

CHICHESTER DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE
ORDER) 2015 (now, as amended)

Agent Details:

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Applicants Details :

Park Holidays UK
Coghurst Hall
Ivyhouse Lane
Hastings East Sussex
TN35 4NP United Kingdom

In pursuance of their powers under the above mentioned Act and orders, the council hereby notify you that they **PERMIT** the following development, that is to say:

Use of land and associated operational development for the stationing of 34 no. lodge style holiday caravans and associated facilities.

Lakeside Holiday Park Vinnetrov Road Runcton West Sussex PO20 1QH

to be carried out in accordance with your application and plan no. NM/15/02356/FUL as modified by the under mentioned conditions if any submitted to the Council on 27 July 2015 and subject to compliance with the conditions specified hereunder:

Time limits and general implementations conditions:

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).

Conditions requiring Local Planning Authority written approval or to be complied with prior to commencement of development:

2) The development shall be carried out in accordance with plans: 14017.PO1.005, 14017.PO1.007, 14017.PO1.008, RUPC.1, RUPC.2

Reason: to ensure a satisfactory development.

3) No development shall commence on site, including demolition, until protective fencing has been erected around all trees, shrubs and other natural features not scheduled for removal in accordance with the recommendations of BS5837:2012. Thereafter the protective fencing shall be retained for the duration of the works, unless otherwise agreed in writing by the Local Planning Authority. No unauthorised access or placement of goods, fuels or chemicals, soil or other materials shall take place inside the fenced area; soil levels within the root protection area of the trees/hedgerows to be retained shall not be raised or lowered, and there shall be no burning of materials where it could cause damage to any tree or tree group to be retained on the site or on land adjoining at any time.

Reason: To ensure that trees, shrubs and other natural features to be retained are adequately protected from damage to health and stability. It is considered necessary for this to be a pre-commencement condition as these details need to be agreed prior to the construction of the development and thus go to the heart of the planning permission.

4) No development shall commence on site, including demolition, until the existing hedgerow to be retained has been protected by a fence providing a landscape buffer in accordance with a scheme that shall first have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include plans showing the type and position of all protective fencing. The landscape buffer shall be undisturbed during the construction period and the fencing shall be maintained until all equipment, machinery, surplus materials and soil have been removed from the site.

Reason: To protect foraging areas for bats and in the interests of preserving the visual amenities of the area. It is considered necessary for this to be a pre-commencement condition as these details need to be agreed prior to the construction of the development and thus go to the heart of the planning permission.

5) **No development shall commence** until details of the proposed overall site wide surface water drainage scheme has 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 as set out in Approved Document H of the Building Regulations and the SUDS Manual produced by CIRIA. Winter ground water monitoring to establish highest annual ground water levels and Percolaton testing to BRE 365, or similar approved, will be required to support the design of any Infiltration drainage. The surface water drainage scheme shall be implemented as approved unless any variation is agreed in writing by the Local Planning Authority. No building shall be occupied until the complete surface water drainage system serving that property has been implemented in accordance with the approved surface water drainage scheme.

Reason: The details are required pre-commencement to ensure that the proposed development is satisfactorily drained with all necessary infrastructure installed during the groundworks phase.

6) **No development shall commence** until the discharge of any flows to a watercourse has been approved in writing by the Local Planning Authority, in consultation with the Lead Local Flood Authority (WSCC). Any discharge to a watercourse must be at a rate no greater than the predevelopment run off rates. The approved discharge rates must be adhered to.

Reason: The details are required pre-commencement to ensure that the proposed development is satisfactorily drained with all necessary infrastructure installed during the groundworks phase.

7) Notwithstanding any details submitted, **no development shall commence** until details of a system of foul drainage of the site have been submitted to, and approved in writing by the Local Planning Authority. Any variance in the approved details must be agreed in writing with the Local Planning Authority prior to the commencement of any development in relation to the foul drainage of the site. Thereafter all development shall be undertaken in accordance with the approved details and no occupation of any of the development shall take place until the approved works have been completed. The foul drainage system shall be retained as approved thereafter.

Reason: To ensure adequate provision for drainage. It is considered necessary for this to be a pre-commencement condition as such details need to be taken into account in the construction of the development and thus go to the heart of the planning permission.

8) **Construction work shall not begin** until a written scheme for protecting the occupants of the proposed lodges from noise from the A27 has been submitted to and approved by the Local Planning Authority; all works, including the instillation of the acoustic barrier hereby permitted which form part of the scheme shall be completed before the lodges are occupied and be thereafter retained.

Reason: In order to mitigate and reduce to a minimum the adverse impacts of noise on the health and quality of life of the occupiers.

