

Parish: Sidlesham	Ward: Sidlesham
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**SI/18/02490/FUL**

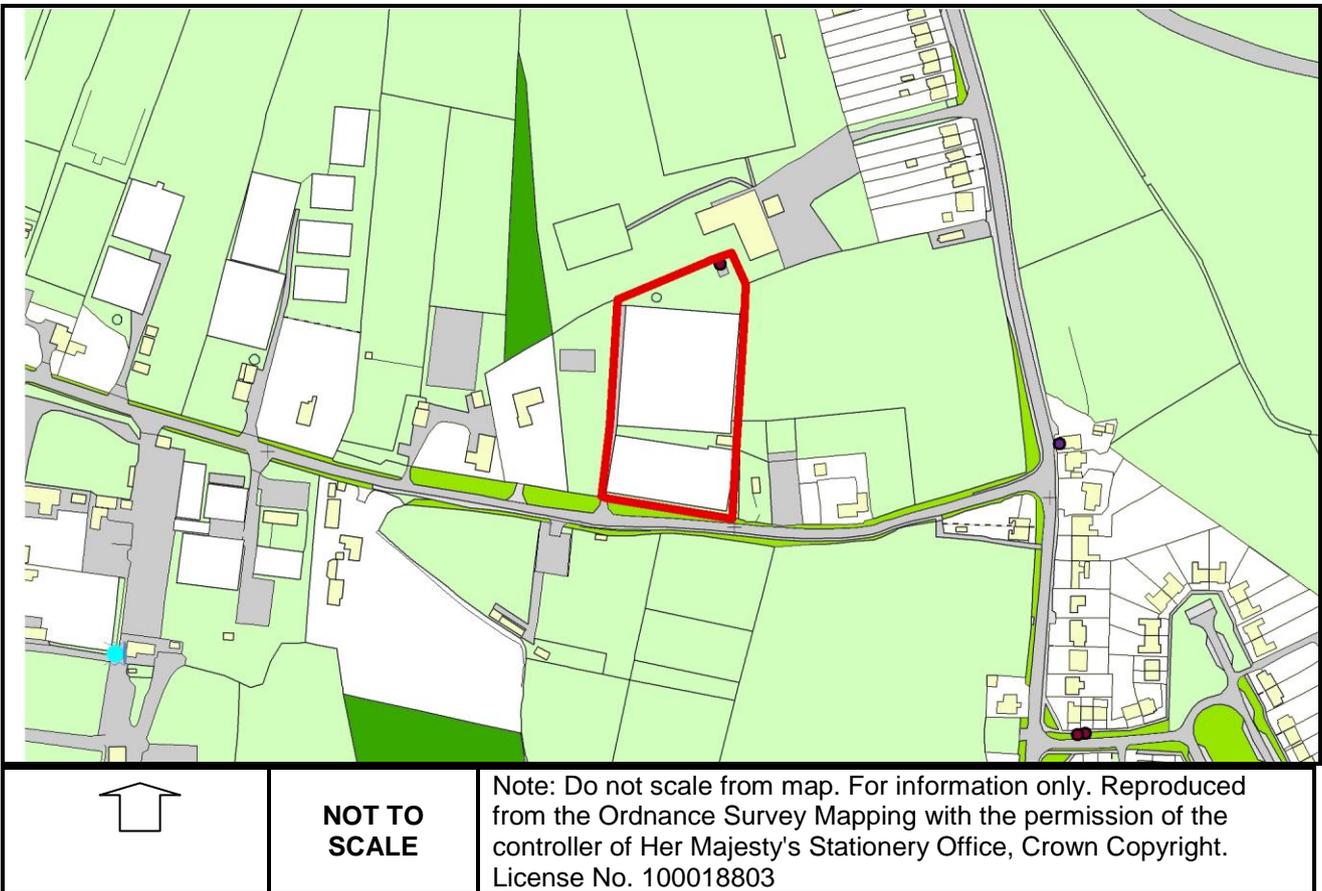
**Proposal** Use of part of the site for the stationing of 3 caravans for use as ancillary horticultural worker accommodation and their storage off season.

