

laister

PARTNERS IN PLANNING

Cove Communities Ltd

Planning Application

Medmerry Park, Earnley, Chichester, PO20 7JP

Planning Statement

Prepared by:

Vanessa Clipstone

Checked by: Nayan Gandhi

LPL Project No: [1096]

Version: 23 October 2023

© Laister Planning Limited.

All Rights Reserved.

Get in touch

01608 238282

info@laister.co.uk

laister.co.uk

Laister Planning Ltd

Ground Floor

Oddfellows Hall

London Road

Chipping Norton

Oxfordshire OX7 5AR

Contents

1.	Introduction	4
2.	Site Context and Planning History	8
3.	Pre-application Discussions and Public Engagement	19
4.	The Planning Application	23
5.	The Needs Case	37
6.	Planning Policy Context	43
7.	The Main Assessment	47
8.	Conclusions	62

Appendix 1: Officers Delegated Report January 2021 (E/19/02840/FULEIA)

Appendix 2: Decision Notice January 2021 (E/19/02840/FULEIA)

Appendix 3: Pre-Application Written Response (22/00285/PRELM) dated September 2022

Appendix 4: Photographs from Conditions Survey December 2021

Appendix 5: Relevant policies in the Chichester Local Plan: Key Policies (2014 – 2029)

Appendix 6: Relevant policies in the emerging The Chichester Local Plan 2021-2039

Figures and Tables (within the main body of the Planning Statement)



1. Introduction

Scope of the Application

- 1.1. Laister Planning (Laister) has been instructed by Cove Communities Ltd (the Applicant) to submit a planning application for the comprehensive demolition, redevelopment and refurbishment of Medmerry Park, an existing holiday park to provide replacement holiday lodges, amenity facilities and other ancillary works at Medmerry Park, Earnley, Chichester, PO20 7JP (the application site).
- 1.2. The site falls entirely within Chichester District Council (CDC) area. The redevelopment proposals have been the subject of a detailed pre-application discussions with planning officers and technical officers within CDC and feedback from these discussions has influenced the design proposals and informed the supporting documentation provided with the application.
- 1.3. Laister Planning has significant experience providing planning advice for visitor attractions and holiday parks operators across the UK and advises the Applicant on their portfolio of sites.
- 1.4. This Planning Supporting Statement has been prepared in respect of a hybrid planning application. The description of development is as follows:

'Hybrid Planning Application - Phases 1 (Full Application) demolition, redevelopment and refurbishment of Medmerry Park to provide 124 no. holiday lodges, wetland area, two lakes, amenity lake and beach, central village hub, boathouse, childrens play and picnic area, adventure playground, adventure golf, padel tennis, beachside pool, tennis courts, playing field and dog park, back of house maintenance area, associated landscaping, drainage facilities, car parking, access roads and habitat enhancement areas. Outline planning application for further phases for an additional/replacement 184 no. holiday lodges and associated works (with all reserved matters accept Access and Layout).'

- 1.5. For the purposes of this Planning Statement the application scheme is referred to as the Medmerry Masterplan development.
- 1.6. From the outset it is important to highlight that if the proposed design is not taken forward, Medmerry Park would continue to have fundamental issues which cannot be resolved by simply refurbishing the individual lodges. These issues include visual amenity, landscape impact of the existing site, future flood risk and underutilisation of ecological and economic opportunities.
- 1.7. This phased redevelopment enables the existing holiday park to continue to operate throughout the construction process. The masterplan scheme has been carefully prepared to minimise the impacts of the construction process thereby ensuring the amenity of nearby residents and visitors is not negatively affected. A series of draft management plans have been prepared which set out controls and mitigation measures through both the construction and operation stages of the Medmerry Masterplan.
- 1.8. In addition, comprehensive pre-application consultation has been undertaken with CDC officers and politicians, technical stakeholders and statutory consultees, local owners and stakeholders such as RSPB and Earnley Parish Council and the local community including nearby residents and lodge owners within the existing holiday park. This has enabled the applicant and their project team to take on board feedback, identify key issues and concerns to evolve the masterplan proposals and prepare the necessary supporting documents to robustly assess the development.
- 1.9. Medmerry Masterplan is a comprehensive sustainable and well-designed redevelopment scheme, that provides an opportunity to deliver high quality site wide improvements through the reconfiguration of the holiday park layout, flood mitigation measures, provision of significant landscape planting, habitat creation and biodiversity enhancements and the creation of positive economic impacts and benefits through additional jobs, economic investment in an existing tourism facility, increased activity outside peak season and indirect knock on spend and benefits to the wider local economy.



The Applicant – Cove Communities

- 1.10. Cove Communities own and operate award winning holiday resorts, holiday parks and residential communities in prime locations across the UK, including Medmerry Park and the nearby Seal Bay. Cove Communities are continuously investing in their existing properties as well as new locations to improve the lives of their guests and ensure the long-term success of their parks and communities.
- 1.11. Cove Communities are committed to investing in their local areas, through programmes and partnerships which include work experience programmes and apprenticeships with local colleges such as Chichester College and through initiatives such as the Selsey Academy Breakfast Club. They also collaborate with locally based charities such as Think Out, Fedcap Group and Aldingbourne Trust to support work experience and career opportunities.
- 1.12. At both Seal Bay and Medmerry Park 20% of food and beverages are sourced and supplied by local business, thereby creating positive knock-on economic benefits for the local economy. They also partner with 8 different local leisure and activity business partners to create leisure experiences for guests.
- 1.13. Cove Communities acquired Medmerry Park in August 2021 and have focused on delivering a package of immediate physical enhancements and operational changes across the site in the short term to address existing issues. Their longer-term objective is to secure and deliver the comprehensive redevelopment of the site, whilst retaining the tranquil qualities and characteristics of this unique holiday park.

