

Parish: Westhampnett	Ward: Goodwood
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**WH/21/00489/FUL**

<b>Proposal</b>	Change of use of land for use as a certified 'Caravan and Motorhome Club' site for siting up to 5 no. caravans, motorhomes or trailer tents.		
<b>Site</b>	Lanburn Connemaras Swallow Beck Madgwick Lane Westhampnett Chichester West Sussex PO18 0GY		
<b>Map Ref</b>	(E) 488052 (N) 106449		
<b>Applicant</b>	Mrs Pam Clingan	<b>Agent</b>	Mr Eric Brandwood

**RECOMMENDATION TO DEFER FOR SECTION 106 THEN PERMIT**

	<p><b>NOT TO SCALE</b></p>	<p>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</p>
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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 within the Rural Area as defined by policy 2 of the Chichester Local Plan (CLP). There is an existing access point to the north onto Madgwick Lane.
- 2.2 The application site forms part of an existing equestrian site, with horse paddocks within the same ownership to the south and east. To the south east are existing stables and an area which has consent for a mobile home for workers accommodation under permission reference 19/01546/FUL. Although outside of a defined settlement boundary, the site is immediately adjacent to the Madgwick Park residential development to the west. Goodwood Aerodrome and Goodwood Motor Circuit are approximately 300m to the north, Rolls Royce is approximately 500m to the east and settlement of Westhampnett approximately 175m to the south-east.

## **3.0 The Proposal**

- 3.1 The application seeks planning permission for the use of the site for a Caravan and Motorhome Club Certified Location (CL Site).
- 3.2 The application details that the CL Site would consist of five grassed areas approximately 10m x 10m and with a 3m gap in between them. A separate service point would be created to include a drinking water tap, chemical emptying point to a cesspit and a storage area for bins.
- 3.3 The supporting information states that the proposal would provide supplementary finance to the Lanburn Connemara Stud and to enable further development of the business.

## **4.0 History**

17/02260/FUL	DISMIS	Temporary residency for 5 yrs provision of mobile home.
17/02810/FUL	PER	Erect storage barn and menage.
19/01546/FUL	PER	Temporary residency for 5 years provision of static mobile home.
20/02716/FUL	WDN	Erect 1 no self-build dwelling.
21/03623/FUL	WDN	Erection of 1 no. self-build dwelling.

## 5.0 Constraints

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

## 6.0 Representations and Consultations

### 6.1 Parish Council

*Further Comments (received 05/08/2021)*

The Parish Council would like to thank you for the opportunity to review the detailed information in regard to each of their concerns, and is content that all but 2 related issues have been resolved.

These 2 outstanding items are, with the original objection wording shown below:

Footpaths.

There are no defined footpaths between the site entrance on Madgwick Lane:-

- Eastwards to the Rolls Royce roundabout (junction Madgwick/Claypit Lanes).
- Westwards, for approx. 500 yards, to pedestrian access into Madgwick Park estate, almost opposite Old Place Lane.

Although grass verges are wide along parts of Madgwick Lane, they are uneven and not recommendable for pedestrian use. In addition, the traffic is both heavy and speeds are fast. There is a real danger for pedestrians using the verges, whose use may include children, pushchairs and dogs.

Public Transport.

There is NO public transport close to the site. Access to such would involve walking along Madgwick Lane (see above comments on footpaths) to either Claypit Lane, thence Stane Street (East) or Stane Street (West).

Whilst the Parish Council understands what Policy 31 is covering, it is still concerned that should pedestrians need to access the 2 times per hour bus services (sited in Stane Street to the east of the bottom of Claypit Lane or near Chichester Park Hotel to the west) or walk to Chichester City then they would have to go along the edge of Madgwick Lane, where there is no footpath. This could be avoided if the applicant permitted pedestrian access across the lower (eastern) paddock bordering Claypit Lane, with an exit onto Claypit Lane for sole use of the campers. This would be particularly useful for those arriving in a motorhome who are unlikely to have a car as well, and others not wishing to take a car into the City.

The Parish Council hopes this would be possible, and if it could be agreed would withdraw its objection fully.

*Original Comments (received 07/04/2021)*

Westhampnett Parish Council OBJECTS:

Drainage proposals:-

- Surface water: by Soakaway.

Site is at the top of a hill, so presumably this would work, although there is a flooding issue in the lower part of the site. However the number of units is small and use is restricted to summer months, so should be OK.

- Foul drainage: CCEP is a Chemical Closet Emptying Point.

No reference can be found as to the location on the site.

The Parish Council has no experience of this arrangement but presumably the effluent will need tankering away?

There are no details of the enclosure; capacity & projected tanker movements (weekly? Monthly? Etc). These details and the Tanker route & turning circle should be included on proposed plan.