Aim: The external amenity areas of the lodges shall be required to achieve a 16Hr LAeq of less than 55dB (WHO target to avoid "serious annoyance") The internal accommodation shall achieve noise levels in compliance with BS8233:2014 while also allowing windows to be open or providing alternative methods of ventilation and cooling.

9) **No development shall commence**, including any works of demolition, until a Construction and Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved CEMP shall be implemented and adhered to throughout the entire construction period unless any alternative is agreed in writing by the Local Planning Authority. The CEMP shall provide details of the following:

- (a) the anticipated number, frequency and types of vehicles used during construction,
- (b) the provision made for the parking of vehicles by contractors, site operatives and visitors,
- (c) the loading and unloading of plant, materials and waste,
- (d) the storage of plant and materials used in construction of the development,
- (e) the erection and maintenance of security hoarding,
- (f) the provision of road sweepers and/or wheel washing facilities to mitigate the impact of construction upon the public highway
- (g) measures to control the emission of dust and dirt during construction, to include where relevant sheeting of loads, covering and dampening down stockpiles
- (h) measures to control the emission of noise during construction,
- (i) details of all proposed external lighting to be used during construction and measures used to limit the disturbance of any lighting required. Lighting shall be used only for security and safety,
- (j) appropriate storage of fuel and chemicals, in bunded tanks or suitably paved areas, and
- (k) waste management including prohibiting burning.

Reason: These details are necessary pre-commencement to ensure the development proceeds in the interests of highway safety and in the interests of protecting nearby residents from nuisance during all stages of development and to ensure the use of the site does not have a harmful environmental effect.

Conditions requiring Local Planning Authority written approval or to be complied with prior to specific construction works:

10) All hard and soft landscape works shall be carried out in accordance with the approved details and in accordance with the recommendations of the appropriate British Standards or other recognised codes of good practice. **These works shall be carried out in the first planting season after practical completion or first occupation of the development**, whichever is earlier, unless otherwise first agreed in writing by the Local Planning Authority. Any trees or plants which, within a period of 5 years after planting, are removed, die or become seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To ensure the provision and establishment of a reasonable standard of landscape in accordance with the approved designs.

11) **The development hereby permitted shall not be first brought into use** until a scheme detailing hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include plans showing the proposed finished levels or contours; means of enclosure; car parking layouts; other vehicles and pedestrian access and circulation areas; details and samples of the hard surfacing materials; and a planting plan and schedule of plants noting species, plant sizes and proposed numbers/densities and a programme for the provision of the hard and soft landscaping. Thereafter the scheme shall be carried out in accordance with the approved details and once provided, the works shall be retained in perpetuity.

Reason: In the interests of amenity and of the environment of the development.

12) No development shall commence on the Sustainable Urban Drainage System (SUDS) until full details of the maintenance and management of the SUDS system, set out in a site-specific maintenance manual, has been submitted to and approved in writing by the Local Planning Authority. The manual shall include details of financial management and arrangements for the replacement of major components at the end of the manufacturers recommended design life. Upon completed construction of the SUDS system serving each phase, the owner or management company shall strictly adhere to and implement the recommendations contained within the manual.

Reason: To ensure the efficient maintenance and ongoing operation for the SUDS system and to ensure best practice in line with guidance set out in the SUDS Manual CIRIA publication ref: C687 Chapter 22. The details are required pre-commencement to ensure the SUDS are designed appropriately and properly maintained and managed as soon as they are installed.

13) No development shall commence on the foul water drainage system until full details of the maintenance and management of the foul water drainage system (including the on-site sewage treatment works where appropriate), set out in a site-specific maintenance manual, has been submitted to and approved in writing by the Local Planning Authority. The manual is to include details of the owner or management company, financial management and arrangements for the replacement of major components at the end of the manufacturers recommended design life. Upon completed construction of the foul water drainage system serving the development, the owner or management company shall strictly adhere to and implement the recommendations contained within the manual.

Reason: The details are required to ensure the foul water drainage system is designed appropriately and properly maintained and managed as soon as it is installed to ensure its long-term effectiveness.

Conditions requiring Local Planning Authority written approval or to be complied with by developer prior to occupation:

14) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order) the proposed accommodation shall be used for holiday accommodation only and shall not be used for any individual's main or sole residential dwelling and for no other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by the Town and Country Planning (Use Classes)(Amendment)(England) Order 2015, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order).