EIA Development

- 1.14. The EIA Regulations 2017 require that, before consent is granted for certain types of development, an EIA must be undertaken. The EIA Regulations 2017 set out the types of development which must be subject to an EIA (referred to as Schedule 1 development) and other developments, which may be subject to an EIA depending on certain parameters and/or their potential to give rise to significant environmental effects (referred to as Schedule 2 development).
- 1.15. The Medmerry Masterplan does not fall under any of the types of development set out in Schedule 1 of the EIA Regulations 2017. However, it may be considered to constitute Schedule 2 development, if judged to qualify as a ‘holiday village’ in accordance with Section 12(c). A development is considered to fall within Schedule 2 if:
 - Any part of the development is carried out in a sensitive area; or
 - Any applicable threshold or criterion in the corresponding part of column 2 of the table in Schedule 2 is exceeded or met in relation to the development.
- 1.16. The Medmerry Masterplan is not considered to be in a sensitive area; however, it is located adjacent to several sensitive areas including the Bracklesham Bay Site of Special Scientific Interest (SSSI) and the Medmerry Reserve. This habitat is functionally linked to the Pagham Bay Special Protection Area (SPA) and Ramsar European designated site, approximately 2.8km to the north-east of the site.
- 1.17. In addition, the Medmerry Masterplan exceeds the threshold of the area of the development exceeding 0.5 hectares (ha), as specified in Schedule 2, Section 12(c) of the EIA Regulations 2017.
- 1.18. A previous application in 2019 for redevelopment of the site was EIA development under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.
- 1.19. Whilst this current application proposes significantly less development than the 2019 scheme, the applicant has voluntarily proceeded with the preparation of an EIA following the same topics and considerations as the 2019 application. This was confirmed in email discussions with the Development Manager (Majors and Business) Jo Bell on 20th January 2023.

Habitat Regulations Assessment

- 1.20. Habitats Regulations Assessment (HRA) is the process that competent authorities (CDC in consultation with Natural England (NE)) must undertake to consider whether a proposed development is likely to have significant effects on a European site designated for its nature conservation interest. HRA is often referred to as



‘Appropriate Assessment’ (AA) although the requirement for AA is first determined by an initial ‘Screening’ stage.

- 1.21. CDC has confirmed through their planning pre-application written response that the applicant will need to provide all the details necessary to undertake the HRA. Accordingly, a HRA screening report has been prepared as part of this application submission. This is Stage 1 of the HRA process and identifies the relevant European designated sites to be included in the assessment and their reasons (habitats and/or species) for designation. It will assess the potential for the proposed development to have a significant effect on these interest features and the need for further assessment through the preparation of an AA under Stage 2 of the HRA process.

Application Reports and Plans

- 1.22. A series of detailed technical assessments have been prepared to inform the application submission. These documents and drawings are submitted in line with the national and local validation requirements. The list of documents has been agreed with planning officers in pre-application discussions.
- 1.23. This Planning Statement should be read in conjunction with the various technical documents and plans submitted as part of the outline application package. These include:

Table 1.1 Application Reports and Documents

Supporting Documents	Prepared By
Application Form	Laister Planning
Environmental Statement <ul style="list-style-type: none"> Non-Technical Statement (NTS) Volume 1 – Text Volume 2 – Figures and Appendices ES includes following documents in ES Appendices	RSK and project team
Planning Statement	Laister Planning
Design and Access Statement	Inspired Partnership Limited
Statement of Community Involvement (SCI)	Flintlock

- 1.24. A list of the existing and proposed drawings submitted with the planning application is provided separately. The project team for this application submission is set out below:

Table 1.2 Medmerry Masterplan Project Team

Role and Expertise	Consultant
Project Managers	Lavingtons
Architects and Masterplanners	Inspired Partnership Limited
Planning Consultants	Laister Planning Limited
Public Relations	Flintlock
EIA Project Manager	RSK
Climate Change	RSK
Land and Soils	RSK Geosciences
Acoustics	RSK Acoustics
Air	RSK
Material Assets and Waste	RSK Geosciences



Biodiversity	RSK Biocensus
Water	Herrington Consulting
Landscape and Visual	Clewsla
Socio-economics	Lichfields
Transport	ITP
Cultural Heritage	ARCDAS
Arboriculture	RPS

Structure of the Planning Statement

- 1.25. This Planning Statement provides an overview of the planning policy, both in adopted and emerging local development plans. The statement assesses the scheme against this policy and the key material considerations, having regard to the documents submitted as part of the application package. It evaluates the schemes compliance with the Development Plan and the suitability of the site for this development.
- 1.26. The structure of this statement is as follows:
- Section 2 describes the site and its relationship to the wider area and relevant planning history.
 - Section 3 explains the pre-application discussions with Chichester District Council and the public engagement.
 - Section 4 contains a description of the proposed development.
 - Section 5 provides the needs case for the development.
 - Section 6 clarifies the relevant NPPF policy and the adopted Development Plan policies.
 - Section 7 provides the main assessment of the proposed development focusing on the principle of the development, the needs case and economic benefits, and the key technical matters.
 - Section 8 summaries the benefits of the scheme and provides the main conclusions.



2. Site Context and Planning History

The Site and Surroundings

- 2.1. Medmerry Holiday Park is approximately 33.3 hectares and comprises the main built up section of Medmerry Park and adjoining amenity land. Access to the site is via Drove Lane, a private access road, with passing bays. The site and access road as shown on the site plan below are owned by the applicant, Cove Communities Ltd, who acquired the site in August 2021.
- 2.2. This is a hybrid application which comprises an outline application site of 9.7 hectares and a full application site of 12 hectares as shown on the various application drawings accompanying the application.

