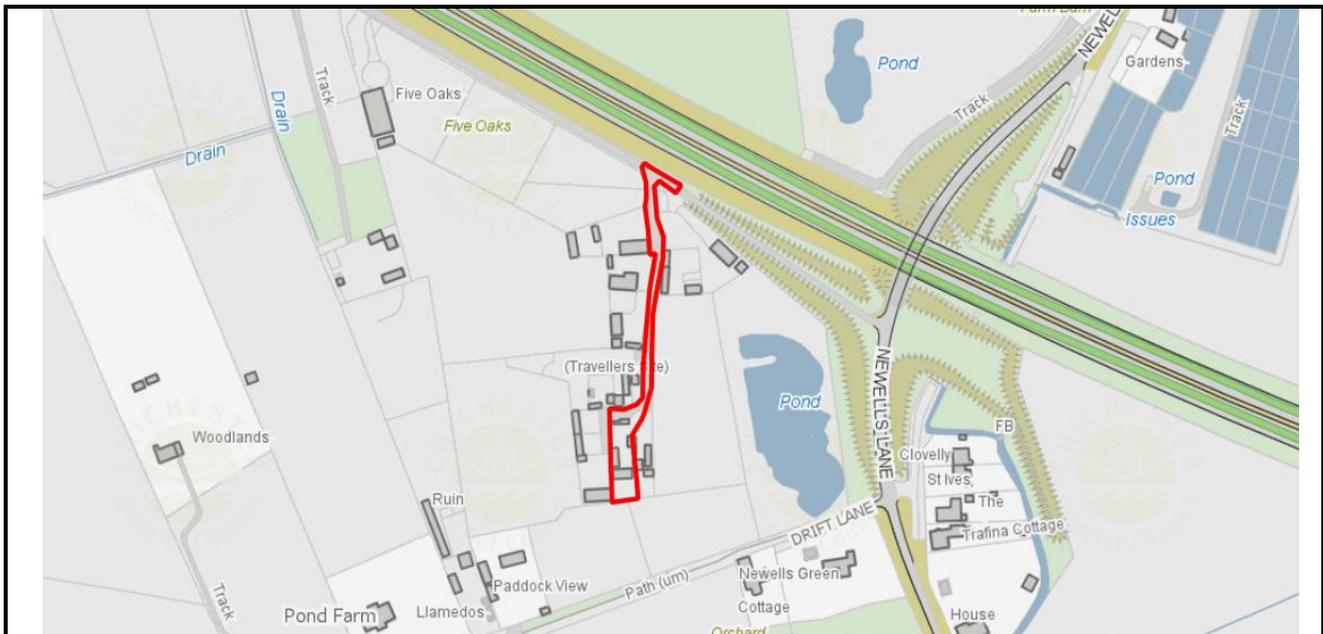


Parish: Chidham & Hambrook	Ward: Harbour Villages
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**CH/20/00638/FUL**

<b>Proposal</b>	Use of land as a Gypsy and Travellers caravan site consisting of 1 no. pitch containing, 1 no. mobile home and 1 no. touring caravan.		
<b>Site</b>	Plot C2 Pond Farm Newells Lane West Ashling Chichester West Sussex PO18 8DF		
<b>Map Ref</b>	(E) 479656 (N) 106384		
<b>Applicant</b>	Mr Hughes	<b>Agent</b>	Dr Angus Murdoch

**RECOMMENDATION TO PERMIT WITH S106**



	<b>NOT TO SCALE</b>	Note: Do not scale from map. For information only. Reproduced from the Ordnance Survey Mapping with the permission of the controller of Her Majesty's Stationery Office, Crown Copyright. License No. 100018803
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## **1.0 Reason for Committee Referral**

1.1 Parish Objection - Officer recommends Permit

## **2.0 The Site and Surroundings**

2.1 The application site is located on the western side of Newells Lane, and immediately south of the A27. The site, known as Plot C2 Pond Farm, is located to the south-east corner of Pond Farm, which is a cluster of lawful temporary and permanent gypsy and traveller sites.