**Site** Woodlands Keynor Lane Sidlesham Chichester West Sussex PO20 7NG

**Map Ref** (E) 485427 (N) 97756

**Applicant** Mrs Laura Santos

**RECOMMENDATION TO PERMIT**



**1.0 Reason for Committee Referral**

1.1 Parish Objection - Officer recommends Permit

1.2 Red Card: Cllr Tull Important information/opinion to raise in debate

## **2.0 The Site and Surroundings**

- 2.1 The application site is located within the rural parish of Sidlesham, to the north of Keynor Lane and 170m to the west of the main Selsey Road. To the north of the site is the Sidlesham Football Club and Recreation Ground and to the west the formally associated residential dwelling 'Woodlands'. To the south and east is agricultural land.
- 2.2 The site hosts 2 steel framed glasshouses, which fill almost the entire site. To the north, where the mobile homes are proposed to be stationed, there is a triangular parcel of land, currently laid to grass, with a telecoms mast to the north east corner. Mature trees and planting form the boundary to the north to the recreation ground. Access to the site from Keynor Lane is via a hard surfaced track running along the entire western boundary of the site.

## **3.0 The Proposal**

- 3.1 Planning permission is sought for the stationing of three caravans for seasonal horticultural workers accommodation during the months of March to October and the storage of the caravans in situ when not occupied during November to February. The mobile homes would be used for purposes ancillary to the horticultural nursery 'Woodlands'.
- 3.2 The mobile homes would be located within the triangular parcel of land, at the northern end of the horticultural holding along the northern edge of the glasshouse. Each caravan would have 2-3 bedrooms and house 5-6 seasonal agricultural workers. Access would be achieved from the existing access track which runs to the west of the glasshouses.

## **4.0 History**

Nil relevant

## **5.0 Constraints**

Listed Building	NO
Conservation Area	NO
Rural Area	YES
AONB	NO
Tree Preservation Order	NO
EA Flood Zone	NO
- Flood Zone 2	NO
- Flood Zone 3	NO

## **6.0 Representations and Consultations**

### **6.1 Parish Council**

21.02.2019

Sidlesham Parish Council discussed the above Planning Application at its Planning Committee Meeting on 20th February 2019. The Parish Council maintains its objection to the Application on the basis that the caravans would not be related to the operation of the

nursery. The tenant of the land is based over 2 miles from the property. The PC sought clarification on the definition of storage. Should CDC be minded to grant consent, the PC requests that it be restricted to one caravan and strictly for the duration of the lease and for no more than 3 years.

22.11.2019

Sidlesham PC discussed the above Planning Application at its Planning Committee Meeting on 21st November 2018. The PC objects to this Application. It did not consider 3 caravans necessary to support the use of the land. Should CDC be minded to grant consent, SPC would like it to be for a limited time of 3 years, or the duration of the current lease/licence, whichever is the least, and only for a single caravan.

## 6.2 Natural England

No objection

## 6.3 WSCC Highways

Based upon the proposed caravans operating on the basis of a HMO, the WSCC Parking Standards for a HMO (C4 use) would apply. This sets out a maximum standard of 0.5 parking spaces per bedroom. Based upon the currently proposed total of 8 bedrooms, we would anticipate 4 parking spaces for the workers' accommodation use. The proposed nil parking provision on site may result in an increase in on-street parking on the nearby road network. Although this part of Keynor Lane does not benefit from parking restrictions, illegal parking could be dealt with as an offence under Section 22 Road Traffic Act 1988 - (leaving vehicles in a dangerous position on the road including verge) and Section 137 Highways Act 1980 (wilful obstruction of the free passage along a highway.) Both of these acts are enforceable by Sussex Police. We would not consider that highway safety would be detrimentally affected through the proposed nil car parking provision. The Planning Authority may wish to consider the potential impacts of this development on on-street car parking from an amenity point of view.

It has been clarified that the storage use refers to storage of the caravans during the off-season - no highway safety concerns would be raised to this proposal.

The site is rurally located, however, there is a footway connecting the site to local bus stops providing access into Selsey and Chichester which reduces the reliance upon the private car. The applicant has not provided details of secure and covered cycle storage, however cycling is a viable option within the vicinity and details of this can be secured via condition.