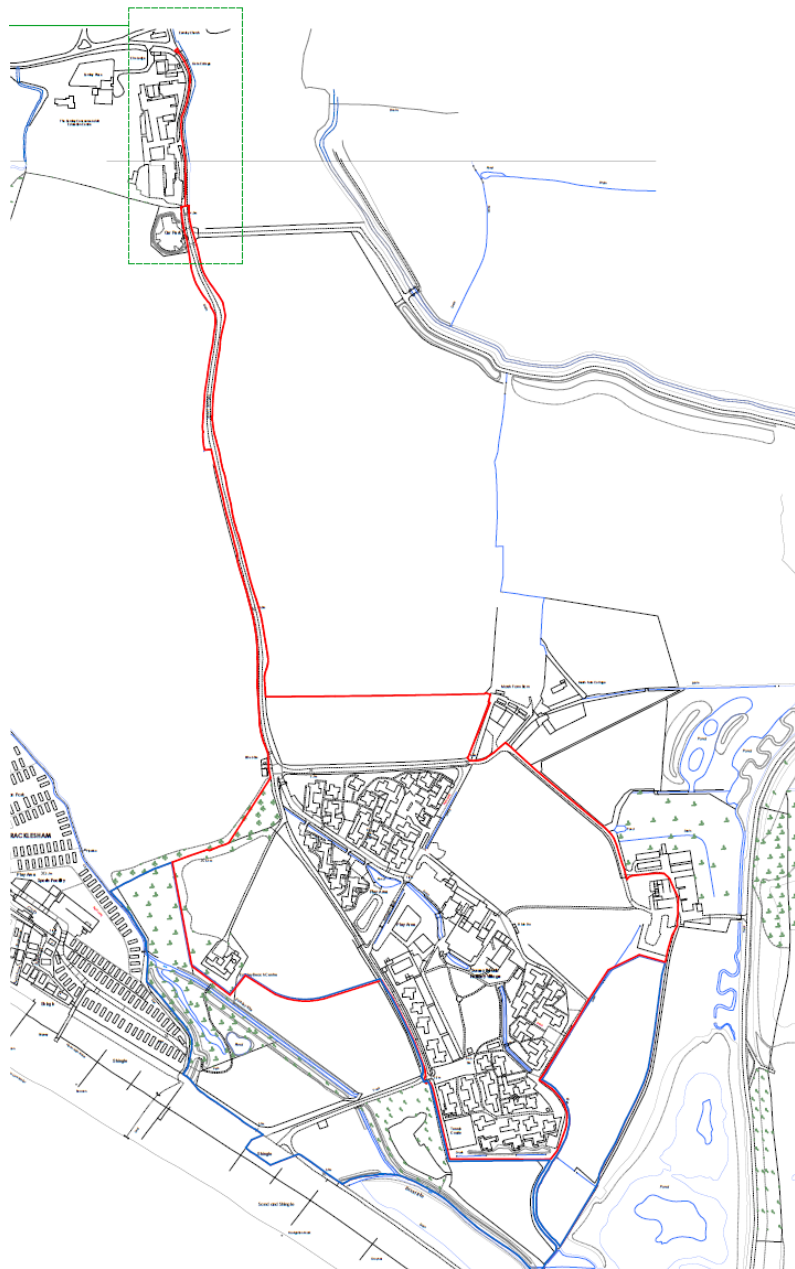


Figure 2.1: Medmerry Park Site Plan

- 2.3. Drove Lane leads to the village of Earnley to the north (via Bookers Lane and Clappers Lane), and eventually to the wider highway network via B2179, leading towards Chichester. Chichester is located 12.9km/8 miles north of the holiday park. A Public Right of Way (PROW) footpath (no 55) follows Drove Lane from Earnley, through the site to the beach.
- 2.4. Medmerry Park is in the countryside a short distance away from Manhood Peninsula’s southern coastline. Whilst the site is in a rural location, the edges of East Wittering and Bracklesham are located immediately to the west, separated by a watercourse (Earnley Rife) and the vacant fields of Medmerry Holiday Park. The holiday park is accessible via the coastline beaches, but there is no direct vehicle access between the application site and East Wittering and Bracklesham.
- 2.5. The site is immediately adjacent to two farming properties, which are accessed via a private track off Drove Lane. This access track is owned by the applicant and provides vehicular access to the holiday park maintenance complex and a storage facility (under separate ownership) immediately adjoining the application site to the east.
- 2.6. Immediately east of the site is Medmerry Reserve, a Royal Society for the Protection of Birds (RSPB) site and includes stiling ponds and the Broad and Grange Rifes. Cove’s Sea Bay Holiday Resort, a major static caravan-based holiday resort, is located on the other side of the Reserve from Medmerry Park.
- 2.7. The application site is an established Holiday Park and visitor destination comprising amenity fields surrounding the central built-up area of the site. The built-up area comprises 308 holiday lodges, amenity and operational facilities, including the Reception Building, adjoining Maintenance Office and separate Games Room.
- 2.8. The Medmerry Arms is a two-storey public house/restaurant located opposite the reception building. The clubhouse previously known as the Pink Flamingo Building is a two-storey building, located to the south of the Games Room. Outdoor amenity facilities include the heated outdoor swimming pool (25 metres x 11.5 metres with sun terrace), children’s play park, crazy-golf park, tennis courts and dog exercise area.
- 2.9. A separate maintenance yard is located on the eastern edge of the holiday park, whilst Dimensions House/ Earnley Beach Centre is located on the western edge of the holiday park.

Table 2.1: Existing Buildings at Medmerry Park (not including existing chalets)

Chalet	Floorspace (GEA unless specified otherwise)
Medmerry Village including Pink Flamingo Building	2,303sqm
Medmerry Arms	353sqm
Dimensions House/Earnley Beach Centre (including three vacant bedroom staff house)	329sqm
Storage/Back of Houses	192sqm
Swimming Pool Structures	79sqm

- 2.10. There is soft and hard landscaping throughout the park, alongside ancillary parking areas and internal tarmac surface access roads. The amenity fields adjoining the central built-up area are accessible to visitors for informal leisure and recreation uses.
- 2.11. The site has been used as a holiday park since the 1930s, and most of the existing lodges were installed in the 1960’s and 1970s. The overall layout and orientation of the holiday park has not changed significantly since 1970s. In 2012, the previous owners undertook a refurbishment programme, and the address of the site changed from Sussex Coast Holiday Village to its current name of Medmerry Park Holiday Village.
- 2.12. The chalets are arranged in 45 separate blocks comprising 4-6 chalets laid out around the central facilities. The majority are single storey timber framed and clad structures with either pitched or flat synthetic covered roofs. Three blocks are of brick elevations beneath tiled roofs. Two further blocks comprise two storey structures of brick, tiled or timber clad elevations beneath pitched tiled or synthetic sheet roofs. Many of the lodges have minimal insulation, suffer from widespread damp problems, rot, and poor ventilation.