2.2 Plot C2 comprises an existing gypsy and traveller pitch, previously approved on a temporary five year basis in 2014 (LPA ref 13/02949/FUL), accessed via a part tarmacked/ part gravelled track forming part of the Bridleway network (Bridleway 3594). The parcel of land which is the subject of this application comprises a mobile home, timber clad day room, timber stables and timber outbuildings used as Pidgeon lofts. The majority of the site is laid to gravel surface. The site contained by neighbouring pitches to the west and east.

## **3.0 The Proposal**

3.1 The application seeks planning permission for the use of land as a Gypsy and Travellers caravan site consisting of 1 no. pitch containing, 1 no. mobile home and 1 no. touring caravan.

## **4.0 History**

98/01388/FUL	REF	Retention of 2 no site cabins and their use for residential purposes.
98/01644/FUL	REF	Erection of block of sixteen stables and establishment of stud farm.
98/01645/FUL	REF	Retention of access tracks and hardstanding.
99/01845/FUL	REF	Erection of block of fourteen stables: Tack room: Staff: Food and Hay Store and private ways.
06/05017/FUL	REF	Siting of 1 no. mobile home for settled gypsy accommodation. Siting of 1 no. touring caravan and installation of septic tank.
08/02836/FUL	REF	Stationing on the land 2 no. caravans for settled gypsy accommodation. Retention of ancillary residential accommodation.
11/02367/FUL	REF	Siting of 1 no. mobile home for settled gypsy accommodation.

13/02970/FUL	PER	Proposed change of use of land to a twin pitch Gypsy site for a 5 year period to provide settled accommodation; alternative revised application to CH/12/01282/FUL following 5 year appeal permissions for adjacent plots.
20/00642/FUL	PDE	Use of land as a Gypsy and Travellers caravan site consisting of 2 no. pitch containing 1 no. mobile home and 1 no. touring caravan.

## 5.0 Constraints

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

## 6.0 Representations and Consultations

### 6.1 Parish Council

The Parish Council objects to this planning application on the basis that:

- There is insufficient detail to show where the mobile home and the touring caravan would be positioned and as both are large and moveable vehicles, they would have to move on and off site along a very long and single track without visible passing places.
- There is an over-development of the plots of Pond Farm, that the development is intrusive in a wildlife corridor and the additional traffic which will use a single track country lane.

### 6.2 Natural England

*Comments received 27th August 2020:*

Since this application will result in a net increase in residential accommodation, impacts to the coastal Special Protection Area(s) and Ramsar Site(s) may result from increased recreational disturbance.

Your authority has measures in place to manage these potential impacts through the agreed strategic solution which we consider to be ecologically sound. Subject to the appropriate financial contribution being secured, Natural England is satisfied that the proposal will mitigate against the potential recreational impacts of the development on the site(s).

### *Summary of comments provided 7th April 2020:*

Since this application will result in a net increase in residential accommodation, impacts to the coastal Special Protection Area(s) and Ramsar Site(s) may result from increased recreational disturbance.

Your authority has measures in place to manage these potential impacts through the agreed strategic solution which we consider to be ecologically sound. Subject to the appropriate financial contribution being secured, Natural England is satisfied that the proposal will mitigate against the potential recreational impacts of the development on the site(s).

### 6.3 WSCC Local Highway Authority

#### Summary

This proposal is for the use of land for as gypsy and traveller site, containing one mobile home and one touring caravan. The site is located on a private road off Newells Lane, an unclassified road subject to a speed restriction of 60 mph. The privately maintained lane, which forms part of the site access, is maintained as Public Right of Way (PROW) Bridleway 3594.

#### Content

The existing access will be utilised for this proposal and no alterations are proposed. There are no apparent visibility issues at the access on Newells Lane. An inspection of collision data provided to WSCC by Sussex Police from a period of the last five years reveals no recorded injury accidents within the vicinity of the site. Therefore, there is no evidence to suggest the existing access is operating unsafely or that the proposal would exacerbate an existing safety concern.

Part of the privately maintained lane between Newells Lane and the site is maintained as Bridleway 3594. It is conceivable that the PROW (Public Right of Way) will be affected by an increase in vehicular traffic either before or after the development is completed.

Developers/landowners should ensure that public use of the PROW takes precedence over private vehicular traffic. It is a criminal offence to damage the surface of a PROW and the consent of the County Council must be sought for the route to be resurfaced even if the surface is to be improved. The applicant would be liable for any damage to the surface arising from this exercise of private access rights.