The following 5 items are matters taken into consideration by CDC when considering camping and caravan applications:-

1. Demonstrable need & requires a rural location.
2. Appropriate scale in relation to setting & not diminish local amenity.
3. Sensitively sited & designed to maintain tranquillity and character.
4. Sited to be visually unobtrusive and can be assimilated so as to conserve and enhance the surrounding landscape.
5. The road network and Site's access can safely accommodate any additional traffic generated.

The Parish Council considers that the criteria has been met in respect of the first four items but not in respect of access - item 5, therefore Westhampnett Parish Council OBJECTS as follows:

Vehicle Access.

The proposals state that vehicle access will be restricted to be from the West only.

The Parish Council have a number of reservations:

- How will this be controlled?
- What are the visibility requirements for the junction at 60mph(current) & 40mph(proposed). Sight lines should be indicated on plan to indicate this is achievable.
- Turning circles for entrance/egress to/from the site for towing vehicles (car + caravan) from Madgwick Lane, should be indicated on the plan together with that for Foul Waste tanker, in order to demonstrate this is achievable safely.

Footpaths.

There are no defined footpaths between the site entrance on Madgwick Lane:-

- Eastwards to the Rolls Royce roundabout (junction Madgwick/Claypit Lanes).
- Westwards, for approx. 500 yards, to pedestrian access into Madgwick Park estate, almost opposite Old Place Lane.

Although grass verges are wide along parts of Madgwick Lane, they are uneven and not recommendable for pedestrian use. In addition, the traffic is both heavy and speeds are fast. There is a real danger for pedestrians using the verges, whose use may include children, pushchairs and dogs.

Public Transport.

There is NO public transport close to the site. Access to such would involve walking along Madgwick Lane (see above comments on footpaths) to either Claypit Lane, thence Stane Street (East) or Stane Street (West).

Lighting. If the application is permitted, all on-site lighting should be sensitive, downward facing and sensor timed.

SUMMARY. Westhampnett Parish Council OBJECT to this application for the following reasons:

1. Inadequate vehicle access.
2. Lack of Public footpaths.
3. Lack of Public transport.

However, if CDC are minded to approve the application, it is suggested that:-

- Temporary Permission of say 6 months is granted, to assess the actual effect.
- On and Off-site signage is subject to further approval.

## 6.2 Natural England

*Third set of further comments (received 27/04/2022) (summarised)*

No objection – Subject to appropriate mitigation being secured.

In order to mitigate these adverse effects and make the development acceptable, the following mitigation measures are required / or the following mitigation options should be secured:

Mitigation measures need to be secured as set out in the Appropriate Assessment (06 April 2022) and applicant's Drainage Statement (revised 06 April 2022). We advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures.

*Second set of further comments (received 08/03/2022) (summarised)*

As submitted, the application could have detrimental impacts on Chichester Harbour Site of Special Scientific Interest (SSSI) and potential significant effects on Chichester and Langstone Harbours Special Protection Area (SPA) and Ramsar site, as well as Solent Maritime Special Area of Conservation (SAC). Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation. The following information is required:

Due to the bespoke nature of the calculations provided, the applicant should provide supporting evidence, and your competent authority should demonstrate certainty, to show that the approach taken is considered to be appropriate.

This bespoke approach, including in relation to additional population, water usage and months of occupancy, should be considered in your Habitats Regulations Assessment.

Additional population. There does not appear to be anything to sufficiently evidence the use of the figure 2 for average persons per unit, as opposed to Natural England's standard recommendation of 2.4. Whilst we acknowledge that the units are caravans and are therefore likely to be smaller than the average home, your authority should still demonstrate certainty that this is an accurate and reliable figure.

Water usage. There does not appear to be anything to sufficiently evidence the proposed 'Wastewater volume generated by development' as 23 litres/person/day, as opposed to Natural England's standard recommendation of 110 litres/person/day. Again, your authority should demonstrate certainty that this is an accurate and reliable figure.

Months of occupancy. The calculations provided in the applicant's Drainage Statement rely on the premise that the caravans will only be occupied for 7 months of any given year. Natural England would expect to see confirmation that this is accurate and can be appropriately secured in any planning permission given.

Further information is required to determine the impacts on designated sites.

*First set of further comments (received 30/11/2021) (summarised)*

As submitted, the application could have detrimental impacts on Chichester Harbour Site of Special Scientific Interest (SSSI) and potential significant effects on Chichester and Langstone Harbours Special Protection Area (SPA) and Ramsar site, as well as Solent Maritime Special Area of Conservation (SAC). Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation. The following information is required: How any adverse impacts upon the designated sites – associated with the discharge of treated effluent – will be avoided and/or mitigated.

Further information is required to determine the impacts on designated sites.