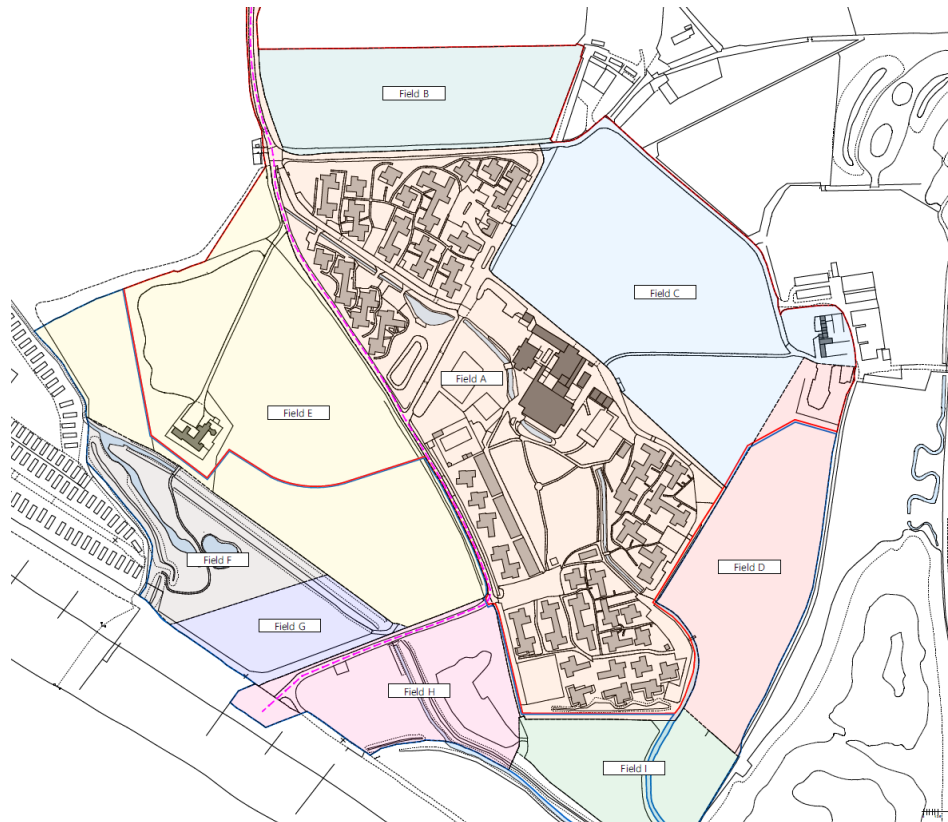


Figure 2.2: Existing layout and field annotation at Medmerry Holiday Park

- 2.13. Following acquisition of the site, the Applicant instructed review of the existing accommodation which confirmed that a significant number of these lodges are in poor condition, no longer usable and will need to be replaced. Similarly, the Pink Flamingo clubhouse is no longer open to the public and requires significant refurbishment.
- 2.14. The applicant has recently refurbished a small number of the lodges. However, this is a temporary solution as refurbishment will not provide the internal layouts, and bedroom spaces expected to meet modern visitor requirements. Some of these existing lodges include bedspaces in living areas to provide additional bedroom space. Furthermore, the existing units are arranged within a series of blocks providing 4-6 units, rather than detached or semi-detached layouts.

Table 2.2: Existing Chalet Accommodation

Existing Chalet Bedrooms and Bed spaces	Total Number of Chalets	Number of Bedspaces in Bedrooms	Additional Bedspaces in Living Room sofa Beds	Total Existing Bedspaces
1 bed Chalets (2 bedspaces)	37	74	0	74
2 bed Chalets (4 bedspaces)	239	956	62 (31 of the 2 bedroom refurbished chalets includes a double sofa bed in the living room)	1018

3 bed Riverside Bungalow (6 bedspaces)	1	6	0	6
1 bed Bricks (2 bedspaces)	8	16	0	16
2 bed Bricks (4 bedspaces)	16	64	0	64
1 bed Riverside House (2 bedspaces)	2	4	0	4
2 bed Riverside House (4 bedspaces)	1	4	0	4
2 bed Westward House (4 bedspaces)	4	16	0	16
Total	308	1140	62	1202

- 2.15. Given the age and quality of the existing accommodation, there is a clear operational, tourism and economic needs case to implement site wide reconfiguration and enhancements across the holiday park, through a comprehensive redevelopment and refurbishment scheme to ensure the long-term viability and continued success of this existing holiday park.
- 2.16. This comprehensive redevelopment will deliver high quality accommodation and additional amenity facilities that meet current holidaymaker/visitor requirements; provide a package of enhancements across the site; incorporate climate resilience measures to address flood risk; and create a sustainable nature focused tourism destination.
- 2.17. Further details regarding the needs case for the development is set out in Section 4 of this Statement.