The applicant should be aware that residents should not be expected to carry waste more than 30m to a refuse storage point, although this is an amenity issue. Furthermore, a fire appliance should be able to get within 45 m of a building from the highway in order to serve it.

Whilst technically a withdrawn document, the Good Practice Guide on Designing Gypsy and Traveller Sites (2008) recommended a provision of two car parking spaces per pitch. The applicant proposes two car parking spaces per pitch; as such, the LHA considers the proposed parking provision to be sufficient. There also appears to be sufficient space for on-site turning to be achievable, allowing vehicles to exit the site onto the publicly maintained highway in a forward gear.

The applicant has not demonstrated cycle parking. If the LPA believe that cycle parking is justifiable for this application, the applicant should demonstrate this in the form of secure and covered cycle storage.

#### Conclusion

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 (paragraph 109), and that there are no transport grounds to resist the proposal.

If the LPA are minded to approve the application, the following condition should be applied:

#### Car parking space (details approved)

No part of the development shall be first occupied 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 space for the use

### 6.4 CDC Environmental Strategy

#### Bats

The hedgerows on site are used by bats for commuting and foraging and will need to be retained and enhanced for bats. This will include having a buffer strip around the hedgerows and during any construction fencing should be used to ensure this area is undisturbed. Any gaps should also be filled in using native hedge species to improve connectivity. Conditions should be used to ensure this.

The lighting scheme for the site will need to take into consideration the presence of bats in the local area and the scheme should 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.

We require that a bat box to be installed a tree onsite facing south/south westerly positioned 3-5m above ground.

#### Nesting Birds

Any works to the trees or vegetation clearance on the site should only be undertaken outside of the bird breeding season which takes place between 1st March 1st October. If works are required within this time an ecologist will need to check the site before any works take place (within 24 hours of any work).

We would like a bird box to be installed a tree within the site.

#### Recreational Disturbance

For this application we are satisfied that the only HRA issue is recreational disturbance and as long as the applicant is willing to provide a contribution to the Bird Aware scheme, the standard HRA Screening Matrix and Appropriate Assessment Statement template can be used.

#### 6.5 CDC Drainage

Flood Risk: The site is wholly within flood zone 1 (low risk), and the proposal is to drain the development via soakaways which is acceptable in principle. We therefore have no objection to the proposal on flood risk grounds.

#### 6.6 Third party objection comments

None received

#### 7.0 Planning Policy

##### The Development Plan

7.1 The Development Plan for the area comprises the Chichester Local Plan: Key Policies 2014-2029, the CDC Site Allocation Development Plan Document and all made neighbourhood plans. The Chidham and Hambrook Neighbourhood Plan was made in June 2016 and forms part of the Development Plan against which applications must be considered.

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 6: Neighbourhood Development Plans

Policy 36: Planning for Gypsies, Travellers and Travelling Showpeople

Policy 39: Transport, Accessibility and Parking

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

## Chidham and Hambrook Neighbourhood Plan

Policy LP1: Land Use

Policy EM2: Chichester Harbour Zone of Influence

Policy EM3: Visual Amenity

Policy DS1: New Development

Policy DS2: Parking Provision

Policy DS3: Landscaping

Policy R2: Public Rights of Way

## Chichester Local Plan Review Preferred Approach 2016 - 2035

- 7.3 Work on the review of the adopted Local Plan to consider the development needs of the Chichester Plan Area through to 2036 is now well underway. Consultation on a Preferred Approach Local Plan has taken place and following detailed consideration of all responses to the consultation, it is intended that the Council will publish a Submission Local Plan under Regulation 19 in March 2021. Following consultation, the Submission Local Plan will be submitted to the Secretary of State for independent examination. In accordance with the Local Development Scheme, it is anticipated that the new Plan will be adopted by the Council in 2022. However, at this stage, it is considered that very limited weight can be attached to the policies contained within the Local Plan Review.

