



# **PLANNING COMMITTEE REPORT**

**TO:** Planning Committee South

**BY:** Head of Development

**DATE:** 20 March 2018

**DEVELOPMENT:** Change of Use of Woodland to a Holiday Lodge / Caravan Park, comprising layout, 23x caravan pitches, access, landscaping and open space

**SITE:** Land adjoining The Orchard, Cowfold Road, West Grinstead

**WARD:** Cowfold, Shermanbury & West Grinstead

**APPLICATION:** DC/17/2074

**APPLICANT:** **Name:** Mr Paul Welch **Address:** Oakmount Parks Ltd, 3 Queen Street, Ashford, Kent, TN23 1RF

**REASON FOR INCLUSION ON THE AGENDA:** Departure from the Development Plan & Number of Representation Letters contrary to Officer Recommendation

**RECOMMENDATION:** To grant planning permission subject to appropriate conditions and completion of legal agreement to secure the lodges/caravans for holiday use only.

In the event that the legal agreement is not completed within three months of the decision of this committee, the Director of Planning, Economic Development and Property be authorised to refuse permission on the grounds of failure to secure the Obligations necessary to make the development acceptable in planning terms.

## **1. THE PURPOSE OF THIS REPORT**

1.1 To consider the planning application.

### DESCRIPTION OF THE APPLICATION

1.2 This application seeks full planning permission for the change of use of the existing woodland to a holiday lodge caravan park for 23 twin-unit caravan pitches, access, landscaping and open space.

1.3 The 23 caravan pitches would be arranged centrally, occupying 1.9 ha of the 4.4 ha application site with proposals to actively manage the remaining 2.3 ha of woodland.

1.4 It is the Applicant's intention that the holiday lodge park would be for over 50 year olds only with the holiday lodges being sold to allow purchasers to use the lodges for holiday purposes only, for themselves, their families and their friends.

- 1.5 The proposed development would be accessed from the south-eastern corner of the site, from the A272 Cowfold Road through the existing car park serving The Orchard Restaurant, with visibility splays of 140 metres in each direction. The access has been the subject of a speed survey submitted with the application.
- 1.6 The caravans would be placed on concrete bases with wooden plinths and would comprise grey, green or brown timber effect panels incorporating a central groove that gives the appearance of two 5-inch planks. The roof would be finished in a lightweight steel coated roof covering with a coloured grit finish.
- 1.7 2 car parking spaces would be provided per caravan, creating 46 no. car parking spaces in total. 4 additional visitor spaces have been provided close to the site entrance.
- 1.8 As part of the development, it is proposed to remove two groups of trees and the partial removal of 6 groups of trees within the site and include the provision of replacement planting. The trees to be removed are identified as Category B or C specimens within the submitted Tree Information Statement and are considered to have low or medium quality or value and/or limited wider landscape significance and a limited life expectancy. It is proposed to retain all boundary trees and trees within the north part of the site to limit the visual impact of the proposal within the wider landscape. The proposals do not require the removal of, nor impact upon, 'aged or veteran trees' or 'ancient woodland' as defined in the National Planning Policy Framework.
- 1.9 Amended plans have been received during the consideration of the application which have reduced the number of caravan pitches from 30 to 23. The caravan pitches have been spaced further apart to allow for a more integrated landscaping scheme and the hard road surfacing has been reduced to visually improve the appearance of the scheme in this rural setting.
- 1.10 An updated site plan and services plan have also been submitted which have reduced the size of the SUDS pond in the north-west corner of the site and incorporated one shared services and access path to the SUDS pond.

#### DESCRIPTION OF THE SITE

- 1.11 The application site is situated on the northern side of the A272 Cowfold Road and to the west of the former railway line that now forms part of the Downs Link. The site is situated close to a small informal group of properties that form the small hamlet of West Grinstead. The site is within a countryside location and outside of any defined built up area boundary.
- 1.12 To the south east of the site is a detached building which is a restaurant with a large car parking area to the west. To the rear of the restaurant is an orchard area which is also used for al fresco dining. The site has been vacant for a period of time and therefore become overgrown with a large number of trees and shrubs. Part of the site was previously cleared approximately 10 years ago. The remains of the former brick and timber outbuildings are still visible from within the site but are in a dilapidated state of repair.
- 1.13 Planning permission DC/08/0593 was previously granted in 2008 on the site for an eco-holiday centre with 8 timber holiday lodges (each with 3 units of accommodation), a campsite (with a maximum of 50 occupants), a Rangers office (including education centre and retail unit), a bicycle hire building, management block, parking and access. Planning permission, DC/12/1851, was granted to replace extant permission, DC/08/0593, yet was never implemented and has now expired. Planning permission, DC/12/1092, was dismissed on appeal in 2015 for a crematorium on the site due to the harm to the rural character and appearance of the area.

## 2. INTRODUCTION

### STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

### RELEVANT GOVERNMENT POLICY

- 2.2 National Planning Policy Framework (NPPF 2012)
- 2.3 HORSHAM DISTRICT PLANNING FRAMEWORK (HDPF 2015)

Policy 1: Strategic Policy: Sustainable Development  
Policy 2: Strategic Policy: Strategic Development  
Policy 3: Strategic Policy: Development Hierarchy  
Policy 11: Tourism & Cultural Facilities  
Policy 24: Strategic Policy – Environmental Protection  
Policy 25: Strategic Policy: The Natural Environment and Landscape Character  
Policy 26: Strategic Policy: Countryside Protection  
Policy 31: Green Infrastructure and Biodiversity  
Policy 32: Strategic Policy: The Quality of New Development  
Policy 33: Development Principles  
Policy 35: Strategic Policy: Climate Change  
Policy 36: Strategic Policy: Appropriate Energy Use  
Policy 37: Sustainable Construction  
Policy 38: Strategic Policy: Flooding  
Policy 40: Sustainable Transport  
Policy 41: Parking  
Policy 42: Strategic Policy: Inclusive Communities

### NEIGHBOURHOOD PLAN

- 2.4 The site is within the Parish of West Grinstead. West Grinstead Parish Council are currently in the process of reviewing sites which will inform a Neighbourhood Plan and are having on-going discussions with Horsham District Council to progress their Neighbourhood Plan to Reg. 14. As such, there is currently no Neighbourhood Plan in place in this area and no relevant draft Neighbourhood Plan Policies to consider in the determination of this application.

### 2.5 PLANNING HISTORY

DC/12/1851	Application for a new planning permission to replace extant permission DC/08/0593 (Construction of a sustainable low impact eco holiday and ranger centre, comprising 8 holiday lodges and campsite, WSCC Rangers office, associated parking blocks, parking and access)	Permitted 12.06.2013
DC/12/1092	Development of crematorium facility within a parkland setting, including grounds maintenance and secure equipment store and a total of 63 car parking spaces. Proposals include an upgraded access onto A272 to be shared with the existing restaurant which adjoins the site.	Refused 18.12.2013 Dismissed on Appeal 27.05.2015
DC/11/0783	Erection of crematorium building with associated infrastructure including new internal access road, manager's lodge house, grounds maintenance and secure	Refused 06.10.2011

	equipment store and a total of 63 No. parking spaces. The proposals include an upgraded access onto the A272 to be shared with the existing restaurant adjoining the site	
DC/08/0593	Construction of a sustainable low impact eco holiday and ranger centre, comprising 8 holiday lodges and campsite, WSCC Rangers office, associated parking blocks, parking and access	Permitted 30.10.2009

### 3. OUTCOME OF CONSULTATIONS

- 3.1 Where consultation responses have been summarised, it should be noted that Officers have had consideration of the full comments received, which are available to view on the public file at [www.horhsam.gov.uk](http://www.horhsam.gov.uk).