The owners/operators of the site currently known as Lakeside Holiday Park shall make provision for the following requirements as part of the overall management of the park:

The provision of a letter to accompany the annual pitch fee invoice sent out to caravan/lodge owners and new purchasers, which will stipulate the caravan/lodge is for holiday use only and cannot be used for residential purposes (i.e. as a person's main residence). The letter will require a caravan/lodge owner to produce on an annual basis a satisfactory written proof of their main residence (evidence to comprise payment of Council Tax in their name at their main residence or alternative evidence if the owner's main residence is outside of the UK). Furthermore this letter shall require the owner to sign up annually confirming their understanding and acceptance of the holiday use restriction.

A register of all occupiers, detailing dates, names and usual addresses, shall be maintained by the owner/operators and shall be kept up to date and available for inspection at all reasonable hours by the Local Planning Authority. The evidence of their place of primary accommodation submitted annually by the caravan/lodge owner shall be recorded on the register.

The owner/operators of the site shall submit a summary report of the register for all occupiers to the Local Planning Authority on an annual basis. The annual report shall detail:

- o How many caravan/lodge owners have submitted Council Tax evidence demonstrating their main place of residence
- o Which caravan/lodge owners have submitted evidence of their main place of residence but not supported by Council Tax evidence

- o Which caravan/lodge owners have not provided any evidence of their main place of residence or did not respond
- o The action being taken on the caravan/lodge owners who did not respond or have not provided accurate up to date council tax evidence and the timescale for resolution.

New purchasers at the point of sale shall be made aware that they must sign a declaration their use of the caravan/lodge will be for holiday purposes only and not as their only or main residence. A record of these declarations shall be kept as part of the register.

Such measures must be in force within 1 month of the date of this decision and shall remain in force in perpetuity.

Reason: To ensure that the accommodation is only used as holiday / tourist accommodation, since the site lies within an area where additional residential properties would not normally be permitted and to prevent the creation, by conversion, of inappropriate units of accommodation, possibly leading to over intensive use of the site.

Conditions to be compiled with at all times following completion of the development:

15) The external amenity areas of the lodges shall be required to achieve a 16Hr LAeq of less than 55dB (WHO target to avoid "serious annoyance") The internal accommodation shall achieve noise levels in compliance with BS8233:2014 while also allowing windows to be open or providing alternative methods of ventilation and cooling.

Reason: The accommodation provided on the site shall comply with the acoustic parameters of BS3632:2005 (or better) to ensure that it's construction achieves an appropriate sound reduction index.

16) The caravans ('Lodge style holiday caravans') hereby permitted cabins shall be occupied for holiday purposes only and shall not be occupied as a person's sole, or main place of residence.

Reason: The permanent use of the cabins would be contrary to the policies of the Local Planning Authority regarding residential development.

INFORMATIVE(S)

1) The flow rate from the Holiday park should be reduced to a maximum of 8.0l/s before any further connections are made to the internal drainage system. Flow monitor/s to be installed at an agreed point with Southern Water Services.

2) The applicant is reminded that no work may commence on site until the necessary planning permission has been granted.

3) Your attention is drawn to the provisions of the Countryside and Rights of Way Act 2000, Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010 (as amended).

These make it an offence to:

- Kill or injure any wild bird or bat;
- Damage, destroy or take the eggs or nest of any wild bird (when the nest is being built or is in use);
- Damage or destroy the breeding sites and resting places (roost) of certain animals including those used by all bats and certain moths.

The onus is therefore on you to ascertain whether such birds, animals or insects may be nesting or using the tree(s), the subject of this consent, and to ensure you do not contravene the legislation. This may, for example, require delaying works until after the nesting season for birds. The nesting season for birds can be considered to be March to September. You are advised to contact the local office of Natural England at Lewes for further information (tel: 01273 476595).

If the tree is being used as a breeding site or resting place (roost) by bats, then a Natural England Licence would be required before removal of the tree. You are advised to contact Natural England for more information on 0845 601 4523.

4) The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

5) The applicant is reminded that contact will need to be made with the Licensing Team at Chichester District Council in order to apply for a Caravan Site Licence under the Caravan Site and Control of Development Act 1960.

Please Note: The headings to the Conditions are inserted for ease of reference only and shall not affect the interpretation of the Condition(s).

The applicant is reminded that the Council operate a formal procedure for the discharge of conditions. Details of this procedure can be found on the Council's website (<http://www.chichester.gov.uk/planningadvice#planningapplications>) or by telephone (01243 534734).

The plans the subject of this decision can be viewed on the Council's website www.chichester.gov.uk quoting the reference number of the application. For all applications after May 2003, the relevant plans are listed as "Plans-Decided".

