan seeks that development avoids harm to existing nationally and locally protected habitats unless the harm can be mitigated or equivalent alternative habitats are provided.

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

Due to the low ecological value of the site, an Extended Phase 1 Habitat Survey would be disproportionate. An Ecological Mitigation and Enhancement Plan supports the planning application which identifies that the paddock is dominated by heavily managed grassland and a bare ground track provides access from Horsemere Green Lane. The development area is restricted to areas of grassland only and as such no impacts to nesting birds are anticipated. Ecological mitigation and enhancement specifically in respect of bats, reptiles, nesting birds, and hedgehogs potentially present within the wider landscape is proposed to demonstrate a net gain in biodiversity to comply with current wildlife legislation and planning policy.

The report refers to provision of 2 bird boxes, 2 bat boxes, gaps in fencing to allow hedgehog access and

provision of a hedgehog house, appropriate sensitive lighting to improve the intrinsic biodiversity value of the site. The Council's Ecology officer is satisfied with these proposals. In order to accord with the Environment Act, NPPF and ALP policy ENV DM5 a planning condition is recommended to secure the proposed Biodiversity Net Gain measures.

DRAINAGE

ALP policy W DM2 sets out the requirements for development in areas at risk of flooding, including the need for the sequential test, an FRA, mitigation measures, flood warning and evacuation plans and site drainage plans. Policy W DM3 of Arun Local Plan seeks to increase the levels of water capture and storage and improve water quality by ensuring all development identifies opportunities to incorporate a range of Sustainable Urban Drainage Systems (SUDS). Policy CPN 11 of Climping Neighbourhood Plan refers to adoption of the principles of sustainable urban drainage and Policy CPN 12 sets out that new development must be designed and constructed to reduce the level of flood risk.

The site is in Flood Zone 1 (lowest risk of flooding), as such a Sequential Test, Flood Risk Assessment and flood mitigation measures are not required. The proposals would have an acceptable impact on flood risk and with the use of appropriate conditions in respect of surfacing, surface water drainage can be increased in accordance with the NPPF, policy W DM3 of the Local Plan and policy CPN11 of the Neighbourhood Plan. A condition is recommended to control surfacing of the site to ensure retention of water capture and storage within the site.

CONCLUSION

The introduction of a storage area would not adversely impact on this rural location. There are already significant levels of activity in the area including a high background noise level from the industrial estate.

The proposal would not generate a need for additional buildings on the site and the storage would not be readily visible from outside the site once additional landscaping is provided and the works will have an acceptable impact on the setting of the nearby Listed Buildings. The policies most relevant to the determination of this application are not out of date and para 11c of the NPPF applies. The application is recommended for approval subject to 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:

Proposed Site Layout 21/194/01 revD
Existing Site Layout 21/194/02
Location Plan 21/239-01

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 building shall be used for caravan storage only and for no other purpose (including any other purpose in Class B8 of the Schedule to the Town & Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any other Statutory Instrument revoking and re-enacting that Order).

Reason: To enable the Local Planning Authority to maintain control in the interests of the amenities in accordance with policies QE DM1 and D DM1 of Arun Local Plan.

- 4 No caravans or commercial goods shall be loaded, unloaded or otherwise handled and no vehicles shall arrive or depart, within the application site outside the hours 07:00 to 19:00 Monday to Friday 08:00 to 18:00 Saturday or at any time on Sunday or Public or Bank Holidays.

Reason: To protect the amenity of local residents in accordance with Policy QE DM1 of the Arun Local Plan.

- 5 No external lighting shall be installed until details have been submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. This submission shall include a layout plan with beam orientation and a schedule of light equipment proposed (luminaire type; mounting height; aiming angles and luminaire profiles). The approved scheme shall be installed, maintained and operated in accordance with the approved details unless the Local Planning Authority gives its written consent to the variation.

Reason: To protect the environment, wildlife and local residents from light pollution in accordance with policies ENV DM5 and QE DM2 of the Arun Local Plan.

- 6 The use shall not commence until the car parking has been constructed in accordance with the approved site plan. These spaces shall thereafter be retained at all times for their designated purpose.

Reason: To provide car-parking for the use in accordance with policy T SP1 of Arun Local

Plan.

- 7 The development shall proceed in accordance with the biodiversity enhancements recommended within the Ecological Mitigation and Enhancement Plans (Jan 2022) which shall be provided prior to use of the site commencing and maintained in perpetuity.

Reason: To ensure biodiversity as adequately enhanced in accordance with policy ENV DM5 of Arun Local Plan.

- 8 No caravan storage shall take place until there has been submitted to, and approved by, the Local Planning Authority, a landscaping scheme including details of hard and soft landscaping and details of existing trees and hedgerows to be retained, together with measures for their protection during the course of the development. The approved details of the landscaping shall be carried out in the first planting and seeding season, following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which, within a period of five years from the completion of development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of amenity and of the environment of the development in accordance with policy D DM1 of the Arun Local Plan.

- 9 The development shall proceed in accordance with the Arboricultural Method Statement by Arbtech dated 28-03-2022 and Tree Protection Plan 21/94/01 D.

Reason: In the interests of protecting trees within the site in accordance with policy ENV DM4 of Arun Local Plan.

- 10 No surfacing of the site shall be undertaken until details of the materials (which should be mainly porous) to be used have been submitted to and approved by the Local Planning Authority and the development shall proceed in accordance with the surfacing so approved and be retained in perpetuity thereafter.

Reason: In the interests of retaining the levels of water capture and storage at the site in accordance with policy W DM3 of Arun Local Plan.

- 11 **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.

- 12 **INFORMATIVE:** To ensure the site remains unsuitable for reptiles, continued management of the site must take place to event reptile habitat developing onsite. If this is not possible then a precautionary approach should be taken within the site with regards to reptiles.

- 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.

The documents relating to this application can be viewed on the Arun District Council website by going to <https://www.arun.gov.uk/weekly-lists> and entering the application reference or directly by clicking on [this link](#).

CM/14/22/PL - Indicative Location Plan (Do not Scale or Copy)
(All plans face north unless otherwise indicated with a north point)



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