*Original Comments (received 26/03/2021) (summarised)*

Proposals that comprise new development with overnight accommodation will have waste water implications. It is Natural England's view that these implications, and all other matters capable of having a significant effect on designated sites in the Solent, must be addressed in the ways required by Regulation 63 of the Conservation of Habitats and Species Regulations 2017.

Further information is required to determine the impacts on designated sites.

### 6.3 Southern Water

*Additional Comments (received 31/08/2021)*

The comments in our response dated 08/07/2021 remain unchanged and valid.

*Original Comments (received 08/07/2021)*

The Environment Agency should be consulted by the applicant regarding foul drainage.

The Council's Building Control officers or technical staff should be asked to comment on the adequacy of soakaways to dispose of surface water from the proposed development.

It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

### 6.4 Environment Agency

No comment received

### 6.5 WSSC Highways

*Third set of further comments (received 16/09/2021)*

The LHA provides this response as the applicant has now carried out works to formalise the access, under licence from the WSSC Area Office.

As the application has yet to be determined, the access works can now be considered to be 'existing' and this has been confirmed with the CDC case officer. As such, it is no longer considered necessary for the access works to be conditioned. The LHA would still request that the previously advised Visibility Splay condition be applied to ensure that these are maintained in perpetuity.

*Second set of further comments (received 26/05/2021)*

This application is for change of use of land from equestrian to Caravan and Motorhome Club site for upto 5 caravans, motorhomes or trailer tents. The site is located on Madgwick Lane, a C-classified road which has recently been reduced from National Speed Limit to a 40mph speed limit via a Traffic Regulation Order (TRO).

## Access

The applicant proposes to utilise the existing access to the site. The current access is 8.7m wide at the back of the carriageway, reducing to 5.9m at approximately 2.4m from back edge of carriageway. As such it is anticipated that the access width is sufficient. As the application would result in an intensification of use of the access (see trip generation section below), it appears that the access would require formalisation and the applicant has agreed to carry out these works. The access must be formalised to a specification agreed with the WSCC Area Engineer and is subject to a licence. Details of access formalisation can be secured via condition.

The applicant has confirmed that the booking conditions of the Caravan and Motorhome Club (CAMC) ensure that:

1. Caravans leave the site by midday
2. Caravans arrive from 2pm onwards.
3. Absolutely no external visitors to the patrons on pitches is allowed

Given these conditions, there is no possible conflict of towed vehicles or motorhomes passing within the access, or queuing on the public highway.

As the existing number of traffic movements associated with the equestrian use are low, it is not considered that there will be conflict between caravans entering/exiting the site and equestrian vehicles utilising the access. As the whole site is within the same management, all equestrian movements can be managed to ensure that no conflict at the access occurs. The long track between the equestrian site and the caravan site provides vehicles associated with the equestrian use good visibility of vehicles entering/exiting the site, enabling equestrian vehicles to be able to wait on site and avoid potential conflict.

## Visibility and land ownership

Ongoing discussions have occurred between the LHA and the applicant / agent regarding land ownership, and highways boundary extent, of the verges adjacent to the site and to the west. It has been established and accepted that the applicant has ownership of the verge to the front of the site and to the east and that adequate visibility splays of 2.4 x 120m in this direction can be secured, in accordance with DMRB CD 109 standards for a 40mph road.

Ownership of the land to the west of the site is required in order to secure adequate visibility splays. Ownership of this land was previously unknown and as such the applicant has submitted an application to Land Registry to acquire the land via adverse possession. While this is a separate legal process that will be determined independently of the planning process the LHA consider that on the balance of probability there is a reasonable chance that the applicant will ultimately control the parcel of land required to secure suitable visibility in perpetuity to the west of the access point.

A splay of 120m in this direction is achievable to the centre of the carriageway and due to the road geometry in this location, it is unlikely that vehicles will be overtaking on the bend in the road; however, as there are no physical barriers preventing overtaking in this location, splays to the centreline would not be acceptable. As such, following discussion with the applicant's agent and demonstration that a splay of 110m to the edge of the carriageway in this location is achievable, it is considered that 2.4m x 110m is acceptable.

Given that adequate visibility splays are achievable in both directions, there is no requirement for vehicles to be restricted from entering or exiting the site from either direction.

#### Trip generation

The applicant has confirmed the existing number of trips utilising the access associated with the equestrian business. These have been identified as:  
Hay is delivered 4 times during the winter and 2 times during the summer seasons. Total of 6 trips entry and six trips exit over twelve month period.  
Horse transportation is by means of a 3.5 tonne horsebox used twice during 2020. Trips for shows are anticipated at 2 for 2021. There is no access by the public to this business.

The anticipated movements associated with the CAMC site are calculated to be a maximum of 7 two-way movements per day (14 one-way movements). This is calculated as a worst case scenario of maximum occupancy at the height of the season (July/August) on the basis of an average stay of 5 days per pitch (minimum stay - 3 days). This would likely see two caravans arriving and two caravans departing per day, with an anticipated 1 x two-way vehicle movement per pitch per day. On the basis of 5 pitches, this would result in 5 two-way movements per pitch.