Decision Date : 1 March 2017

Signed:



Andrew Frost
Head of Planning Service
Chichester District Council

NOTES

Town and Country Planning Act 1990 Town and Country Planning (Control of Advertisements) Regulations 1992 Town and Country Planning (Trees) Regulations 1999

Your attention is directed to the following notes. They are for information only and do not pretend to set out the whole of the law on the subject. It would be well for you to consult your solicitor if you are in any doubt.

1. If the applicant is aggrieved by the decision of the District Planning Authority to refuse permission for the development, or is aggrieved by a condition imposed on a planning permission, he may appeal to the Secretary of State in accordance with Section 78 of the Town and Country Planning Act 1990 within six months* from the date of notice or determination giving rise to the appeal. (All appeals must be made on a form which is obtainable from The Planning Inspectorate, Room 3/04A Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN. <https://www.gov.uk/planning-inspectorate>. Advertisements and ELD/PLD appeal forms are available from County House, Portland Square, Bristol; Tree Preservation Order appeals forms are available from Government Office from The Planning Inspectorate, The Environment Appeals Team, Trees and Hedges, Room 3/25 Hawk Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Email – environment.appeals@pins.gsi.gov.uk

Telephone – 0303 444 5584. One copy of the appeal form must be submitted to the Head of Planning and Building Control Services, Chichester District Council, East Pallant House, Chichester, West Sussex PO19 1TY).

The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the District Planning Authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements to the provisions of the development order, and to any directions given under the order.

*** APPLICANTS SHOULD NOTE THAT THE PERIOD FOR MAKING AN APPEAL IN RESPECT OF HOUSEHOLDER APPLICATIONS (SUFFIX /DOM) IS 12 WEEKS FROM THE DATE OF THIS NOTICE; FOR ADVERTISEMENT APPLICATIONS (SUFFIX /ADV) IT IS 8 WEEKS; AND FOR TREE APPLICATIONS (SUFFIX /TPA) IT IS 28 DAYS.**

2. If permission to develop land is refused or granted subject to conditions, whether by the District Planning Authority or by the Secretary of State, and the owner of the land claims that the land has become incapable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Council of the County District in which the land is situated a purchase notice requiring that Council to purchase his interest in the land in accordance with the provisions of Part V of the Town and Country Planning Act 1990.
3. In certain circumstances a claim may be made against the District Planning Authority for compensation where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in the Town and Country Planning Act 1990.
4. By Section 195 of the Town and Country Planning Act 1990 where an application is made to a District Planning Authority for a Certificate of Lawful Use or Development and is refused in part, the applicant may by notice under this sub-section appeal to the Secretary of State and on any such appeal the Secretary of State shall:
 - (a) if and so far as he is satisfied that the Authority's refusal is not well-founded, grant to the appellant a Certificate of Lawful Use or Development accordingly or, as the case may be, modify the certificate granted by the Authority on the application, and:
 - (b) if and so far as he is satisfied that the Authority's refusal is well-founded, dismiss the appeal.
5. Applicants are advised to consult Regulation (15) of the Advertisements Regulations 1992 regarding appeals in respect of advertisements.
6. Where this notice conveys approval or permission, conditional or unconditional please note that the decision given does not purport to convey any consent or approval which may be required under the Public Health Acts and Building Regulations. Additionally applicants are advised to check the need for notice to be given under the Party Wall etc. Act 1996.
7. Where this notice conveys approval or permission subject to conditions, applicants are reminded that the onus is on them to ensure the conditions have been complied with. Under some circumstances a failure to comply with a condition may result in the whole development being unauthorised.



OFFICIAL USE ONLY

Ref No: **NM/15/02356/FUL**

Date of Receipt

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

We need to know when you intend to start development

It is requested that you complete this form and return it to Chichester District Council no less than 14 days before work commences on site.

Planning Application
Reference Number/Address

NM/15/02356/FUL
Lakeside Holiday Park Vinnetrow Road Runcton West
Sussex PO20 1QH

Full name and address of
person(s)/ company carrying
out the development

Full name and address of all
owner(s) of the land to be
developed (if different from
applicant):

IMPORTANT: FAILURE TO DISCHARGE PRE-COMMENCEMENT CONDITIONS PRIOR TO COMMENCING WORK MAY INVALIDATE THE PLANNING PERMISSION

Signed Date
.....

*On behalf of *Delete where inappropriate

Please send this completed form to:

Chichester District Council, Planning Enforcement, Development Management, East Pallant House, 1 East Pallant, Chichester, West Sussex, PO19 1TY.

Telephone: 01243 534734 email: planningenforcement@chichester.gov.uk

Visit: www.chichester.gov.uk