## National Policy and Guidance

- 7.4 Government planning policy now comprises the revised National Planning Policy Framework (NPPF 2019), which took effect from 19 February 2019. Paragraph 11 of the revised Framework states that plans and decisions should apply a presumption in favour of sustainable development, and for decision-taking this means:
- c) approving development proposals that accord with an up-to-date development plan without delay; or*
- d) 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 of 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.*
- 7.5 Consideration should also be given to the following paragraph and sections: Sections 2 (achieving sustainable development), 4 (decision making) and 12 (achieving well-designed places). The Planning Policy for Travellers Sites (2015) is also relevant to the consideration of the application.

## Other Local Policy and Guidance

7.6 The following documents are material to the determination of this planning application:

- Surface Water and Foul Drainage SPD
- CDC Waste Storage and Collection Guidance

7.7 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:

- Support communities to meet their own housing needs
- Influence local policies in order to conserve and enhance the qualities and distinctiveness of our area

## **8.0 Planning Comments**

8.1 The main issues arising from this proposal are:

- i. Principle of development and current gypsy and traveller site provision
- ii. Impact upon the character and appearance of the locality
- iii. Highways Matters
- iv. Ecological Considerations
- v. Impact upon Chichester Harbour Special Protection Area (SPA)
- vi. Planning Balance

i. Principle of development and current gypsy and traveller site provision

8.2 The Housing Act 2004 places a duty on local authorities to produce assessments of accommodation need for Gypsies, Travellers and Travelling Showpeople (GTTS), to and outline how their needs will be met. The Council published a Gypsy Traveller and Travelling Showpeople Accommodation Assessment (GTAA) in 2013, and this document formed the evidence base for the adopted local plan.

8.3 Policy H of the Planning Policy for Traveller Sites (PPTS) 2015 relates to determining planning applications for traveller sites and requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. It also advises that applications should be assessed and determined in accordance with the presumption in favour of sustainable development and the application of specific policies in the NPPF and planning policy H for traveller sites. Policy 36 of the Local Plan is the most relevant Development Plan Policy for assessing applications for Gypsy and Travellers pitches. The policy sets out the need for pitches and plots for the period up to 2027. It is a criterion based policy which sets out criterion to identify sites and to determine planning applications within the Plan area.

8.4 Since September 2012, which is the base date of the provision figure in the adopted Local Plan, 61 Gypsy and traveller pitches have been granted planning permission and occupied. Against the 2013 GTAA, the Council considers that it is able to demonstrate an identified 5 year supply of pitches as identified within the adopted Local Plan. The assessment of new sites and the need of occupiers would be considered on a case by case basis with the already met need taken into consideration

- 8.5 Notwithstanding this, recent appeal decisions, notably appeals 3209147 and 3209145, Land South of Keynor Lane, concluded that the Council does not have a 5 year supply of sites within the District. This is in the context of the publication of the Gypsy, Traveller and Travelling Showpeople Assessment (GTAA) 2019 (revised) which has identified the requirement for a further 66 pitches in five years from 2018. The Inspectors' decisions in relation to Keynor Lane also noted that a number of other Inspectors in recent years had concluded that CDC has an unmet need.
- 8.6 Whilst the GTAA 2019 (revised) forms part of the evidence base for the emerging local plan and has not yet been through examination, due to the requirement of the Council to update their figures on supply annually (PPTS policy B), reliance on the 2013 GTAA is no longer appropriate, due to it being outdated. The supply evidence within the GTAA 2019 is therefore a significant material consideration which must carry weight in this decision.
- 8.7 An Inspector previously granted temporary permission for the site to allow time for the Council to complete a review of available sites and allocate land to meet the identified need. The council is in the process of a full assessment of the best locations for pitches in the District to be assessed through the Local Plan process. The urgent need for permanent pitches and accommodation must be given significant weight and officers consider the ongoing use of the site is entirely appropriate and it would be unreasonable to refuse a permanent permission on the site given the Council is unable to demonstrate that there is a more suitable site for the provision of a pitch following the expiry of the temporary planning permission.
- 8.8 It is considered for the above reasons, the proposal can be considered to be acceptable, in principle, subject to the below considerations.
- ii. Impact upon the character and appearance of the locality
- 8.9 Paragraph 25 of the PPTS advises that local planning authorities should very strictly limit new traveller site development in open countryside that is away from existing settlements or outside areas allocated in the development plan. Policy 45 of the CLP seeks to ensure that proposals respect and enhance the landscape character of the surrounding area.
- 8.10 The application site is an area characterised by meadow land, with a pond to the east of the application site. A Public Bridleway runs immediately north of the site (3954), whilst Bridleway 260 runs approx. 50 metres adjacent to the south of the site. When viewing the site from Bridleway 3954 to the north of the site, the predominant views of Pond Farm are those of authorised permanent pitches. Bridleway 260 to the south of the site is lined with mature vegetation and trees to the north behind which is sited pasture land, with additional pasture land situated to the south. Along the southern side of the bridleway, in close proximity to Newells Lane, are the residential properties Newells Green and Orchard Cottage. The character of the right of way is one of enclosure by such mature vegetation in this location, giving the user a feeling of being immersed in the countryside. Whilst some views of the application site are possible from Bridleway 260, these could not be considered to be unduly intrusive as a result of the distance and the presence of a paddock to the south of the application site, whilst mature planting along the bridleway also assists in providing a sense of detachment from the development when viewed from the south. Limited views of the site are possible from Newells Lane due to a combination of mature vegetation and set back from the public highway.