#### INTERNAL CONSULTATIONS

- 3.2 **HDC - Arboricultural Officer:** No objection  
The proposal will result in the loss of a quite a high number of small self-seeded trees on the site. None of these trees are of any especial quality or merit, nor is the tree stock as a whole of any great age. The 1875 iteration of the Ordnance Survey clearly shows that the land had been cleared by this time, the strips of older trees on the western and southern boundaries being retained as woodland.
- On the western site boundary, this woodland remnant remains, and will be unaffected by the development proposals. Some large Oak trees remain on the southern boundary, bounding the north side of the A272, but these are also to be retained, and will also not be harmed by the proposals.
- 3.3 **HDC – Drainage Officer:** No objection  
Subject to conditions relating to approval of foul and surface water drainage.
- 3.4 **HDC – Economic Development:** Support  
The proposed holiday accommodation would fulfil the need identified within the Horsham District Hotel & Visitor Accommodation Study for more rural lodge and caravanning site type accommodations and is in an ideal location for access to the countryside and National Park.
- 3.5 **HDC – Environmental Health:** No objection  
Subject to the conditions relating to contamination, lighting and a Construction Management Plan.
- 3.6 **HDC – Landscape Officer:** No objection  
Application supported on landscape grounds in light of the submitted sample materials and further drainage strategy provided. Due consideration should be made in relation to the loss of woodland within the planning balance.
- 3.7 **HDC – Policy Section (EIA Assessment):** Following screening, it was considered that an Environmental Impact Assessment (EIA) would not be required for this proposal.
- 3.8 **HDC – Policy Section (Strategic):** Comment  
The Council would need to be satisfied that the proposal enabled the sustainable development of the countryside and also that it was of an appropriate scale and would not lead to a significant increase in the overall level of activity in the countryside, in accordance with Policy 26. In relation to Policy 11, the Council would also have to be satisfied that the proposal was “of a scale and type appropriate to the location”.

The Council would need to be satisfied that there was a way to ensure that the proposed holiday lodges could not be used for permanent residential use. If the holiday lodges were able to be used for residential use, then the Council would need to consider the proposal against Policy 19, bearing in mind that the Council can demonstrate a 5 year housing land supply.

#### OUTSIDE AGENCIES

- 3.9 **West Sussex County Council – Highways:** No objection  
Subject to conditions securing car parking and cycle storage.
- 3.10 **West Sussex County Council – Public Rights of Way:** Comment  
Request for a direct cycle and pedestrian link from the site to the South Downs Link to the east and a s106 contribution in respect of improvements to the surface of the South Downs Link. The length for resurfacing is approximately 967 metres, with a variable width between 3 and 4 metres.
- 3.11 **West Sussex County Council – Lead Local Flood Authority (LLFA):** No objection.  
Subject to conditions securing SUDs drainage scheme and maintenance.
- 3.12 **Natural England:** Comment  
Refers to Standing Advice in respect of Protected Species.
- 3.13 **Ecology Consultant:** Objection  
Based on the information provided to date, it is considered that the proposals are contrary to NPPF paragraph 118 and Horsham District Planning Framework Policy 31.
- The mitigation proposed is not considered to be adequate as no replacement woodland planting is proposed (other than planting within the existing retained woodland), and the proposed mitigation for protected species is considered unlikely to be adequate.
- Horsham District Council will need to consider the provisions and tests in NPPF, and Policy 31 of the HDPF, to determine whether the need for the proposed works in this location clearly outweighs the loss of/ harm to woodland habitats and protected species, and whether the proposed mitigation is considered acceptable.
- 3.14 **Southern Water:** No objection  
Subject to conditions securing SUDs drainage scheme and maintenance. Environment Agency should comment on the use of the private waste water treatment works or septic tank drainage which disposes effluent to sub-soil irrigation.
- 3.15 **Environment Agency:** No objection  
Domestic effluent discharged from a treatment plant/septic tank at 2 cubic metres or less to ground or 5 cubic metres or less to surface water in any 24 hour period must comply with General Binding Rules provided that no public foul sewer is available to serve the development and that the site is not within a Groundwater Source Protection Zone.  
The proposal may also require an Environmental Permit from the Environment Agency.

#### PUBLIC CONSULTATIONS

3.16 **West Grinstead Parish Council:** Objection

The Parish have strongly objected to this application on the following grounds which are summarised below:

- Overdevelopment of the site
- Scale and type of development inappropriate to countryside character
- Significant increase in level of activity in the countryside
- Damage the quality, character and appearance of the area and intrude on the Downs Link and old West Grinstead Railway Station
- In contrast to previous permission DC/08/0593 would not promote recreation and enjoyment of the countryside
- No need for holiday lodges in this location
- Concern regarding future use as permanent residential dwellings and HDC's ability to enforce relevant holiday accommodation conditions
- Inappropriate drainage scheme proposed
- Limited public transportation and parking provision serving development
- The existing vehicular access sightlines are substandard
- Unsustainable location

3.17 20 letters have been received objecting to the application on the following grounds:

- Increase in light pollution, noise and disturbance
- Increase in traffic, associated pollution and risk of traffic accident
- Lack of local facilities and amenities for users of the holiday lodges
- Unsuitable drainage scheme
- Limited public transportation and unsustainable location
- No provision for storage or collection of refuse
- Substandard vehicular access and parking provision
- Loss of trees on site
- Loss of biodiversity and habitat for protected species
- No need for holiday lodges in this location
- Concern regarding future use as permanent residential dwellings and HDC's ability to enforce relevant holiday accommodation conditions
- Loss of amenity for existing residential properties
- Application lacks detail
- Development of contaminated land would be harmful to human health
- Overdevelopment of the site
- Scale and type of development inappropriate to countryside character

**4. HOW THE PROPOSED COURSE OF ACTION WILL PROMOTE HUMAN RIGHTS**

4.1 Article 8 (Right to respect of a Private and Family Life) and Article 1 of the First Protocol (Protection of Property) of the Human Rights Act 1998 are relevant to this application, Consideration of Human rights forms part of the planning assessment below.