The LHA does not consider that this proposal would have 'severe' impact on the operation of the Highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 109), and that there are no transport grounds to resist the proposal.

If the LPA are minded to approve the application, a condition securing covered and secure cycle parking is advised.

## 6.4 CDC Environment Officer

Recreational Disturbance - we are satisfied that a contribution would not be required for this application due to it only requiring a 5 year temporary permission. However if the permission was to be extended or a permanent permission granted then a contribution would be required so a mechanism will need to be put in place for this. We also recommend that Natural England are consulted to ensure they agree with this approach.

## 6.5 Third Party Representations

Three letters of objection have been received concerning:

- a) visual impact; and
- b) unjustified provision of accommodation

## 7.0 Planning Policy

### The Development Plan

- 7.1 The Development Plan for the area comprises the Chichester Local Plan: Key Policies 2014-2029 and all made neighbourhood plans. There is no made neighbourhood plan for Sidlesham Parish at this time.
- 7.2 The principal planning policies relevant to the consideration of this application are as follows:

### Chichester Local Plan: Key Policies 2014-2029

Policy 1: Presumption in Favour of Sustainable Development  
Policy 2: Development Strategy and Settlement Hierarchy  
Policy 3: The Economy and Employment Provision  
Policy 32: Horticultural Development  
Policy 37: Accommodation for Agricultural and other Rural Workers  
Policy 39: Transport, Accessibility and Parking  
Policy 40: Sustainable Design and Construction  
Policy 42: Flood Risk and Water Management  
Policy 45: Development in the Countryside  
Policy 48: Natural Environment  
Policy 49: Biodiversity  
Policy 50: Development and Disturbance of Birds in Chichester and Langstone Harbours Special Protection Areas  
Policy 51: Development and Disturbance of Birds in Pagham Harbour Special Protection Area

### National Policy and Guidance

- 7.3 Government planning policy now comprises the National Planning Policy Framework (NPPF), paragraph 11 of which states:  
At the heart of the NPPF is a presumption in favour of sustainable development,

For decision-taking this means:

- a) approving development proposals that accord with an up-to-date development plan without delay; or
- b) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
  - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
  - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

7.4 Consideration should also be given to Sections 4 (Decision-Making), 6 (Building a Strong and Competitive Economy), 9 (Promoting Sustainable Transport), 11 (Making effective use of land), 12 (Achieving well-designed places), 14 (Meeting the challenge of climate change, flooding and coastal change), 15 (Conserving and enhancing the natural environment).

#### Other Local Policy and Guidance

7.5 The following Supplementary Planning Documents are material to the determination of this planning application:

Planning Obligations and Affordable Housing SPD  
Sidlesham Village Design Statement 2006

7.6 The aims and objectives of the Chichester in Partnership Community Strategy 2016-2029 which are relevant and material to the determination of this planning application are:

- Maintain low levels of unemployment in the district
- Develop a local workforce that meets the needs of local employers
- Support local businesses to grow and become engaged with local communities

### **8.0 Planning Comments**

8.1 The main issues arising from this proposal are:

- i. Principle of Development
- ii. Impact on visual amenity and character of the area
- iii. Impact on neighbouring amenity
- iv. Highway Safety
- v. Ecological Considerations
- vi. Other Matters

#### Assessment

- i) Principle of Development

8.2 The principle of seasonal agricultural workers accommodation in the countryside is established as permitted development under the Town and Country Planning (General

Permitted Development) Order 2015, as amended (GPDO) in accordance with the Caravan Sites and Control of Development Act 1960. Therefore the provision of 3 temporary caravans for agricultural workers would not require a planning application, however the right to use land temporarily for the stationing of mobile homes in this regard is on the condition that at the end of the seasonal/temporary period of occupation, the mobile homes are removed from the land on which they have been stationed. This application proposes to retain the 3 mobile homes on site all year round, outside the proposed occupancy period (March to October) and thus the proposal requires planning permission. In determining the application regard should be had to the fallback position; that seasonal; accommodation for agricultural workers can be provided on the site without planning permission, this is a material consideration that carries weight.