8.11 The area as a whole maintains an attractive rural character and remains predominantly undeveloped. Due to the limited views available of the site it is considered that on balance the mobile home together with the associated development would result in an urbanising form of development out of character with the rural area, albeit to only a small degree. The proposed development would therefore not result in a degree of harm to the character of the surrounding rural area that would be harmful.

8.12 The impact on the landscape character of the area must be weighed up against the lack of a 5 year supply of sites and it is considered that the impact identified would not warrant refusal.

iii. Highways Matters

8.13 Paragraph 109 of the NPPF states that 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. Additionally, Policy 39 of the Chichester Local Plan asserts that development should not create problems of safety.

8.14 The application proposes to utilise the existing means of highways access from the gypsy and traveller site which is along Bridleway 3954 in an easterly direction. WSCC Highways have been consulted on the application commenting that the junction onto Newells Lane is operating in a safe manner, whilst sufficient parking can be provided on site.

8.15 Paragraph 98 of the NPPF 2019 requires the Local Planning Authority consider the impact of a proposal upon the public right of way networks. The proposal is for an additional pitch comprising 1 no. mobile home and 1 no. touring caravan and it is notable that the use of the land for the stationing of a caravan has taken place on Plot C2 since 2014. Officers therefore consider that the proposal would not give rise to an increase in vehicular movements when compared to the existing circumstances to the extent that the proposal would have a detrimental impact upon Bridleway 3954.

8.16 WSCC Highways have commented that residents should not have to travel should not be expected to carry waste more than 30m to a refuse storage point. This is an amenity consideration and there is no evidence has been presented to officers that the current arrangement is unsatisfactory. WSCC Highways have also commented that a fire appliance should be able to get within 45 m of a building from the highway in order to serve it. This can be managed via a condition requiring a fire hydrant or stored water supply to be installed to serve the development, should a distance of 45 metres be unachievable, to ensure that appropriate provision is made for West Sussex Fire and Rescue Service in the event of a fire on the site.

8.17 Overall, the scheme is not considered likely to result in highways safety issues and the proposal is acceptable in accordance with the NPPF 2019 and Policy 39 of the Chichester Local Plan.

iv. Ecological Considerations

8.18 Policy 49 of the Chichester Local Plan requires the biodiversity of the site to be safeguarded.

8.19 The granting of a temporary permission in 2014 has ensured that the operational development on the site with regard to outbuildings and hardstanding has already taken place. A precautionary approach with regard to nesting birds and bats is therefore considered proportionate and appropriate in this instance. The CDC Environmental Strategy Officer has recommended a number of enhancements that can be secured via the recommended condition in order to provide net gains for biodiversity for which provision is made under paragraph 175 of the NPPF 2019.

8.20 Following discussions, Natural England do not consider the development will have waste water implications with regard to treated effluent discharges into the catchment of the Solent Maritime SAC and the Chichester and Langstone Harbours SPA and RAMSAR site. Therefore the proposal is acceptable in this respect.