**5. HOW THE PROPOSAL WILL HELP TO REDUCE CRIME AND DISORDER**

5.1 It is not considered that the development would be likely to have any significant impact on crime and disorder.

## 6. PLANNING ASSESSMENTS

### Legal Definition of Caravan & Caravan Site:

- 6.1 In consideration of this proposal, it is important to clarify the statutory definition of a caravan and of a caravan site which is contained with the Caravan Sites and Control of Development Act 190, section 29(1) as extended by the Caravan Sites Act 1968, section 13. The result is that 'caravan' includes both:
- a) Any structure designed or adapted for human habitation which is capable of being moved from one place to another (whether by being towed, or by being transported on a motor vehicle or trailer) and any motor vehicle so designed or adapted, but does not include (a) any railway rolling stock which is for the time being on rails forming part of a railway system, or (b) any tent; and
  - b) Such a structure which is designed or adapted for human habitation which (a) is composed of not more than two sections separately constructed and designed to be assembled on site by means of bolts, clamps or other devices; and (b) is, when assembled, physically capable of being moved by road from one place to another (whether by being towed, or by being transported on a motor vehicle or trailer), subject to the restrictions on dimensions (length 20m, width 6.8m and height 3.05m)
- 6.2 Planning permission is therefore sought for the change of use of the land for a holiday lodge caravan park, access, landscaping and open space. Planning permission is not required for stationing of the 23 twin-unit caravans as defined in (b) above as this would not amount to development as defined within Section 55 of the Town & Country Planning Act 1990. No detailed plans of the caravans have therefore been submitted with this application as they do not require planning permission.

### Principle of Development:

- 6.3 At the heart of the National Planning Policy Framework (NPPF) is a presumption in favour of sustainable development. Policy 1 of the Horsham District Policy Framework (HDPF) requires the Council when considering proposals to take a positive approach that reflects the presumption in favour of sustainable development contained within the National Planning Policy Framework. The Council should work pro-actively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improve economic, social and environmental conditions in the area. Planning applications which accord with the policies in the Local Plan should be approved, unless material considerations indicate otherwise.
- 6.4 Within the Horsham District there is an on-going need to maintain and enhance the rural economy; this includes maximising visitor spending through tourism across the district. Policy 10 (Rural Economic Development) encourages and supports rural economic development in the District's countryside to generate employment opportunities and to provide other benefits to local communities including the promotion of recreation and enjoyment of the countryside.
- 6.5 The NPPF supports sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. This includes supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres. Policy 11 (Tourism and Cultural Facilities) echoes the requirements of the NPPF and Policy 10 of the HDPF, stating that the Council will encourage proposals which promote tourism, including recreation based rural diversification. Policy 11 seeks to ensure that any development is appropriate to its location (in this case, in the countryside) and should increase the range and quality of accommodation for tourists and visitors to the

District. A holiday caravan site in the countryside could therefore be considered acceptable in principle so long as it is considered appropriate to its countryside location and maintains the quality and character of the countryside in which it is sited.

- 6.6 Policy 26 (Countryside Protection) is relevant because the proposed site is located outside any of the District's Built-Up Area Boundaries where development is more strictly controlled. This policy seeks to protect the countryside against inappropriate development, and only allows development where it is essential to its countryside location and meets one of 4 criteria listed in the policy. Policy 26 also seeks to ensure development is of an appropriate scale to its countryside character, and does not lead to an unacceptable increase in activity in the countryside.
- 6.7 The application site is located on the A272, close to the A24 and is adjacent to the Downs Link bridleway which is used by cyclists, pedestrians and horse riders. In this respect, the site would be well connected to the existing highway and pedestrian network for occupants of the caravan site. The site is also located adjacent to an existing restaurant which would provide a facility for occupiers of the site. It is acknowledged that the site would be served by limited public transportation. Whilst there is a bus stop on the opposite side of the road to site, this provides a limited daily bus service to Steyning. It is anticipated that most occupiers of the site would therefore travel to the site by car; this is considered likely to be the case for other caravan parks located in rural parts of the District and similarly any tourist accommodation located within a rural area.
- 6.8 The Horsham District Hotel & Visitor Accommodation Study supports additional tourist and visitor accommodation in rural areas and specifically identified the need for more rural lodge and caravanning site type accommodations. The site is considered to be well located with direct access to the South Downs National Park and would provide an opportunity for additional visitor accommodation as identified within the Hotel & Visitor Accommodation Study and promoted within Policy 11 of the HDPF.
- 6.9 The proposed use would create an increase in activity within the countryside. However, when taking into account the position of the site next to the busy A272 and an existing restaurant and car park, the level of activity associated with 23 holiday caravan lodges is not considered to be harmful to the rural location of the area. It is therefore considered in this instance that the principle of tourist accommodation on this site would be appropriate in scale to its countryside character, and would not lead to an unacceptable increase in activity in the countryside.

#### Landscape & Visual Effects

- 6.10 The footprint of the proposed scheme is comparable to that previously approved by the Council under applications DC/08/0593 & DC/12/1851, albeit there are a higher proportion of structures proposed on the site, 23 in total in comparison to the 8 timber lodges previously permitted on the site. The development would be well screened from Cowfold Road and from wider views to the north, east and west as the retained boundary trees would limit the visual impact of the caravan site within the wider landscape. The northern section of the site would be retained as woodland, providing planted screening of the development when viewed from the adjacent woodland to the north.
- 6.11 The caravan pitches would be informally arranged within the centre and lower part of the site. The amended plans have reduced the number of caravan pitches from 30 to 23 and the amount of internal road hard surfacing. The revised scheme provides a more spacious layout, with caravans being dispersed more evenly throughout the site and further spacing between the caravans allowing for a more integrated landscaping scheme within the site. Space has been retained to provide areas of soft landscaping and this would help to 'soften' the appearance of the development, relative to the adjacent countryside setting. The caravans would be single storey and would be low profile within the rural setting.



- 6.12 The caravans would be externally clad in grey, green or brown timber effect panels incorporating a central groove that gives the appearance of two 5-inch planks. The cladding would closely replicate the appearance of traditional timber cladding to ensure that the external appearance would remain in keeping with the surrounding woodland environment. The retained planting to the site boundaries would provide screening of the caravan lodges from the open field to the west and the woodland beyond to the north, therefore limiting the visual impact on the rural amenities of the surrounding area. The Council's Landscape Officer supports the proposal on landscape grounds, subject to the inclusion of conditions requiring the submission and approval of all external materials relating to the caravans (including balustrades, windows, doors, steps), details of hard and soft landscaping, a landscaping maintenance and management plan and combined services plan.

#### Trees

- 6.13 The proposed scheme results in the removal of two groups of trees and the partial removal of 6 groups of trees within the site. The numbers of trees to be removed are small in proportion to the overall tree cover on the site. None of these trees are considered to be of especial merit by the Council's Arboricultural Officer, as they are natural regeneration since the site's abandonment following its use as a brick yard. The proposals do not require the removal of, nor impact upon, 'aged or veteran trees' or 'ancient woodland' as defined in the National Planning Policy Framework. It is therefore considered that the proposed scheme would not have a harmful impact on any important or protected trees on the site or conflict with policy 33 of the HDPF.