Given the information above, the LHA would not anticipate that the proposal would result in a severe intensification of use of the access and no highways safety or capacity concerns would be raised with regard to the number of trips.

#### Parking and turning

The site will provide five pitches for touring caravans or trailer tents. Each pitch will be 10m x 10m with a 3m gap between which is considered to provide sufficient space for parking caravans and cars. There appears to be sufficient space for towing vehicles to turn on site, enabling them to exit the site in a forward gear. The LHA acknowledges that each pitch will be sited on grass, and as the land will be used for grazing out of season, no formal parking or pitches will be provided. The LHA also acknowledges that pitches may be relocated to minimise wear and tear. As such, the LHA would not consider it practical to condition parking or turning spaces for this application. There are other mechanisms in place to ensure that the land cannot be occupied by more than 5 pitches at a time and therefore there should always be sufficient space for vehicles to park and turn.

#### Sustainability

The site is located within close proximity of Chichester and tourist attractions including Goodwood, albeit there is no footway present along this section of Madgwick Lane, and as such the majority of trips are likely to be by private car. The LPA may wish to consider conditioning secure and covered cycle storage for the proposal, if considered necessary.

## 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 conditions and informative should be applied:

### Conditions

Access (details required, access provided prior to first occupation)

No part of the development shall be first occupied until such time as the vehicular access has been constructed in accordance with plans and details to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of road safety

Visibility (details approved)

No part of the development shall be first occupied until visibility splays of 2.4m by 120m to the east and 2.4m by 110m to Madgwick Lane in accordance with the approved planning drawings. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed.

Reason: In the interests of road safety.

Informative Vehicle Crossover – Minor Highway Works The applicant is advised that in addition to obtaining planning permission that they must also obtain formal approval from the highway authority to carry out the site access works on the public highway. The granting of planning permission does not guarantee that a vehicle crossover licence shall be granted. Additional information about the licence application process can be found at the following web page: <https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-f or-driveways-licence/> Online applications can be made at the link below, alternatively please call 01243 642105.  
<https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-f or-driveways-licence/vehicle-crossover-dropped-kerb-construction-application-form/>

*First set of further comments (received 22/04/2021) (summarised)*

The LHA still considers that there are matters to be resolved with regard to the western visibility splay and access arrangements.

*Original Comments (received 01/04/2021) (summarised)*

The LHA requires additional information in order to adequately assess the proposal.

## 6.6 WSCC Fire and Rescue Service

*Further Comments (received 04/06/2021)*

Having carried out a site visit to Swallow Beck on Madgwick Lane for the change of use of land for use as a certified 'Caravan and Motorhome Club' site for siting up to 5 no. caravans, motorhomes or trailer tents. I am satisfied there is sufficient access width for a Fire Appliance to gain access to the intended 5 pitches. I have informed the owner of the location of the nearest fire hydrant and they have said they are aware and will follow the fire safety guidance given in the Model Standards for Touring caravan sites, therefore would be considered compliant with the requirements.

*Original Comments (received 04/06/2021)*

Having viewed the plans for the planning application 21/00489/FUL, although the change of use is for a caravan and mobile home club site for five caravans, the nearest fire hydrant to the site is being 280 metres away. Also, the access track to the site appears to be approximately 2.8 metres wide, the minimum access width for a fire appliance is 3.1 metres through a gateway and 3.7 metres between curbs for access and operating. These points should be pointed out to the owner as there is a serious possibility a fire appliance would not gain suitable access to the site and could potentially run out of water before any fire is extinguished.

## 6.7 CDC Environment

### Ecology

Although it appears that no ecological information has been submitted with this application, details have been found for the previous application and our previous comments still apply:

### 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 (5m) and during any construction works 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.

## Reptiles

To ensure the site remains unsuitable for reptiles, continued management of the site must take place to ensure reptile habitat does not develop onsite. If this is not possible then a precautionary approach should be taken within the site with regards to reptiles.

## 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).

## Hedgehogs

Any brush pile, compost and debris piles onsite could provide shelter areas and hibernation potential for hedgehogs. These piles must be removed outside of the hibernation period mid-October to mid-March inclusive. The piles must undergo soft demolition.

## Chichester Harbour

Since the site lies within the Zone of Influence for Chichester Harbour, as contribution to the Bird Aware: Solent Mitigation Scheme will be required to mitigate the increased recreational pressure at the Harbour. Further information will be required on the proposed occupation rates to calculate the contribution based on the guidance.