8.21 Subject to compliance with conditions, officers are satisfied that the proposal would not have a detrimental impact upon the biodiversity value of the site.

v. Recreational Disturbance

8.22 Policy 50 of the Chichester Local Plan acknowledges the collective impact which all new dwellings (including caravans) within 5.6km of the Harbour have on the ecology of areas designated within the Solent area under European Species and Habitat Directives and the derived UK Regulations. It adopts the approach, recommended by Natural England, that a contribution is made on a per bedroom basis towards a mitigation project 'Solent Disturbance Mitigation Project'.

8.23 In April 2018 the scale of charging altered to following a sliding scale contribution based on the number of bedrooms, which is used to fund a package of wardens, education, green infrastructure improvements and monitoring. The contribution amount as of April 2020 averages £595.00 per net additional dwelling. The scale charges differ according to the number of people expected to live in the property which is calculated per bedroom. As mobile homes vary in the number of bedrooms, the charge is taken to be the average amount per mobile home, which for this application equates to £595.00.

8.24 The LPA have undertaken an appropriate assessment and concluded that as the completed Unilateral Undertaking and payment have been received; the proposal would not have a significant impact upon the Chichester and Langstone Harbour SPA and the requirements of policy 50 would be met.

vi. Planning Balance

- 8.25 The Council cannot demonstrate a 5 year land supply to meet an up-to-date locally set target and this is a material consideration of significant weight. There is also a significant level of unmet need in the District and again that it is a significant material consideration in favour of the proposal.
- 8.26 The application relates to an existing site authorised on a temporary basis that does not result in ecological or highways concerns.
- 8.27 The site is not located within any statutory protected landscape, although it is recognised that there would be an impact on the rural character of the area. The identified harm to the character of the area however would not be significant and would not outweigh the level of unmet need within the district and the lack of a 5 year supply. Additionally, a landscaping condition is recommended requiring planting to the rear of the site which would further screen views of the site from bridleway 260 which would minimise the level of harm identified.
- 8.28 For the reasons above, it is concluded that there is a sound justification for the proposal to be supported.

Conclusion

- 8.29 For the reasons set out above it is considered that the significant deficit in supply of gypsy and traveller pitches identified in the GTAA 2019 (revised) would outweigh the low level of harm to the character of the area, and therefore on balance the proposed development would be acceptable subject to conditions.

Human Rights

- 8.30 In reaching this conclusion the Human Rights of the applicants and nearby occupiers have been taken into account and it is concluded that the recommendation to permit is justified and proportionate.
- 8.31 In reaching the above conclusion Officers have taken into account rights under Article 8 and Article 1 of the First Protocol of Human Rights and concluded there would be no breach if planning permission were to be granted.

**RECOMMENDATION PERMIT WITH S106** subject to the following conditions and informatives:-

1) The development hereby permitted shall be carried out in accordance with the plans listed below under the heading "Decided Plans"

Reason: For the avoidance of doubt and in the interests of proper planning.

2) The site shall not be occupied by any persons other than gypsies and travellers as defined in Annex 1: Glossary of Planning Policy for Traveller Sites dated August 2015 (or its equivalent in replacement national policy).

Reason: To accord with the terms of the application and in the interests of proper planning.

3) No more than 2 caravans shall be stationed on the site at any one time, and no more than 1 of those 2 permitted caravans shall be a static caravan. All caravans stationed on the site shall comply with the definition of caravans as set out in Section 29 of the Caravan Sites and Control of Development Act 1960 and Section 13 of the Caravan Sites Act, as amended.

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

4) Within six months of the permission hereby granted, the car parking and caravan touring spaces has been constructed and laid out in accordance with the approved site plan and the details specified within the application form. These spaces shall thereafter be retained at all times for their designated purpose unless otherwise agreed in writing by the LPA.

Reason: In the interests of ensuring sufficient car parking on-site to meet the needs of the development.

5) Within 3 months of the date of the permission hereby granted, details showing the precise location of 1 no. fire hydrant, installation and ongoing maintenance of the fire hydrants to be supplied (in accordance with the West Sussex Fire and Rescue Guidance Notes) shall be submitted in writing to the Local Planning Authority Within 3 months of the approval of these details, in consultation with West Sussex County Council's Fire and Rescue Services, the fire hydrant shall be installed in strict accordance with the details agreed and shall thereafter be maintained in accordance with the approved details.

Reason: In the interests of amenity and in accordance with The F&RS Act 2004.