#### Highway Impacts & Parking

- 6.14 Vehicular access would be gained to the caravan site via the existing access from the A272 Cowfold Road serving The Orchard Restaurant. The geometry of the existing access onto Cowfold Road would remain the same, with visibility splays of 140m to the east and 160m to the west.
- 6.15 A Transport Statement and speed survey have been submitted in support of this application. The information shows that a low loader can travel into the access and out of the access but it would require the entire width of the junction in order to make the turn. When caravans are moved into or out of the park, these movements would be marshalled as they are defined as abnormal loads. Deliveries or removal of caravans would be infrequent as the caravans would be sold as individual holiday homes. During normal operations, vehicles accessing the site would be primarily private cars which currently use the access for The Orchard Restaurant.
- 6.16 The Highways Authority have confirmed that the visibility splays would exceed the requirements and have raised no concerns in this respect. The existing access to the site would therefore provide adequate visibility splays to serve the development, so as to ensure that vehicles are able enter and exit the site without harming the interests of highway or pedestrian safety.
- 6.17 Local residents have raised particular concern regarding the increased use of the existing vehicular access given the 50mph speed of the road and the safety for road users. A speed survey undertaken by the Applicant concludes that the site is anticipated to generate 3 two way trips in the AM peak and 6 two way trips in the PM peak. Given the low increase in traffic movements the Highways Authority has raised no concern in relation to the increased usage of this vehicular access to serve the holiday caravan park.
- 6.18 The proposed development would provide 2 spaces per caravan pitch and cycle parking, in accordance with West Sussex County Council's Parking Standards. 4 additional visitor

spaces have been provided close to the site entrance. It is not, therefore, considered that the development would result in harmful overspill parking either within the site itself, or within the local highway network. The design and siting of the spaces adjacent to the caravan pitches would allow for safe and convenient maneuvering. The proposal would therefore, subject to conditions, accord with Policies 40 & 41 of the HDPF.

- 6.19 The Applicant has agreed to the provision of an off-road cycle and pedestrian access to link the caravan site along the eastern side of the development site to the South Downs Link. These improvements have been brought forward in discussion with WSCC Rights of Way Officer and would provide a safer and direct access for pedestrians and cyclists from the site to the South Downs Link, therefore encouraging journeys by sustainable modes of transport, as well as providing opportunities for leisure and recreation cycling. Details of the off-road cycle path link would be secured through a S106 agreement.
- 6.20 A contribution in respect of resurfacing improvements to the Downs Link through West Grinstead has been requested from WSCC Rights of Way Officer. The length for resurfacing is approximately 967 metres in length, with a variable width of between 3m and 4m. The Applicant has confirmed that they would not be willing to contribute to the resurfacing of this entire section of the South Downs Link. As the proposed development would secure a new pedestrian/cycle link from the caravan site to the South Downs Link, it is anticipated that the South Downs Link would be regularly used by occupiers of the holiday caravan site. It is therefore considered a contribution towards the partial resurfacing of this right of way would be necessary and directly related to the development in terms of the CIL tests. There are currently on-going discussions between the Applicant and West Sussex County Council regarding an appropriate length of re-surfacing and the associated financial contribution.

### Ecology

- 6.21 The application is supported by a Preliminary Ecological Appraisal (PEA), Phase 2 Protected Species Assessments, a Habitat Creation and Management Plan, and a Woodland Management Plan. The PEA identifies that the site has the potential to provide foraging habitat for reptiles, dormice, great crested newts, badgers and bats. The follow-up Phase 2 Protected Species Assessment has identified that mitigation measures will be required, including the need for European Protected Species licenses for the low populations of dormice and great crested newts surveyed as being present on or adjacent to the site.
- 6.22 The applicant's ecologist has proposed a number of avoidance, mitigation and enhancement measures within the Habitat Creation and Management Plan, to mitigate of the impact of the development on protected species, including dormice and great crested newts. These measures include the enhancement of the remaining 2.39ha of woodland on the site for the protected species on the site through the supplementary planting of shrub species recognised as important food sources for dormice, installation of bird and bat boxes, dormouse nest boxes, creation of reptile hibernacula, coppicing, management and the formation of a Sustainable Urban Drainage System (SuDS) pond designed for great crested newts in the north-west corner of the site.
- 6.23 The Applicant has also shown a commitment to management of the remaining 2.3 ha woodland in the northern part of the site through the submission of a Heads of Terms Woodland Management Plan and agreement to the further submission of a 25 year Woodland Management Plan which would be secured by legal agreement. The basic principle of management would be one of limited intervention allowing the woodland to continue to develop naturally with some additional planting. Rotational coppicing, a traditional method of woodland management which exploits the capacity of many species of trees to put out new shoots from their stump or roots, would take place at set times over the 25 year management period and enable natural regeneration of the site.

- 6.24 Concerns have been raised by the Council's Ecology Consultant regarding the impact that the loss of 1.79ha of woodland would have on biodiversity, woodland soils and habitat supporting protected species on the site which include great crested newts and dormice. In accordance with the requirements of paragraph 118 of the NPPF, and Policy 31 of the HDPF, it is necessary to determine whether the harm to woodland habitats, woodland soils and protected species are adequately mitigated by the proposed mitigation scheme and/or whether other material considerations would outweigh this harm.
- 6.25 Paragraph 118 of NPPF states that *'When determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles: if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused...'*
- 6.26 Policy 31 of the HDPF specifies that where development is anticipated to have a direct or indirect adverse impact on sites or features of biodiversity, development will be refused unless it can be demonstrated that:
- i) The reason for the development clearly outweighs the need to protect the value of the site; and,
  - ii) That appropriate mitigation and compensation measures are provided.
- 6.27 The supporting Phase 2 Ecology Surveys have been submitted with this application showing that a low population of dormice are present on site and a moderate population of great crested newts use the site including the ponds adjacent to the site. Habitats within the site are considered likely to provide part of the core terrestrial habitat for dormice and great crested newt, both species of which are protected under the Habitats Regulations.
- 6.28 Due to the presence of these European protected species on the site, the Applicant would be required to obtain a European Protected Species (EPS) licence from Natural England for the proposed development. In considering whether planning permission should be granted Local Planning Authorities are required under the Conservation of Habitats and Species Regulations [the Habitat Regulations] to consider whether it would be likely that an EPS licence would be granted by Natural England to allow the development to proceed under a derogation from the law.
- 6.29 In determining this duty the Local Planning Authority must have consideration of three tests set out in the Regulations:
1. The consented operation must be for preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment.
  2. There must be 'no satisfactory alternative'
  3. The action authorised 'will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their range'.

Within the Natural England Guidance Note: Application of the 'Three Tests' to Licence Applications published in 2010, Natural England encourages the application of the three tests on a 'proportionate basis'; therefore the justification required to meet the three tests increases with the severity of the impact on the species or population concerned.

Test 1 – Other reasons of overriding public interest

- 6.30 The proposal would result in some economic benefits to the local area, comprising of the employment of one permanent member of staff to oversee the management of the holiday

caravan park and short term employment opportunities during the implementation of the proposed development. It is also anticipated that the proposal would result in economic benefits to the local rural economy through tourist visitor spending. The site is well connected to the South Downs and would provide other benefits including the promotion of recreation and enjoyment of the countryside through the provision of a new pedestrian link from the caravan site to the South Downs Link.

In reaching this conclusion regard has been had to Natural England Guidance Note 2010, in which Natural England give a similar example where the social and economic benefits of a single unit of holiday accommodation were deemed sufficient to meet this test. Accordingly there are considered to be reasons of overriding economic and social interests in this case and the requirements of the first test are considered to have been satisfied.