Designations

- 2.18. Most of the application site is not subject to any national or local designations, however the key designations surrounding the site can be found in the following extract from DEFRA's Magic Mapping service:



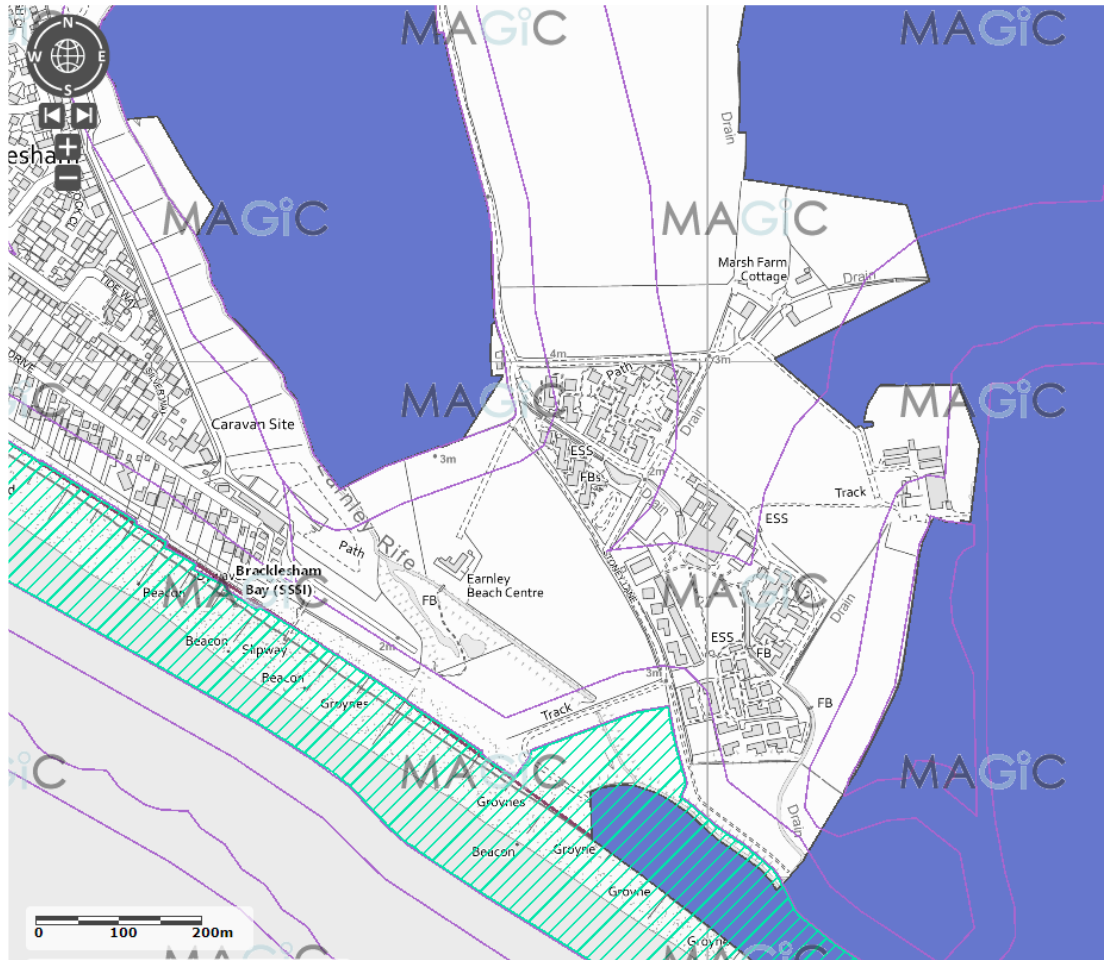


Figure 2.3: Extract from DEFRA's Magic Mapping

- 2.19. The application site is in the centre of the image, with the hatched green hatched markings to the south being the extent of the Bracklesham Bay Site of Special Scientific Interest (SSSI). This is a national designation, and it is designated for its grasslands, rifes and shingle beaches, which are of considerable ornithological importance for both breeding and overwintering birds. It extends over only a small part of the southern extent of the application site.
- 2.20. The blue areas to the east and west of the site are areas fall with the Medmerry Reserve. This habitat is functionally linked to the Pagham Bay Special Protection Area (SPA) and Ramsar European designated site, approximately 2.8km to the north-east of the site.
- 2.21. The Medmerry Reserve is also functionally linked to the Chichester and Langstone Harbours SPA and Ramsar European designated site, which is located approximately 4.8km to the west. Both SPA and Ramsar sites are also designated as SSSIs.
- 2.22. The application site is also partly located within Flood Zone 3 (dark blue marking), as shown below, according to the Environment Agency's online mapping service, although it also benefits from the flood defences.