## 6.8 CDC Environmental Protection

It is noted that 5 pitches are proposed that include electrical hook up provision and water at each pitch. The site would be operated between March and October each year and visitor stays would be for a maximum period of 28 days. No dogs or children are to be permitted at the site and all visitors have to be members of the caravan club. No buildings or structures are proposed as part of the development.

### Foul drainage

Further information should be provided to indicate how foul drainage is to be disposed of – it is noted a cesspit is to be used to collect foul drainage. Volume of the cesspit and method/frequency of emptying should be included within the application documents.

### Lighting

Details of proposed lighting should be provided in order to ensure light pollution is minimised.

## Noise

It is considered that noise impacts from the proposed development are likely to be minimal as a maximum of 5 pitches will be occupied at one time. The site operator should draw up a hire agreement which includes terms and conditions including noise control measures. Times of arrival and departure at the site should be specified on the hire agreement and should avoid the night-time period (i.e. between 2300 – 0700 hours) to minimise noise disturbance from vehicles.

The ambient noise levels at the site vary depending on whether the nearby Goodwood Motor Circuit and/or Airfield are in use. Given the duration of use by each potential occupant (maximum of 28 days), further noise assessment is not considered necessary with respect to the proposed development.

## Waste

Details of waste storage and disposal should be provided in order to ensure the development will not create excess waste.

## 6.9 CDC Economic Development

*Further Comments (received 20/12/2021)*

The Economic Development Service supports this application.

Developing the accommodation offer on this site will encourage overnight visitors, increase visitor spend, support other attractions and the local economy. This is crucial to the success of our visitor economy but currently is underrepresented. Overnight visitors spend considerably more than day visitors and help to keep nearby towns and attractions vibrant and successful.

It should also be noted that the current pandemic will also have an impact on this type of holiday accommodation. There is evidence that this type of offer could do very well in the long term, with more people holidaying at home more frequently.

Rural destinations and non-serviced accommodation businesses (holiday cottages, touring caravan and camping sites, holiday lodge parks, glamping sites and holiday parks) are likely to recover the quickest as they have greater potential to offer safe, socially distanced holidays and breaks. They should also benefit from the anticipated growth in staycations and the increased interest in outdoor holidays, nature and the environment that has been stimulated.

The proposed development is to support and provide additional revenue for the main business activity on the site which is Lanburn Connemara stud farm. This business was established in 1971. The site provides an ideal setting for this specialist heritage business. The revenue from the caravan site will help to secure the future of the stud farm at the current location.

*Original Comments (received 25/06/2021)*

The Economic Development Service supports this application.

This proposed development will provide a welcome addition to the local tourist offer with Caravan and Motorhome Club site facilities being offered next to a well-respected and international award winning Connemara Stud.

Visitors will be encouraged to visit local attractions and make use of the many facilities in the area including shops, restaurants and this will make a positive contribution to the local economy.

Tourism plays a key role in Chichester District's economy, generating £460m for the local economy and accounting for 9,110 jobs (6,585 full-time equivalent) supporting 15.5% of the economically active workforce. 6.5 million tourist visits are made to Chichester District each year. These are split between day visits and staying visits (visits which include accommodation for one or more nights).

In any area, staying visitors spend significantly more within a local economy than day visitors and help underpin the viability of associated businesses such as transport, entertainment, catering and retailing. In Chichester District, only 18.5% (1.2 million) are staying visits. However, staying visits account for 51% of total visitor spend.

This application is for 5 spaces, a very modest amount of spaces, given its proximity to Goodwood, one of the primary visitor attractions in the area.

#### 6.10 CDC Coast Protection and Land Drainage Officer

Surface Water Drainage:

The documents submitted in support of this application suggest that the proposed means of surface water drainage is through on-site infiltration via soak-away structures. This approach is acceptable in principle as it follows the hierarchy of preference as set out in Approved Document H of the Building Regulations and the SuDS Manual produced by CIRIA.

Wherever possible, roads, driveways, parking spaces, paths and patios should be of permeable construction.

Due to the scale, nature and location of the proposed development we have no conditions to request. Surface water drainage infrastructure should be designed and constructed in accordance with current building regulations.

Flood Risk:

The site is wholly within flood zone 1 (low risk) and we have no additional knowledge, or records of the site being at significant flood risk. Therefore subject to satisfactory drainage we have no objection to the proposed use, scale or location based on flood risk.

## 6.11 Third party comments

Five third party representations of support have been received citing the following planning reasons:

- a) Would be a benefit to the local economy and area
- b) The site is well located to attractions
- c) The site would not overlook neighbouring properties
- d) Would financially support the existing business

## 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. There is no made neighbourhood plan for Westhampnett 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 31: Caravan and Camping Sites  
Policy 39: Transport, Accessibility and Parking  
Policy 45: Development in the Countryside  
Policy 47: Heritage and Design  
Policy 48: Natural Environment  
Policy 49: Biodiversity  
Policy 50: Development and Disturbance of Birds in Chichester and Langstone Harbours  
Special Protection Areas

### 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 2022. 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 2023. 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 2021), which took effect from 20 July 2021. 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 sections:

Sections 4, 6, 8, 9, 12 and 15.