#### Test 2 – There must be ‘no satisfactory alternative’

- 6.31 Within the Natural England Guidance Note 2010, it is specified that there are always going to be alternatives to a proposal and, in terms of licensing decisions, it is for Natural England to determine that a reasonable level of effort has been expended in the search for alternative means of achieving the development whilst minimising the impact on the EPS.
- 6.32 As part of the EPS licence requirements Natural England expects the Applicant to demonstrate that they have taken reasonable steps to minimise the impacts of a development on European Protected Species. It is considered that measures have been taken throughout the consideration of this application to minimise the impact on great crested newts and dormice. The layout of the caravan site has been amended to reduce the number of caravans and hardstanding on the site which allow for a more integrated landscaping scheme and additional habitat for protected species on the site. Mitigation measures are proposed in the form of the creation of the SUDS pond in the north-west corner of the site which would provide a new habitat for great crested newts. The management of the remaining woodland and retained habitat would be subject to specific habitat enhancement measures for dormice, including supplementary planting of native shrub species known to be beneficial to dormice in areas of currently lower value habitat, and the provision of 50 wooden nest boxes.
- 6.33 The Council’s Ecology Consultant considers that the loss of woodland habitat cannot be fully mitigated through the enhancement of the remaining existing woodland on site. The Ecology Consultant considers that additional areas of woodland planting would be required to compensate for this level of habitat loss, providing additional foraging and hibernating habitat for dormice and great crested newts. In this instance, it is not considered possible to fully mitigate the loss of the 1.9ha woodland through an equivalent area of re-planting as suggested by the Council’s Ecology Consultant. The Agent has confirmed that there is no additional land for planting adjoining the site that is within the Applicant’s control. The Applicant has explored the potential for new planting on adjacent sites by meeting with an adjacent land owner. However, these negotiations to acquire additional land adjacent to the site for new planting have not been successful. In light of these circumstances, it is considered that alternative options have been explored and maximum endeavours have been made to mitigate the ecological impact of the development on the protected species within the confines of the site boundaries.
- 6.34 As there are no satisfactory alternatives in terms of this case, the development is considered to meet the second test.

#### Test 3 – The action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their range’

- 6.35 With regard to the third test, it is accepted that the proposal results in the net loss of 1.9ha of woodland habitat, currently used by both of these species and would therefore have a

direct impact on the site's biodiversity. It is therefore necessary to assess whether the mitigation and compensation measures proposed are adequate in terms of ensuring that the proposed development would not be detrimental to the maintenance of the population of the protected species concerned at a favourable conservation status.

- 6.36 Avoidance, mitigation and enhancement measures have been proposed within the submitted Habitat Creation and Management Plan, to include the enhancement of the remaining 2.3ha of woodland on the site for these species through the installation of dormouse boxes, coppicing, management, the creation of a SuDS pond in the north-west corner of the site, and creation of refugia.
- 6.37 The Applicant has shown a commitment to management of the remaining 2.3ha woodland in the northern part of the site through the submission of a Heads of Terms Woodland Management Plan. The basic principle of management would be one of limited intervention allowing the remaining woodland to continue to develop naturally. That natural development, aided by additional planting and scheduled coppicing, would see formerly bare ground revert to woodland that already displays some biodiversity. A 25 year Woodland Management Plan would be secured through a s106 agreement, providing some reassurance that the remaining woodland would be adequately managed to ensure the retention of habitats for protected species using the site. It has been agreed as part of the ecology strategy that access to the remaining woodland would be restricted so that users of the caravan site or other members of the public would not be able to gain access to this retained area of woodland and SUDs pond in the north-west corner of the site to ensure that the habitats of protected species remain undisturbed. Details of any fencing or means of enclosure restricting access to the retained woodland area in the northern part of the site would be required to be submitted by condition.
- 6.38 In consideration of whether the proposal would be detrimental to the population of great crested newts and dormice it should be noted that the application site represents a very small proportion of the total available habitat for both these species (including woodland within the land holding of the applicant, and third-party land). For dormice, the development (1.9 ha) represents 3% of the total continuous woodland habitat supporting this population (58 ha) including land controlled by the applicant and third-party land. The applicant's ecologist has set out that the area affected by the proposed development consists of habitat of inferior quality compared to the surrounding woodland on third party land, based on the composition which lacks an abundance of fruit or nut bearing species for dormice and the underlying clay soil which is waterlogged in winter, making it less suitable for hibernating dormice. The Council's Ecology Consultant considers this approach to assessing the connecting woodland and percentage impacts as acceptable and that the mitigation scheme accords with Natural England's standing advice. However, in her opinion, it is not enough to mitigate for the loss of nearly 2ha of woodland habitat.
- 6.39 Natural England guidance encourages the application of the three tests on a 'proportionate basis'; therefore the justification required to meet the three tests increases with the severity of the impact on the species or population concerned. Taking into account the low to moderate levels of dormice and great crested newts found on and surrounding the site, the current habitat quality of the site, the loss of habitat in the context of the surrounding retained habitat and extensive habitat remaining, it is considered that the proposal is unlikely to be detrimental to the maintenance of the population and the dormice and great crested newt species at a favourable conservation status in their natural range.
- 6.40 Taking into consideration the opinions of both the Council's Ecology Consultant and the Applicant's Ecologist, and having regard the nature of the site and its attachment to wider woodland habitat, it is on balance considered that the proposed enhancement measures and the long term establishment of a sensitive management plan are sufficient mitigations to ensure the development would not be 'detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their range'.

- 6.41 There can be no complete certainty regarding whether Natural England would be likely to grant an EPS licence as this would need to be considered separately under an EPS licence application by Natural England. However, having considered this in detail in the above assessment, it is Officer's view that the three tests within the Habitat Regulations have been met, therefore it is considered that an EPS license would likely be granted by Natural England to allow the development to proceed. Should an EPS Licence not be granted by Natural England following any grant of planning consent for this proposal then the development would not be able to be carried out.
- 6.42 On this basis it is considered that the proposed development includes sufficient mitigation measures to avoid significant harm to biodiversity, thereby complying with the requirements of Paragraph 118 of NPPF and Policy 31 of the HDPF.

#### Impacts upon nearby and future residents

- 6.43 The closest residential property, 2 Railway Cottages is located to the south-east of the site and would be distanced approximately 30 metres to the caravan site. To the east the residential properties in Kennel Lane would be distanced by approximately 88 metres to the caravan site. The caravans would be well screened by the existing trees to be retained along the eastern and southern boundaries of the site. The proposal would therefore cause no direct loss of amenity to the occupiers of neighbouring residential properties.
- 6.44 The proposal would result in additional levels of activity associated with occupiers using the site and vehicular movements accessing and exiting the site. The position of the site adjacent to the A272 and a restaurant with car park means that there is a degree of noise created by traffic movements close to the site. The anticipated additional activity associated with the 23 holiday lodges is not considered to cause a harmful level of disturbance to the occupiers of neighbouring residential properties given their distance from the site and the infrequent manner in which the site would be occupied.
- 6.45 The proposed caravans would be set back into the site, 76 metres from the A272. It is anticipated that the occupiers of the caravans may hear some road noise. The separation distance from the road and retained mature trees along the southern road frontage would mitigate some of the road noise for occupiers of the caravans. This would ensure no unacceptable harm is caused to the amenity of occupiers of the caravans, through noise disturbance in accordance with Policy 33 of the HDPF.