6) Within 6 months of the date of this permission a scheme for ecological enhancements has been submitted to and approved in writing by the Local Planning Authority. The ecological enhancements shall include as a minimum the following measures:

- a) any trees removed should be replaced at a ratio of 2:1
- b) filling any gaps in tree lines or hedgerows with native species
- c) bat and bird boxes installed on the site, and
- d) provision of gaps at the bottom of the fences to allow movement of small mammals across the site.

Thereafter the approved scheme shall be fully implemented in accordance with the approved details within 12 months of the date of this permission.

Reason: To ensure suitable biodiversity enhancements are achieved in the interest of conservation of the natural environment.

7) Within 6 months of the approval hereby issued, a minimum of 1 car charging point has been provided and operational in accordance with details that shall first have been submitted to and approved in writing by the Local Planning Authority. Thereafter the car charging points shall be maintained and remain operational in perpetuity, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of encouraging the use of sustainable modes of transport.

8) Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The bund capacity shall give 110% of the total volume for single and hydraulically linked tanks. If there is multiple tankage, the bund capacity shall be 110% of the largest tank or 25% of the total capacity of all tanks, whichever is the greatest. All filling points, vents, gauges and sight glasses and overflow pipes shall be located within the bund. There shall be no outlet connecting the bund to any drain, sewer or watercourse or discharging into the ground. Associated pipework shall be located above ground where possible and protected from accidental damage.

Reason: To enable the Local Planning Authority to retain control over the development which may be injurious to the amenities of the area and of neighbouring properties and to prevent pollution.

9) No vehicle over 3.5 tonnes shall be stationed, parked or stored on this site.

Reason: To enable the Local Planning Authority to maintain control in the interests of amenity.

10) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting or amending that Order) no walls, fences, gates, or other means of enclosure (including bunding) shall be erected, or placed within/to the boundary of the plot anywhere on the application site unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity.

11) Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015, as amended, there shall be no external illumination on the development hereby permitted other than in accordance with a lighting scheme that shall first have been submitted to and approved in writing by the Local Planning Authority. The lighting scheme shall include details of the proposed location, design, level of luminance and any measures to avoid light spillage. The lighting scheme shall thereafter be maintained in accordance with the approved details in perpetuity.

Reason: In the interests of protecting the environment and local residents from light pollution and in the interests of preserving the nature conservation interests of the area.

12) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended (or any Order revoking and re-enacting or amending that Order) no commercial activities whatsoever shall take place on the land including the storage of materials unless otherwise agreed in writing by the LPA

Reason: In the interests of protecting the rural character of the surrounding area.

## Decided Plans

The application has been assessed and the decision is made on the basis of the following plans and documents submitted:

Details	Reference	Version	Date Received	Status
PLAN - Location Plan	1		04.03.2020	Approved
PLAN - Site Plan	2		04.03.2020	Approved

## 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.

2) The developer's attention is drawn to the provisions of the Wildlife and Countryside Act 1981, the Conservation (Natural Habitats etc) Regulations 1994, and to other wildlife legislation (for example Protection of Badgers Act 1992, Wild Mammals Protection Act 1996). These make it an offence to kill or injure any wild bird intentionally, damage or destroy the nest of any wild bird intentionally (when the nest is being built or is in use), disturb, damage or destroy and place which certain wild animals use for shelter (including badgers and all bats and certain moths, otters, water voles and dormice), kill or injure certain reptiles and amphibians (including adders, grass snakes, common lizards, slow-worms, Great Crested newts, Natterjack toads, smooth snakes and sand lizards), and kill, injure or disturb a bat or damage their shelter or breeding site. Leaflets on these and other protected species are available free of charge from Natural England.

The onus is therefore on you to ascertain whether any such species are present on site, before works commence. If such species are found or you suspected, you must contact Natural England (at: Natural England, Sussex and Surrey Team, Phoenix House, 32-33 North Street, Lewes, East Sussex, BN7 2PH, 01273 476595, [sussex.surrey@english-nature.org.uk](mailto:sussex.surrey@english-nature.org.uk)) for advice. For nesting birds, you should delay works until after the nesting season (1 March to 31 August).

For further information on this application please contact William Price on 01243 534734

To view the application use the following link - <https://publicaccess.chichester.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=Q6Q4NHER0SR00>