- 8.3 The applicants commenced the tenancy at the glasshouse in early summer 2018 and are developing the production of soft fruit, namely raspberries and strawberries. In addition jams and jellies using the second class fruit products would also be produced. The applicant has stated their intention to also seek to diversify their product offer, dependent on the market and weather conditions.
- 8.4 The information submitted with the application, including a business plan, demonstrates that since their short occupation the applicants have successfully obtained a good local client list, including local shops and a public house on the peninsula. The small scale production in their shorter first year meant they were unable to fulfil orders placed by their clients. Their growing presence in the market, combined with a developing client base has resulted in high demand for orders next year.
- 8.5 The applicants have provided detailed figures in respect of the workforce required to support the business. The figure has been calculated based on the number of plants and the amount (per kg) required to be picked per hour and the packaging and delivery staff required. Based on these estimates submitted there would be requirement for 18 staff members during peak season. The three mobile homes would provide accommodation for the majority of these workers. The requirement for three mobile homes is therefore considered justified to meet the operational requirements of the commercial horticultural holding.
- 8.6 The evidence submitted satisfactorily demonstrates the requirement for seasonal workers to meet the needs of the fledgling business, It is, however, recognised that the applicant only has a short term tenancy on the holding. Due to the business being recently established (2018) and the current short term tenancy held by the applicants on site, it would be proportionate for any consent to be of a temporary nature. This would allow the business to establish and for any landscape impacts to be fully monitored during the temporary consent.
- 8.7 Agriculture is a key part of the District's rural economy on the Manhood Peninsula and with the productivity comes the need to house the workers who perform a vital role in harvesting produce over the seasonal period. As set out in paragraph 8.2 of this report the seasonal workers accommodation is allowed under provisions within the GPDO and the Caravans Act 1960 if the mobile homes are removed from the land during the winter period. Meaning the proposal requires planning permission due to the year round stationing of the homes. It is considered the information submitted to the LPA satisfactorily demonstrates the requirement for three mobile homes to serve the current needs of the horticultural nursery. With regards to the storage of the caravans when not in use this is

considered to be acceptable in principle given they are required to meet the needs of the holding. Overall it is therefore considered the principle of the development is acceptable, subject to all other material considerations as set out below.

ii) Impact on Visual Amenity and Character of the Area

- 8.9 In combination policies 37, 45, and 48 of the Chichester Local Plan (CLP) seeks to ensure that new accommodation for agricultural and rural workers would have only minimal impact on the landscape and rural character of the area, including its tranquil nature.
- 8.10 The area where the mobile homes would be located is triangular in form, with the glasshouses occupying the remainder of the site, to the south. Due to the location of the glasshouses, this area is well screened from Highleigh Road to the south and Selsey Road to the east. The applicants have already provided some native planting along the 8m length of boundary to the north east which was partly open to the adjoining agricultural field, to allow for some greater screening and a more established boundary treatment. There may be visible from Selsey Road, but this would be from limited vantage points and the establishment of the boundary treatment over time would further reduce visibility from the surrounding area.
- 8.11 The mobile homes would be visible from the recreation ground to the north, through the trees and hedging. These would however be viewed within the context of the horticultural nursery, with the glasshouses providing a backdrop to the development, and therefore would not appear intrusive within the landscape.
- 8.12 Overall it is considered that, by reason of the location of the three mobile homes, that would relate well to the existing buildings, the proposal would not result in harm to the character and appearance of the area. The proposal would therefore comply with policy 37, 45 and 48 of the Chichester Local Plan.

iii) Impact on neighbouring amenity

- 8.13 The closest neighbouring residential property, also known as 'Woodlands', is located approximately 75m to the west of the site. Located to the south east, Muttons Farm House is over 110m away. It is considered that due to the distance of the neighbouring properties to the site, and the orientation of built form, that there would not be an unacceptable impact on the amenities of neighbouring properties, in particular to their outlook, privacy, available light or noise generated by the development, which in itself is residential in nature.