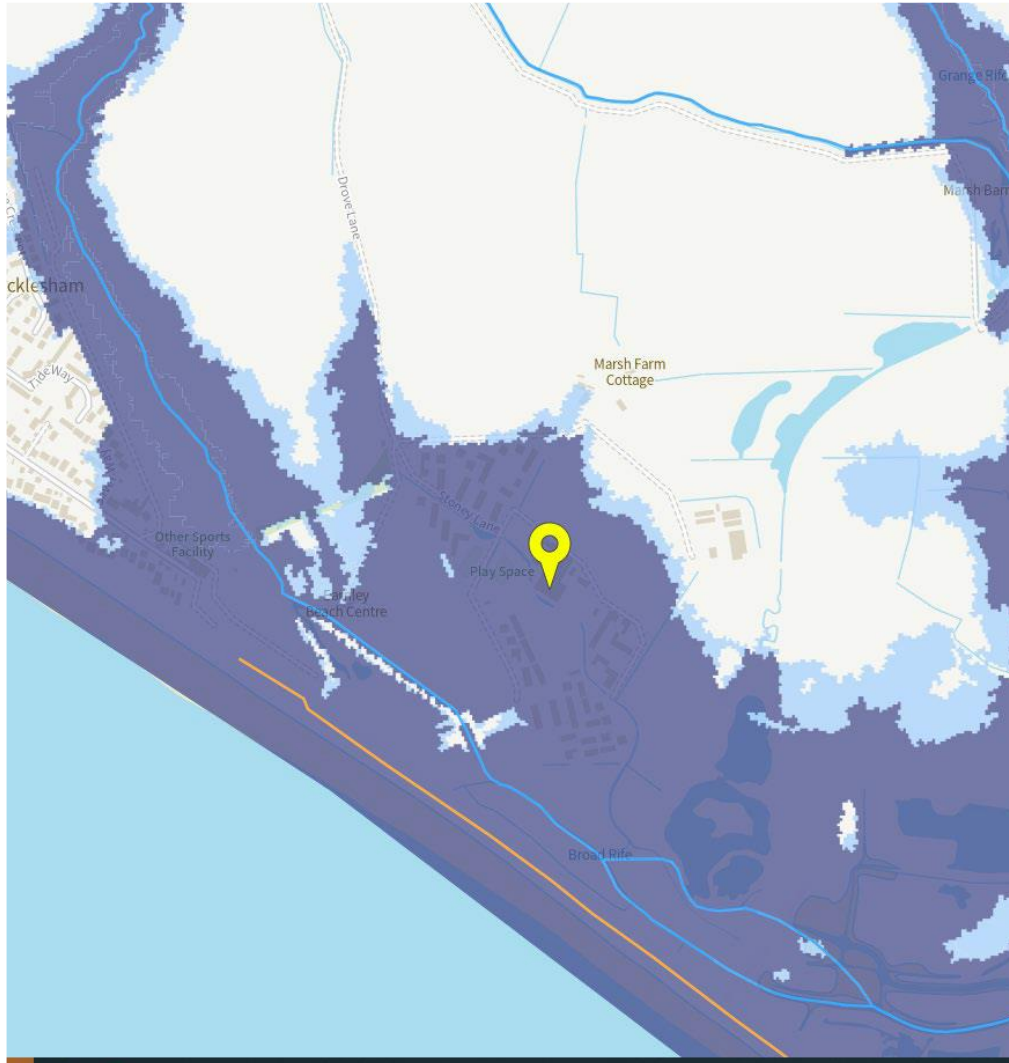


Figure 2.4: Extract from Environment Agency's online mapping service

- 2.23. The site and its surroundings all fall within Chichester District Council's administrative area; the Local Planning Authority (LPA) for the site.

Planning History

- 2.24. The planning history records have been obtained from Chichester District Council website. The key decisions from 2016 and 2021 are summarised below.

The 2016 Permission

- 2.25. Planning Permission was granted on 11th March 2016 (Application Ref: E/15/00368/FUL, known as the 2016 Permission) to Medmerry Park Limited, the previous owners of the site, for the following proposals:

'Proposed holiday use of Medmerry Chalet Park from the 1 March in any one year to the 6 January the following year.'

- 2.26. The Site Location Plan according to the application website indicates that only 'Field A' was included within the application boundaries, as can be seen from the following extract of that Plan:



1:2500 LOCATION PLAN

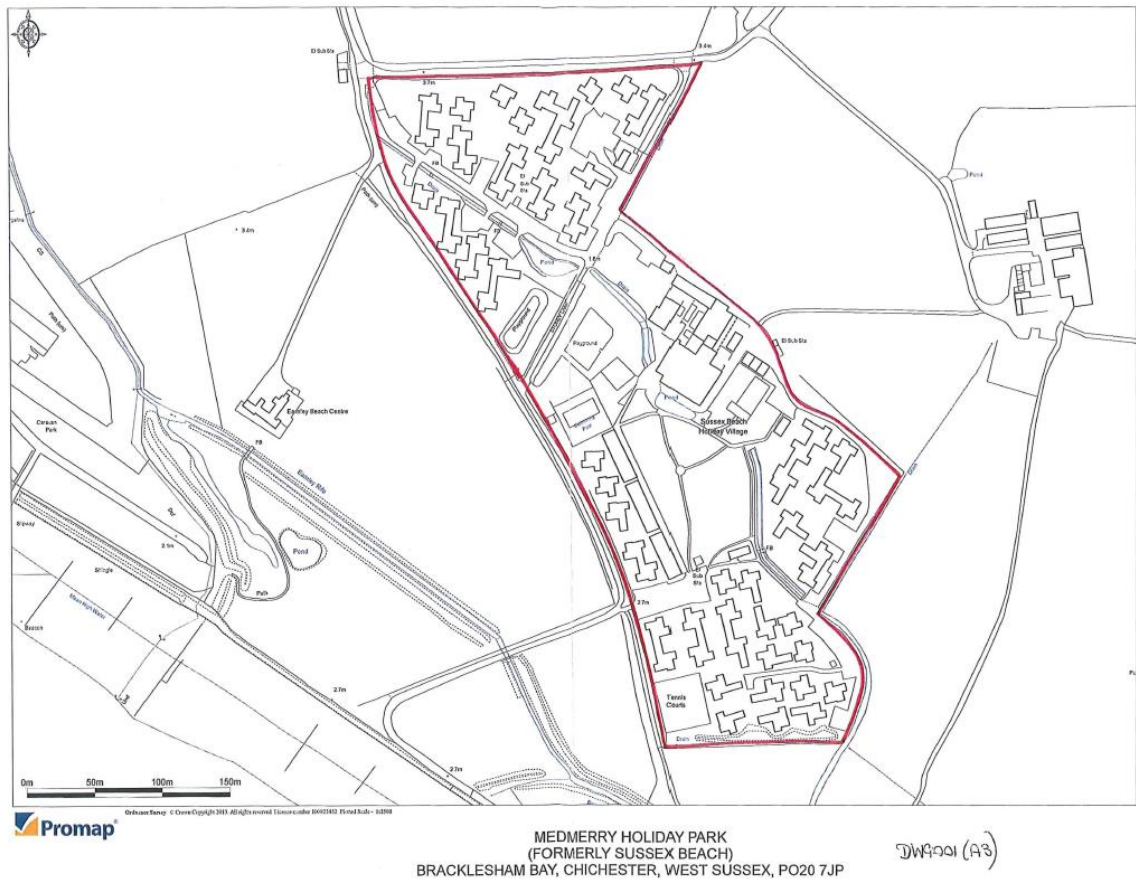


Figure 2.5: Copy of Site Location Plan for 2016 Permission

2.27. The 2016 Permission had 7 conditions attached to it, which can be summarised as follows:

- 1) Standard timescale for commencement.
- 2) Development to be carried out according to the approved Location Plan (Drawing Ref: DWG0001(A3), as shown above).
- 3) Restriction on the use of the units to holiday accommodation only.
- 4) “The park shall be closed between 17:00 and 08:00 each day from 6 January to 1 March each year, with no overnight stays permitted during this closed period.”
- 5) Requirement to keep a registry of the permanent addresses of occupiers.
- 6) Requirement to operate the site according to the Management Emergency Procedures (dated February 16, and all subsequent revisions), and associated site plans and information. The plan must be regularly tested, and the document should be regularly updated with a new copy provided to the LPA and County Council’s Emergency Planning Officers.
- 7) The site operator is to prepare and provide an educational pack for tenants regarding the importance of the nearby SPAs and the Medmerry Reserve as ecologically sensitive areas, and how impacts can be reduced. “Attention shall also be drawn to the requirements of the Section 106 agreement that accompanies this planning permission and the restrictions that affect chalet occupiers in this regard. This pack shall be submitted to the Local Planning Authority before 1 May 2016 and once approved, shall be distributed to all chalets and provided to all subsequent tenants.”

- 2.28. The 2016 Permission is also subject to a Unilateral Undertaking Planning Obligation, made under Section 106 of the Town and Country Planning Act 1990 (TCPA, as amended), which required a contribution of £3,852.00 towards mitigation measures regarding access to the SPAs. This is assumed to have been discharged.
- 2.29. A second requirement of the legal agreement is that the owner agreed to restrict access to the land identified in light blue on the attached Seasonal Access Plan (Dwg No. 0445/LA-200) between the dates of 01 November to 6 January of each year, by adhering to the agreed management measures. The measures include requirements to keep various fields fences according to the plan enclosed with the legal agreement. An extract of the Plan is shown below:



Figure 2.6: Extract from S106 Agreement for 2016 Permission

- 2.30. Although the plan’s markings are not clear, it appears that the area known as Field H would be the land that is available to residents, whilst Fields C and D are required to be closed off during breeding season for the Geese.
- 2.31. The 2016 Permission appears to be the primary operative permission for the existing site.

The 2021 Refusal

- 2.32. In 2019, a hybrid planning application (LPA Ref: E/19/02840/FULEIA) was submitted on behalf of Medmerry Park Limited for the redevelopment of the site with 518 static holiday caravans and lodges to replace the existing 308 holiday bungalows, along with associated works relating to drainage, landscape, access, habitats enhancement and flood defence.
- 2.33. The description of development is as follows:

‘Hybrid planning application - Full application for the redevelopment of Medmerry Park to provide 518 static holiday caravans and lodges in lieu of 308 holiday bungalows and associated works including drainage, landscaping, habitat enhancement areas, access roads, footpaths and a comprehensive flood defence scheme including bund. Outline planning application for the part demolition of the existing facility buildings and erection of replacement facility buildings together with extension/refurbishment of existing facility buildings (with all matters reserved except for access).’



2.34. The proposed development can be seen in the following plan (the Landscape Concept Plan submitted in November 2020), which was the latest version available on the application website, and submitted following various amendments that were made following submission:



Figure 2.7: Landscape Concept Plan for 2021 Refusal

- 2.35. Almost the entire site would have been developed with caravans under this application. According to the information available, most of the caravans would be single statics (426) across the site, with 92 lodges (presumably twin-unit caravans) being proposed on 'Field D' to the south-west and 'Field B' to the north. Several areas were identified for landscaping and recreational purposes, namely towards the centre, southwest and southern parts of the site. A clubhouse, pub/restaurant and swimming pool were also proposed.
- 2.36. The occupancy restrictions would remain in place, and the park would remain closed for overnight stays from 6th January to 1st March of each year.
- 2.37. The phasing plan (extract below) highlights that Phase 1 would comprise the development of areas to the north, west and east (Fields B, C and E) to provide 299 static caravans. The later phases of development were proposed to be centred around the areas currently occupied by the existing holiday bungalows (Field A), along with Field D to the south-west. Substantial landscaping bunds and associated planting were proposed to mitigate against visual impact arising from the development, primarily along the edges of fields to the north-east (Field C) and Field B.

2.38. As explained in the Officer’s Delegated Report, the scheme also proposed some land raising of 0.8m in Fields C and E, and 0.4m in Field B.



Figure 2.8: Land Raising Plan for 2021 Refusal

- 2.39. Phase 2 comprised the replacement of the central area with 219 units, which included raising the land by up to 300mm.
- 2.40. The proposals also incorporated a substantial flood defence bund that would be designed to protect the site from the risk of flooding. The bund would be situated along the southern end of the development site, and it would wrap around the site to the north-west. Various surface water measures were proposed, including management ponds.
- 2.41. The application was accompanied by an Environmental Statement (ES) that assessed certain environmental effects. The ES covered the following topics: water and sediment quality, ecology and nature conservation, flood defence and drainage, landscape and visual impact, archaeology, traffic and air quality, and soil and agricultural land quality.
- 2.42. The application was amended during the application period in response to the significant number of objections. The objections and amendments are discussed in depth within the Delegated Report (2021 DR). A copy of this officer’s delegated report is attached at **Appendix 1**.
- 2.43. The planning application was refused under Delegated Powers on 26th January 2021 for five reasons. The Reasons for Refusal (RfR) are summarised as follows:
 1. The proposals will cause an Adverse Effect on the integrity of multiple European protected sites and associated ecology alone and in combination. There would be significant harm to biodiversity. “The proposal fails to meet the requirements under regulation 63 of the Conservation of Habitats and Species Regulations

2017, policies 49, 50, 51 and 52 of the Chichester Local Plan: Key Policies 2014-2029 and paragraphs 175 and 177 of the National Planning Policy Framework. The proposal does not meet the requirement of 'imperative reasons of overriding public interest' under Regulation 64 of the Conservation of Habitats and Species Regulations 2017."