## Other Local Policy and Guidance

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:

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
- Support local businesses to grow and become engaged with local communities
- Promote and increase sustainable, environmentally friendly initiatives in the district
- 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 application are considered to be:

- i. Principle of development
- ii. Design, layout and impact on the character of the area
- iii. Residential amenity
- iv. Highway impact
- v. Ecological considerations
- vi. Surface water drainage and foul disposal
- vii. Nutrient Neutrality

i. Principle of Development

8.2 Planning permission is sought for the use of the site for a Caravan and Motorhome Club Certified Location (CL Site). It is a material consideration carrying weight in favour of the proposal that planning permission would usually not be required for such a use, however in this instance due to the site being located within the 5.6km buffer zone of the Chichester and Langstone Harbours Special Protection Area, and as the treated effluent from the development will eventually discharge into a European or internationally designated protected site, these permitted development rights do not apply as mitigation needs to be considered as part of the planning application process.

8.3 The site is located in the rural area where the countryside policies of the plan apply. Development in the Rest of the Plan Area. Policy 31 (Caravan and Camping Sites) of the Chichester Local Plan (CLP) states:

Proposals for caravan, camping and chalet sites and associated facilities and intensification/alterations to existing sites will be granted, where it can be demonstrated that all the following criteria are met:

1. They meet a demonstrable need and require a rural location;
2. They are of an appropriate scale in relation to their setting and would not diminish local amenity;
3. They are sensitively sited and designed to maintain the tranquillity and character of the area;
4. They are sited to be visually unobtrusive and can be assimilated so as to conserve and enhance the surrounding landscape; and
5. The road network and the site's access can safely accommodate any additional traffic generated.

8.4 It is considered that the five criteria of Chichester Local Plan Policy 31 are fully met by the proposal and therefore the principle of the proposed development would be acceptable.

- 8.5 With regard to criterion one, information accompanying the application highlights the need for the development and the proximity to attractions. Policy 31 of the Local Plan acknowledges that the nature of camping and caravan sites means that they are likely to be sited within the rural area and directs development to sustainable locations where possible. Although within the rural area, this site benefits from close proximity to Chichester and surrounding attractions. The need for the development to support the existing business is justified and the Council's Economic Development Team support the proposals as a welcome addition to the local tourist offer and that it would support and provide additional revenue for the main business activity on the site which is Lanburn Connemara stud farm. The revenue from the caravan site will help to secure the future of the stud farm at the current location.
- 8.6 The proposal is considered to comply with all other criteria of Policy 31 in terms of amenity, character, visual impact and highway safety and this is assessed in more detail under the relevant sections of this report.
- 8.7 For the reasons given above the proposal would fully comply with the requirements of Policy 31 and therefore the principle of development is considered to be acceptable.

ii. Design, layout and impact on the character of the area

- 8.9 The site is located to the south of Madgwick Lane and would be served from an existing access point to Madgwick Lane, with a separate gated entrance point created within the applicant's site and therefore not requiring an additional access to the public highway. The plans show consolidated gravel to the entrance. The proposal consists of five grassed areas approximately 10m x 10m and with a 3m gap in between them and the provision of a separate service point to the north. The scale of the development is considered to be appropriate to the location. Details of the service area can be secured by condition to ensure this has an appropriate appearance and is not to the detriment of the character of the area.
- 8.10 The site benefits from significant trees/hedge screening which would keep any views of the proposal to a minimum from public vantage points. The proposals are also for the site to be operational between 21 March and 30 September (inclusive), limiting the operational times when there may be less screening from the natural growth. The site would appear most prominent from immediate opposite the access, however this would only be experienced briefly by those passing the site on the road, which runs at 90 degrees to the access point, limiting passing views to glimpses.
- 8.11 To the immediate west of application site is the Madgwick Park residential development, and therefore although the application site is within the countryside, it is viewed in the context of the development of two storey residential properties adjacent to it. The proposed use would not be to the detriment of the tranquillity of the area and would conserve the character of the landscape in this location.
- 8.12 For the reasons above the proposal is considered to be acceptable in terms of design, layout and the character of the area and complies with policy.

iii. Residential amenity

- 8.13 The site is separated from the adjacent residential development by a landscaping buffer and would be approximately 25m away from the nearest dwelling. The Council's Environmental Protection team consider that noise impacts from the proposed development are likely to be minimal. The applicants have provided information that nighttime arrivals would be avoided to minimise potential disturbance.
- 8.14 The application site is close to Goodwood Aerodrome and Goodwood Motor Circuit. The Council's Environmental Protection advise that given the duration of use by each potential occupant (maximum of 28 days), further noise assessment is not considered necessary with respect to the proposed development.
- 8.15 Given the above the proposals are considered to comply with policy with regard to amenity.