#### S106 Obligations and Conditions

- 6.46 Whilst the Applicant has stated it is his intention to sell the caravans to individual owners to be used as their holiday homes, a number of concerns have been raised from local residents regarding their potential future use as permanent residential dwellings. As the site is located outside the built up area boundary, this countryside location would not be considered suitable for residential development as the application site is neither allocated for development in the HDPF or in a 'Made' Neighbourhood Plan. The residential development of this site would not therefore accord with Council's strategy as set out in Policies 2, 3 & 4 of the HDPF.
- 6.47 The proposal would also be unlikely to be considered acceptable in terms of Policy 19 (park homes & residential caravan sites) of the HDPF as the Council is in a strong position with its current 5 year housing supply and adequate evidence would need to be provided to show that the caravans would meet a local housing need.
- 6.48 It is of note that the definition of a caravan site (as detailed in para. 6.1 of this report) does not differentiate between different types of caravans or the different nature of occupation in terms of whether the human habitation is as a person's sole or main residence, or whether it is their holiday or seasonal home, or whether the use is as a holiday home on a short and

infrequent basis. All of these activities are that of human habitation and they are not distinguished by the 1960 Caravan Sites Act.

- 6.49 A caravan site is a use of land for the stationing of caravans. Once planning permission exists for the use of the land, the siting of additional caravans or changing the siting of caravans within the lawful site would not amount to a development as the land would not be changed. It is necessary to safeguard the Council's position in respect of any future use of the caravans for permanent residential units of accommodation and to ensure that the character and appearance of this woodland area of is retained. It is therefore considered important that appropriate legal agreements and planning conditions are used to control the nature of occupation of the caravans, the siting/layout of the caravan pitches, and the number of caravans which are on a site.
- 6.50 In terms of restricting the period in which a caravan may be occupied, it is noted that there are other caravan sites within the District which are subject to an occupancy condition which restricts the use of the caravans for a maximum period of 11 months of the year, with a set month, usually January or February, being restricted from occupancy. This is in order to prevent a continual residential use being established on site, thereby ensuring that the caravans on these sites are retained for their holiday purpose, supporting tourism within the District. The benefit of a time occupancy condition is that it enables the Council to effectively monitor the use of the site as a visit can be made during the restricted month to check that the caravans on the site are not being occupied.
- 6.51 In this case, the Applicant has stated that he does not want a set month of occupancy to be restricted as occupiers want to stay at different times of the year and this would affect the viability of his business, make it challenging to compete with other holiday caravan sites within the south that offer full 12 month occupancy.
- 6.52 The Horsham District Hotel & Visitor Accommodation Study 2016 specifies that planning conditions that restrict opening periods and occupancy are unintentionally limiting the ability of tourist accommodation businesses to take longer lets, particularly out of season, and to operate on a year round basis, as the market is increasingly demanding. Where these conditions are being used to prevent permanent residential use, the study recommends this condition is replaced by a legal agreement which requires the accommodation to be used for holiday purposes only, and evidenced through the keeping of guest registers. This study forms part of the background documents which accompany the HDPF and therefore needs to be attributed due weight.
- 6.53 The Council has also recently approved the variation of 11 month occupancy conditions on a caravan holiday site at Downsview Caravan Park in Woodmancote to allow for full 12 month occupancy (DC/17/1033 & DC/17/2032). In this case, Officers considered that the proposed variation of the conditions which required that the 40 caravans were only occupied for holiday purposes, with an up to date register required to be kept of all owners/occupiers of individual main residences would ensure that the caravans were retained for holiday use and not as permanent residential dwellings.
- 6.54 There are also a number of appeal decisions elsewhere which support this approach. In an Appeal Decision on one of the Applicant's other caravan sites in Ashford, the Planning Inspector applied conditions restricting the occupation of the caravans to holiday accommodation only and required an up-to-date site register of the occupant's main permanent addresses to be maintained for Council inspection. There are a number of other planning cases determined by Planning Inspectors which supports the approach of not imposing restrictive conditions relating to set occupancy periods for holiday accommodation.
- 6.55 In order to provide some reassurance to the Council, the Applicant has agreed to the provision of a s106 legal agreement which specifies that the caravan site would only be

used for holiday accommodation purposes. The s106 legal agreement would also secure a 25 year Woodland Management Plan, a cycle and pedestrian link from the site to the South Downs Link and the partial re-surfacing of the public right of way to the east of the site as previously discussed.

- 6.56 On the basis of research undertaken in relation into this matter, it would appear that there is increasing support to include either conditions and/or a s106 legal agreement which states that the accommodation shall only be used for holiday accommodation purposes and to keep an up-to date register of owner/occupiers permanent residences. The Horsham District Hotel & Visitor Accommodation Study supports this approach, specifying that planning conditions that restrict opening periods for tourist accommodation unintentionally limit the ability of tourist accommodation businesses to operate on a year round basis in an increasingly demanding tourism market. The Council would be able to monitor the occupancy of the caravan site through the imposition of a condition which required an up-to-date site register of primary residence. The register could be used as a source of evidence to allow the Council to investigate through land registry searches whether the occupants had another residence(s). The imposition of a legal restriction on the land would also give the Council stronger powers in perpetuity for recourse should the caravan site be used for permanent residential purposes. The legal agreement and condition are therefore considered to provide adequate mechanisms to allow the Council to effectively monitor the occupancy of the caravan site and provide legal powers should an alleged breach occur.
- 6.57 In addition to the above, planning conditions are also recommended that would also restrict the number of caravans on the site to 23 and the layout as shown on the submitted block plan, 5561/C/01a Rev I. This would ensure that no alterations could be made to the layout, siting or number of caravans on the site which could potentially impact on the character, appearance, trees, landscape or biodiversity of the site.

#### Conclusions and Planning Balance

- 6.58 The proposed use of the site as a site for holiday lodge caravans would meet an identified need for caravanning tourist accommodation in a rural area within the District and enable future economic growth to the local economy through increased visitor spending in accordance with Policies 10 and 11 of the HDPF. It is also considered, taking into account the position of the site next to the busy A272 and an existing restaurant and car park, that the level of activity associated with 23 holiday caravan lodges would not be harmful to the rural location of the area and would not conflict with policies 11 and 26 of the HDPF. The development would be well screened from Cowfold Road and from wider views to the north, east and west as the retained boundary trees would limit the visual impact of the caravan site within the wider landscape and would not therefore conflict with policy 33 of the HDPF. The proposals would not require the removal of, nor impact upon, protected or aged/veteran trees and ancient woodland on the site.
- 6.59 It has not been possible to overcome the Council's Ecologist's objection raised in relation to the loss of the 1.9ha woodland and the effect this would have on biodiversity, woodland soils and habitat supporting protected species on the site. The only mitigation that would overcome the Ecologist's objection would be woodland planting of an equivalent area adjacent to the site. Despite negotiations, the Applicant has confirmed that there is no additional land for planting adjoining the site that is within his control. The Applicant has put forward a number of mitigation measures within the Habitat Creation and Management Plan and committed to a 25 year Woodland Management Plan secured by a legal agreement to ensure that the remaining 2.3 ha woodland on the site is actively managed, enhanced and preserved. These measures are considered by the applicant's ecologist to be sufficient to mitigate the impact of the development. Over half of the site would therefore be retained as woodland with a SUDS pond created, which would maintain habitat for protected species using the site and retain valued woodland soils. It is considered that the



maximum level of mitigation that could realistically be achieved within the confines of the site boundaries has been put forward in the ecology strategy submitted.