iv) Highway Safety

- 8.14 Policy 39 of the CLP seeks to ensure that new development has acceptable parking levels, and access and egress to the highway. The proposal would utilise an existing access onto Highleigh Road, where there are presently good levels of vehicular and pedestrian visibility. Whilst the Highway Authority note that there are no formal proposals for parking within the site they do not consider that highway safety would be detrimentally affected through the proposed nil car parking provision. However there would be adequate space on site to provide for the parking requirements of the development (4 spaces),

although the applicant advises part of the contract for the workers would be not to have their own private cars. Overall it is considered that the proposal would benefit from safe and adequate access and the proposal would not have a detrimental impact upon the highway network and therefore the proposal accords with policy 39 of the CLP.

v) Ecological Considerations

- 8.15 The application site falls within both the Chichester and Langstone Harbours Special Protection Area and the Pagham Harbour Special Protection Area, where under policies 50 and 51 of the Chichester Local Plan, a net increase in new residential development would cause significant impacts on these areas of special protection and require mitigation against their harm.
- 8.16 As the recommendation is to grant temporary permission, to demonstrate the viability of the business, a contribution toward mitigating the impacts on the SPA is not required at this time, in accordance with the views of the Councils Environment Officer. Should permanent permission be granted at a later date this would then require suitable mitigation to be provided.

vi) Other Matters

- 8.17 Reference has been made by third parties to the previous owners not requiring on site accommodation for their workers. It is understood that previously the site was part of a larger holding (including a number of different sites) and accommodation for seasonal workers was provided elsewhere, workers were then transported to the buildings on the current application site each day. The current agricultural operation involves only the current site and it has been satisfactorily demonstrated that there is a need for temporary agricultural workers to be accommodated on the site (on a seasonal basis).

Conclusion

- 8.18 Based on the above assessment and having regard to the fall-back position for the provision of temporary agricultural workers accommodation within caravans on the site under the Town and Country Planning (General Permitted Development) Order and the Caravans Act 1960, the justification for the caravans for seasonal workings and the limited impact upon the visual amenity and character of the area, it is considered the proposal complies with development plan policies 1, 37, 45, 48 and therefore the application is recommended for approval.

Human Rights

- 8.19 In reaching this conclusion the Human Rights of the applicants and nearby occupiers have been taken into account when reaching this recommendation and it is concluded that the recommendation to permit is justified and proportionate.

**RECOMMENDATION**

**PERMIT** subject to the following conditions and informatives:-

1) The occupation of the mobile homes by seasonal workers and storage of the mobile homes hereby permitted shall be for a limited period of 3 years from the date of this permission.

Reason: Permission would not normally be granted for such development in this location but in granting permission exceptionally the Local Planning Authority have had regard to the particular circumstances relating to the proposal.

2) The development hereby permitted shall not be carried out other than in accordance with the approved plans: L3, TQRQM18289144019663

Reason: To ensure the development complies with the planning permission.

3) The building and works hereby permitted shall be removed and the land restored to its former condition, or to a condition to be agreed in writing by the Local Planning Authority, on or before the expiration of the period ending 3 years from the date of the permission granted.

Reason: In order not to prejudice consideration of future proposals for the area.

4) Within three months of the date of the decision details regarding secure and covered cycle parking shall be submitted to the Local Planning Authority for approval. Once approved the cycle parking shall be retained for that purpose in perpetuity

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies.

5) The residential caravans hereby permitted to be stationed on the site shall only be occupied by a person employed in agriculture as defined in Section 336 of the Town and Country Planning Act 1990, employed by 'Your Fruit Ltd'.

Reason: The site lies in an area where in accordance with the policies of the Local Plan permission for development unrelated to the essential needs of agriculture and/or forestry would not normally be permitted.

6) None of the accommodation hereby permitted shall be occupied other than between 1st February and 31st October in any year. Outside of these dates the accommodation shall not be occupied or used for any habitable purpose.

Reason: To accord with the terms of the application and to ensure satisfactory planning of the area.

## INFORMATIVES

1) 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.

For further information on this application please contact Caitlin Boddy on 01243 534734

To view the application use the following link - <https://publicaccess.chichester.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=PPUN9ER0YB00>