iv. Highway impact

- 8.16 Access would be from the existing access onto Madgwick Lane, a C-classified road which has recently been reduced from National Speed Limit to a 40mph speed limit via a Traffic Regulation Order. Westhampnett Parish Council have objected to the application, and cited that that inadequate vehicle access is one of the reasons.
- 8.17 The Local Highway Authority considers that the access arrangements proposed to be acceptable and that the track and visibility would mean that there would be no conflict between caravans and equestrian vehicles utilising the access.
- 8.18 Ownership of the land to the west of the site is required in order to secure adequate visibility splays. Ownership of this land was previously unknown and as such the applicant has submitted an application to Land Registry to acquire the land via adverse possession. While this is a separate legal process that will be determined independently of the planning process the LHA consider that on the balance of probability there is a reasonable chance that the applicant will ultimately control the parcel of land required to secure suitable visibility in perpetuity to the west of the access point. Provision of the visibility splays prior to the use commencing can be controlled by condition.
- 8.19 Formalised parking and turning is not provided, as the site will provide five pitches for touring caravans or trailer tents, with each pitch will be 10m x 10m with a 3m gap between, which is considered to provide sufficient space for parking caravans and cars. Each pitch will be sited on grass and may be relocated within the site to reduce wear and tear. As the land will be used for grazing out of season, no formal parking or pitches will be provided. There are other mechanisms in place to ensure that the land cannot be occupied by more than 5 pitches at a time and therefore there should always be sufficient space for vehicles to park and turn.

8.20 Westhampnett Parish Council have also raised objections regarding the lack of public footpaths and public transport. The nature of Caravan and camping sites means that they are typically within rural areas. There is no policy requirement under Policy 31 for access to public transport and footpaths. Officers consider that the site is within a highly sustainable location, to the eastern side of Madgwick Park, with good access to services and the city of Chichester. There is a distance of 50m to the nearest footway to the west, and it is not considered that the absence of footways would result in an unacceptable safety concern. The LHA have not objected in this regard and highlight that the site is located within close proximity of Chichester and tourist attractions including Goodwood, albeit there is no footway present along this section of Madgwick Lane, and as such the majority of trips are likely to be by private car.

8.21 For the reasons detailed above the proposal is considered to be acceptable with regard to highways matters and complies with policy.

v. Ecological considerations

8.22 The Council's Environment Officer has commented on the application and recommended conditions. The hedgerows on site are used by bats for commuting and foraging and will need to be retained and enhanced for bats. A buffer strip around the hedgerows of 5m was suggested and the applicants have advised that the nearest construction works would be the excavation for the Chemical Disposal Point, and this would be 10m away from hedging. No external lighting is proposed, and a condition will be used to ensure that any lighting proposed is subject to approval by the Local Planning Authority.

8.23 The site lies within 5.6km of the Chichester and Langstone Harbours Special Protection Area (SPA), where new residential development is likely to have significant environmental impacts on this internationally important designation. Local Plan Policy 50 relates to development and disturbance of birds within this internationally designated Special Protection Area. Effective mitigation, against potential recreational impact arising from new residential properties, needs to be provided. In accordance with Policy 50, the Recreational Disturbance of Birds in SPAs Guidance, and as recommended by Natural England, a financial contribution to the established Bird Aware Solent mitigation scheme is appropriate in this instance and this has been secured.

vi. Surface water drainage and foul disposal

8.24 Surface water drainage is proposed through on-site infiltration via soak-away structures. This approach is acceptable. Due to the scale, nature and location of the proposed development the Council's Coastal Protection and Land Drainage Officer has no conditions to request.

8.25 Foul sewerage, which will comprise chemical toilet disposal, is to be stored in a sealed tank on site, collected by a specialist contractor once a year who will dispose of the effluent to their licensed site. Subject to Nitrate Neutrality considerations as assessed below this is acceptable.