- 6.60 There can be no complete certainty regarding whether Natural England would be likely to grant an EPS licence as this would need to be considered separately under an EPS licence application by Natural England. Natural England guidance states that when assessing whether the grant of an EPS license would be likely, consideration of the three tests set out within the Habitat Regulations should be made on a proportionate basis. On this basis, taking into account the low to moderate levels of protected species found on the site, the overall quality of the site as a habitat for these species, and the retention and improvement proposed to their wider surrounding habitat, it is considered that the three tests within the Habitat Regulations would be met, with the proposal unlikely to be detrimental to the maintenance of the dormice and great crested newt species population at a favourable conservation status in their natural range.
- 6.61 It is Officer's view that in this particular instance, the resultant benefits to tourism and the local economy outweighs any impact to biodiversity which would be mitigated as far as possible through the proposed ecological mitigation measures and 25 year Woodland Management Plan. It is therefore considered that the proposed development, a departure from the development plan, can in this instance be justified on the basis that the proposal would meet an identified need for caravanning tourist accommodation within a rural area of the District, enable future economic growth within the Horsham District and providing appropriate ecological mitigation measures to offset impacts to biodiversity. This would be subject to the s106 agreement and planning conditions which seek to control the caravan site to ensure no permanent residences are created in the countryside which would be contrary to the Council's policies.

## 7. RECOMMENDATIONS

- 7.1 To grant planning permission subject to appropriate conditions and a Legal Agreement
1. List of approved plans and documents.
  2. 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.

3. **Pre-Commencement Condition:** Prior to the commencement of development, a plan showing the site layout with the location of the Site Managers Lodge shall be submitted to and approved in writing by the Local Planning Authority. The identified caravan shall thereafter only be occupied as a Site Managers Lodge in conjunction with the management of the holiday caravan site, and for no other purpose.

Reason: To ensure the identified caravan is only occupied as a Site Managers Lodge in conjunction with the management of the holiday caravan site in accordance with Policy 33 of the Horsham District Planning Framework 2015.

4. **Pre-Commencement Condition: Approval of Materials**  
No development hereby permitted shall take place until details of all external materials to be used for the external walls, roofs, windows, doors, steps, balustrades of the caravan lodges, including their full range of combinations, have been submitted to and approved by the Local Planning Authority in writing and all materials used in the construction of the development hereby permitted shall conform to those approved.

*Reason: As this matter is fundamental to enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of*

*visual quality in accordance with Policy 33 of the Horsham District Planning Framework (2015).*

5. **Pre-Commencement Condition: External Lighting/Flood Lighting**

No external lighting, street lighting or flood lighting shall be installed on the site until full details have been submitted to and approved in writing by the Local Planning Authority. Any proposals for lighting should incorporate an ecologically sensitive lighting scheme to reduce impacts on protected species which should be in consultation with a qualified Ecologist. The lighting scheme shall be installed and retained in accordance with the approved details.

*Reason: In the interests of the amenities of the locality and to provide ecological protection and enhancement in accordance with Policies 31 and 33 of the Horsham District Planning Framework (2015).*

6. **Pre-Commencement Condition: Foul Drainage**

No development shall commence until a drainage strategy detailing the proposed means of foul drainage has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

*Reason: As this matter is fundamental to ensure that the development is properly drained and to comply with Policy 38 of the Horsham District Planning Framework (2015).*

7. **Pre-Commencement Condition: Sustainable Surface Water Drainage**

No development shall commence until a detailed surface water drainage scheme including a Surface Water Drainage Statement, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development has been submitted to and approved in writing by the Local Planning Authority. The submitted details shall be fully coordinated with the landscape scheme. The development shall subsequently be implemented prior to first occupation in accordance with the approved details and thereafter retained as such.

*Reason: As this matter is fundamental to prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance in accordance Policies 35 and 38 of the Horsham District Planning Framework (2015).*

8. **Pre-Commencement Condition: Construction Management Plan**

No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for, but not be limited to:

- i. working hours
- ii. the parking of vehicles of site operatives and visitors
- iii. loading and unloading of plant and materials
- iv. storage of plant and materials used in constructing the development
- v. the erection and maintenance of security hoarding, where appropriate
- vi. the provision of wheel washing facilities if necessary
- vii. measures to control the emission of dust and dirt during construction
- viii. a scheme for recycling/disposing of waste resulting from demolition and construction works

*Reason: As this matter is fundamental in order to consider the potential impacts on the amenity during construction and in accordance with Policy 33 of the Horsham District Planning Framework (2015).*

9. **Pre-Commencement Condition: Contamination**

No development shall commence until the following components of a scheme to deal with the risks associated with contamination, (including asbestos contamination), of the site be submitted to and approved, in writing, by the local planning authority:

(a) A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- Potentially unacceptable risks arising from contamination at the site.

The following aspects (b) – (d) shall be dependent on the outcome of the above preliminary risk assessment (a) and may not necessarily be required.

(b) An intrusive site investigation scheme, based on (a) to provide information for a detailed risk assessment to the degree and nature of the risk posed by any contamination to all receptors that may be affected, including those off site.

(c) The intrusive site investigation results following (b) and, based on these, a detailed method statement, giving full details of the remediation measures required and how they are to be undertaken.

(d) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (c) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action where required.

The development shall thereafter be carried out in accordance with the approved details. Any changes to these components require the consent of the local planning authority.

*Reason: As this matter is fundamental to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works and to ensure that any pollution is dealt with in accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015).*

10. **Pre-Occupation Condition: Car Parking**

Prior to the first occupation of the holiday caravan site hereby permitted, a plan showing the layout of the proposed development and the provision of car parking spaces for vehicles shall have been submitted to and approved in writing by the Local Planning Authority. No caravan shall be first occupied until the parking spaces associated with it have been provided in accordance with the approved details. The areas of land so provided shall thereafter be retained for the parking of vehicles.

*Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles clear of all highways in accordance with Policy 40 of the Horsham District Planning Framework (2015)*

11. **Pre-Occupation Condition: Cycle Storage**

Prior to the first occupation of the holiday caravan site hereby permitted details of secure [and covered] cycle parking facilities for the occupants of, and visitors to, the caravan park shall have been submitted to and approved in writing by the Local Planning Authority. No caravan shall be occupied until the approved cycle parking facilities associated with that caravan have been fully implemented and made available for use. The provision for cycle parking shall thereafter be retained for use at all times.