vii. Nutrient Neutrality

- 8.26 The site is outside of the fluvial catchment area of Chichester Harbour, however as detailed above foul sewerage is to be stored in a sealed tank on site and collected by a specialist contractor once a year who will dispose of the effluent to their licensed site. Discussions have taken place with Southern Water who have advised that although the sludge from the blue chemical waste is treated separately from the mains waste at Appledram Wastewater Treatment Works (WwTW), the liquid is processed in the same way as the mains waste. Therefore part of the waste from the site would potentially discharge into the harbour. As such, the proposal comprises new development with overnight accommodation, within the Chichester Harbour catchment area and therefore the treated effluent from the development will eventually discharge into a European or internationally designated protected site, with the potential for harm to be caused to those sites by the overall increase in nitrate levels. It is Natural England's view that the cumulative increase in nitrate levels from development is likely to have a significant effect on such designated sites. This is therefore directly connected to the increase in wastewater from the development.
- 8.27 In such instances, the implications from the proposed development (that is the nutrient content of the discharge), together with the application of measures to avoid or reduce the likely harmful effects from the discharge, are required to be tested by the LPA via an Appropriate Assessment to assess the impact on the designated sites in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended). Natural England must then be consulted on any such Appropriate Assessment.
- 8.28 Discussions have taken place during the course of the application and the applicant has followed the updated methodology provided by Natural England and established the nitrate calculations for this proposed development. This calculation has informed an Appropriate Assessment and Natural England have commented that they have no objection to this.
- 8.29 The nutrient budget generated from the development would be **2.3285kg/TN/yr** which represents a nitrogen surplus and so requires mitigation to achieve nitrogen neutrality. In order to achieve nitrogen neutrality, appropriate mitigation measures that would remove a minimum of **2.3285kg/TN/yr** must be secured to ensure that at the time of the LPA undertaking the Appropriate Assessment it is certain that the neutralising nitrogen benefits will be delivered in the long term.
- 8.30 The mitigation measures identify a parcel of land within the Chichester Harbour Catchment which is currently lowland grazing that shall be planted with 16 trees at a density equivalent to 100 trees per hectare for perpetuity. At the time of writing, the applicants are in the process of entering into a S106 agreement to secure the nitrates mitigation land and planting for the lifetime of the development. Once completed, the development would achieve nitrogen neutrality and would accord with Policy 12 of the CLP.

## Conclusion

8.31 Based on the above it is considered the principle of the development in this location would be acceptable and the scale and layout is acceptable in terms of the character of the area, impact to neighbouring amenity and highway safety. Furthermore, the mitigation proposed with regard to the impact in terms of recreational disturbance and nitrate neutrality is acceptable. There is no conflict with the NPPF 2021, and the proposal complies with Chichester Local Plan policies, and there are no material considerations that would warrant refusal of the application. Therefore, the application is recommended for approval subject to safeguarding conditions and delivering nitrate neutrality subject to completion of a s106 agreement as set out in this report.

## Human Rights

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

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

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

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

Reason: For the avoidance of doubt and in the interests of proper planning and to ensure the development complies with the planning permission.

3) The development hereby permitted shall not be constructed other than in accordance with the materials specified within the application form and plans, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that a harmonious visual relationship is achieved between the new and the existing developments.

4) The Caravan and Motorhome Club site shall not be first occupied until visibility splays of 2.4m by 120m to the east and 2.4m by 110m to Madgwick Lane in accordance with the approved planning drawings. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed.

Reason: In the interests of road safety.

5) The Caravan and Motorhome Club site shall not be first occupied until full details of the service area including scaled plans and refuse and recycling storage facilities have been provided in accordance with a scheme that shall first have been submitted to and approved in writing by the Local Planning Authority. Thereafter the service area facilities shall be maintained as approved and kept available for their approved purposes in perpetuity.

Reason: To ensure the adequate provision of onsite facilities in the interests of general amenity and encouraging sustainable management of waste.

6) Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987, as amended, and the Town and Country Planning (General Permitted Development) Order 2015, or in any other statutory instrument amending, revoking and re-enacting the Order, the development hereby permitted shall be used as a Caravan and Motorhome Club Certified Location or for the grazing of horses and for no other purpose.

The use hereby permitted as a Caravan and Motorhome Club Certified Location shall not take place except between 21 March and 30 September (inclusive) in each calendar year. No caravans, motorhomes or trailer tents, or any other tent or paraphernalia associated with the permitted use shall be on the land when the site is not in use as a Caravan and Motorhome Club Certified Location.

No more than 5 pitches shall be located on the site at any one time. The pitches shall be used for holiday accommodation only and shall not be used for any individual's main or sole residential dwelling.

Reason: To accord with the terms of the application and in the interests of the amenity of the area.

7) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order) no external illumination shall be provided on the site other than 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 details of the proposed location, level of luminance and design of the light including measures proposed to reduce light spill. Thereafter the lighting shall be maintained in accordance with the approved lighting scheme in perpetuity.

Reason: In the interests of protecting wildlife and the character of the 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 - Formalise Entrance	21/CLINGAN/F E100		01.06.2021	Approved
PLAN - Site Lines	TQTQM21098 084611312	A	23.07.2021	Approved
PLAN - Proposed Caravan Site Plan	2021/CLINGA N CL100	A	15.03.2021	Approved

## INFORMATIVES

1) 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.

For further information on this application please contact Martin Mew on 01243 534734

To view the application use the following link - <https://publicaccess.chichester.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=QOOA34ERM6X00>