*Reason: To ensure that there is adequate provision for the parking of cycles in accordance with Policy 40 of the Horsham District Planning Framework (2015).*

12. **Pre-Occupation Condition: Landscape Management Plan**

Prior to the first occupation of any part of the development hereby permitted, a landscape management plan (including long term design objectives, management responsibilities, a description of landscape components, management prescriptions, maintenance schedules and accompanying plan delineating areas of responsibility) for all communal landscape areas shall have been submitted to and approved in writing by the Local Planning Authority. The landscape areas shall thereafter be managed and maintained in accordance with the approved details.

*Reason: To ensure a satisfactory development and in the interests of visual amenity and nature conservation in accordance with Policy 33 of the Horsham District Planning Framework (2015).*

13. **Pre-Occupation Condition: Hard & Soft Landscaping**

Prior to the first occupation (or use) of any part of the development hereby permitted, the overall landscape strategy for the site and full details of the hard and soft landscaping works and shall have been submitted to and approved, in writing, by the Local Planning Authority. Details that will be required to be submitted include:

- Details of a green infrastructure that meanders through the space and helps to 'anchor' the caravans to the site and coordination with the ecology mitigation measures
- Details of boundary treatments on the site or defining caravan plots
- Details of street furniture (including any lighting bollards, seating, bins, finger posts, signs, which are expected to be provided in timber)
- Exact location of swales and details of their depth and pond planting
- Details of the woodland trail (levels, surfacing, construction detail)
- Coordination of landscape proposals with pedestrian link to the South Downs path
- Details (including cross section drawings) of existing and proposed levels for all external earthworks associated with the landscape proposals including the basin.
- A general arrangement plan of the landscape proposals which must include trees and hedgerows to be removed, retained and proposed
- Details of the means of enclosure to restrict access for occupiers of the caravan site to the retained woodland in the northern part of the site

The approved landscape scheme shall be fully implemented in accordance with the approved details within the first planting season following the first occupation of any part of the development. Any plants, which within a period of 5 years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation

*Reason: To ensure a satisfactory development that is sympathetic to the landscape and townscape character and built form of the surroundings, and in the interests of visual amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015).*

14. **Pre-Occupation Condition: Refuse & Recycling (details required)**

The caravan site hereby permitted shall not be first occupied unless and until provision for the storage of refuse/recycling has been made for each caravan in accordance with details to be submitted to and approved in writing by the Local Planning Authority. These facilities shall thereafter be retained for use at all times.

*Reason: To ensure the adequate provision of recycling facilities in accordance with Policy 33 of the Horsham District Planning Framework (2015).*

15. **Regulatory Condition: Number of Caravans**

The total number of caravans on the site shall at no time exceed 23 holiday caravans.

Reason: To avoid an overcrowded appearance and to secure satisfactory standards of space and amenity in accordance with Policy 33 of the Horsham District Planning Framework 2015.

16. **Regulatory Condition: Layout of Caravan Site**

The holiday caravan site and position of the 23 holiday caravans shall at all times be laid out in accordance with the approved Block Plan (drawing no. 5561/C/01a Rev J received 26<sup>th</sup> January 2018).

Reason: To enable the Local Planning Authority to retain control on the appearance of the site in the interest of protecting the ecological and landscape impact of the development in accordance with Policies 31 and 33 of the Horsham District Planning Framework 2015.

17. **Regulatory Condition: Register of Permanent Residence**

The owners / operators of the caravan park shall maintain an up-to-date register, log and license agreements of the names of all owners / occupiers of caravans on the site and of their main home addresses and shall make the information available at all reasonable times, to the Local Planning Authority.

Reason: To ensure that approved holiday accommodation is not used for unauthorised permanent residential occupation in the interests of sustainable development and reducing the pressure on local services, to protect the appearance and character of the area and to ensure that adequate provision is retained for holiday accommodation, in accordance with Policy 11 and 26 of the Horsham District Planning Framework (2015).

18. **Regulatory Condition: Accordance with Ecology Statement**

The development shall be carried out in accordance with the Habitat Creation and Management Plan, by the Ecology Co-op (with specific reference to Sections 3, 4 & 5), dated 24<sup>th</sup> November 2017.

Reason: As this matter is fundamental to safeguard the ecology and biodiversity of the area in accordance with Policy 31 of the Horsham District Planning Framework (2015).

19. **Regulatory Condition: Accordance with Arboricultural Statement**

The development shall be carried out in accordance with the Tree Protection Plan, 9491-KC-XX-YTREE-TPP02 Rev B and Tree Information Statement submitted on the 5<sup>th</sup> December 2017, which details the measures to protect the retained trees on the site.

Reason: As this matter is fundamental to ensure the successful and satisfactory retention of important trees and hedgerows on the site in accordance with Policy 33 of the Horsham District Planning Framework (2015).

20. **Regulatory condition: Tree Protection**

No trees, hedges or shrubs on the site, other than those the Local Planning Authority has agreed to be felled as part of this permission, shall be wilfully damaged or uprooted, felled/removed, topped or lopped without the previous written consent of the Local Planning Authority until 5 years after completion of the development hereby permitted. Any trees, hedges or shrubs on the site, whether within the tree protective areas or not, which die or

become damaged during the construction process shall be replaced with trees, hedging plants or shrubs of a type, size and in positions agreed by the Local Planning Authority.

Reason: To ensure the retention and maintenance of trees and vegetation on the site unsuitable for permanent protection by Tree Preservation Order for a limited period, in accordance with policy 31 of the Horsham District Planning Framework (2015).

21. **Regulatory Condition: Underground Services**

The development shall be carried out in accordance with the Services Plan, 170514/100 Rev C submitted on 26<sup>th</sup> January 2018 and shall show accordance with the landscaping scheme submitted pursuant to condition 14 and the approved Tree Protection Plan, 9491-KC-XX-YTREE-TPP02 Rev B and Tree Information Statement submitted on the 5<sup>th</sup> December 2017. The development shall thereafter be carried out in accordance with the approved details.

*Reason: As this matter is fundamental to the acceptable delivery of this permission, to ensure the underground services do not conflict with satisfactory development in the interests of amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015).*

22. **Regulatory Condition: No Fences, Walls or Gates**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or Orders amending or revoking and re-enacting the same, no gate, fence, wall or other means of enclosure shall be erected or constructed on the caravan site without express planning consent from the Local Planning Authority first being obtained.

*Reason: In order to safeguard the character and visual amenities of the locality and in accordance with Policy 33 of the Horsham District Planning Framework (2015).*

23. **Regulatory Condition: Permitted Development Restriction**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, or Orders amending or revoking and re-enacting the same, no works constituting development required by the conditions of a site licence for the time being in force under Part I of the Caravans Sites and Control of Development Act 1960, shall be commenced without the prior approval in writing of detailed plans and specifications by the Local Planning Authority.

Reason: To enable the Local Planning Authority to retain control and secure a satisfactory development of the site in accordance with Policy 26 and 33 of the Horsham District Planning Framework (2015)

Background Papers: DC/12/1851, DC/12/1092, DC/11/0783, DC/08/0593