2. The proposals would increase the number of additional people in areas of high flood risk, where the wider benefits of the scheme (e.g. economic, sustainability, etc) could not be secured and which would outweigh the increased risk, in accordance with the Exceptions Test of the NPPF.

3. The proposals would significantly undermine the open and rural character of the coastal plain and beach frontage, and it would exacerbate impacts on tranquillity and amenity by increased activity. This would result in a change in the character of the SSSI. The proposed landscaping would not sufficiently mitigate against the harm. "The proposal therefore fails to comply with policies 31, 44, 45, 47 and 48 of the Chichester District Local Plan: Key Policies 2014-2029 and paragraphs 83(c), 168, 170 and 180 of the National Planning Policy Framework."

4. Lack of evidence to demonstrate that there is a particular tourism need for an increase in the number of units on site by 210, contrary to Policy 31 (with Appendix E), and the benefits of the scheme could not be justified.

5. No contributions were secured under Town and Country Planning Act Section 106 regarding mitigation to the trunk road network, recreational and associated disturbance to European designated site, improvements to the public right of way, and long-term management and maintenance of recreational areas, landscaping drainage features and, flood defences. "The proposal therefore fails to meet the requirements under policies 8, 9, 22, 44, 49, 50, 51 and 52 of the Chichester Local Plan: Key Policies 2014-2029, the Planning Obligations and Affordable Housing Supplementary Planning Document, sections 9 and 15 of the National Planning Policy Framework, and the Conservation of Habitats and Species Regulations 2017."

2.44. A copy of the Decision Notice can be found in **Appendix 2**, and it is referred to as the 2021 DN.



3. Pre-application Discussions and Public Engagement

2022 Pre-Application Submission (22/00285/PRELM)

- 3.1. As previously explained the applicant acquired Medmerry Park, in August 2021 following the January 2021 refusal. Although the previous application was refused, the applicant identified the potential to deliver a sympathetic redevelopment of the existing holiday park, replacing the outdated poor quality 1970s accommodation, and deliver a package of environmental and economic benefits.
- 3.2. To inform the redevelopment scope, the 2019 reasons for refusal were assessed, alongside the site-specific opportunities and constraints and the applicant’s business case. It was clear the scheme needed to focus on retaining the same number of lodges, increasing the amenity provision and incorporating landscape, flood and ecological enhancements.
- 3.3. A pre-application masterplan and pack of supporting documentation was submitted in February 2022 comprising:
 - PWP Pre-App Masterplan (Dwg No 5760/1100/A)
 - PWP Medmerry Park Redevelopment Plan – Pre-Application Architectural Design Notes document (the PWP Design Doc).
 - ClewsLA Pre-Application Landscape Report (the CLA LR).
 - Technical Note on Flood Risk (prepared by Herrington Consulting), referred to as the FRN.
 - A Technical Note on protected species (prepared by Enzygo).
 - Planning Letter (prepared by Laister Planning).



Figure 3.1: Draft Preliminary Masterplan for the 2022 Pre-Application Submission

- 3.4. A roundtable meeting and separate site visit were held with CDC planning officers in May 2022 and the officer's written response was provided on 13 September 2022. A copy of the officer's re-application report is provided at **Appendix 3**.
- 3.5. The principle of redevelopment of the site was confirmed through the pre-application response. This in principle support and other key considerations are set out in the officer's report are summarised below:
- Confirmed the principle for the redevelopment and improvement of tourist facilities through the Local Plan Policy 30, subject to a series of criteria which focus on maintaining the character of the area, minimising impact on the natural environment and avoiding increases on recreational pressures on Chichester Harbour AONB and Pagham Harbour, providing high quality accommodation and extending the tourist season.
 - Given the rural context of the site, the principle was considered acceptable subject to the development being an appropriate scale to the location and support the objectives of rural regeneration and diversification.
 - Requirements to demonstrate needs case for the redevelopment/enhancements rather than expansion of unit numbers in line with Policy 31
 - Additional in principle support from CDC Economic Development Officer for betterment of tourism opportunities and beneficial impact on the local economy.
 - Conditions will be sought to control tourism occupancy of the site.
 - The principle of moving holiday accommodation, into areas of lower flood risk was supported under the 2019 application and could be seen as a betterment. The Council's Drainage Engineer states that as per the NPPF the Council must allocate new development sequentially (areas at lowest risk). No objection and support the proposal to replace the existing number of accommodation units in areas at lower risk.
 - Given accommodation within Flood Zone 2 and 3, a Sequential Test would be required in accordance with the NPPF and policy 42 of the CLP, as part of the Flood Risk Assessment to clearly set out the process of selecting the parts of the site that have been chosen for redevelopment and what alternatives have been considered. National Planning Practice Guidance requires Sequential Test to consider all types of flooding.
 - Flood risk modelling to be undertaken in absence of undefended beach to inform the appropriate levels (ground and finished floor) for the site.
 - Surface water drainage to align with building regulations and SuDS best practice. Viability of on-site infiltration to be incorporated to maximum feasible extent, subject to testing and groundwater monitoring.
 - Landscape impact in terms of open and rural character to be assessed in terms of the wider site and specific fields/areas. Specific concerns raised regarding the perceived coalescence between the holiday park and Bracklesham from different viewpoints include the beach and other key viewpoints.
 - Also concern regarding the extension of the holiday park to the north. Landscape screening/planting to be provided particularly for development of fields that would intrude into the flat open landscape and long views across the area (eg Field B). Impact of raising land and levels to address flood risk will need to also be assessed in terms of the landscape impact.
 - Masterplan to avoid uniform or suburban layouts. Simple amendments to the design to incorporate different chalet types, contemporary detailing, and variety of roof lines within a landscape is likely to be supported. Layout and spacing should avoid use of suburban streets or tightly packed units.
 - The site sits in both the recreational disturbance buffer zones for both Chichester Harbour SPA and/ Pagham Harbour SPAs. Policies 50 and 51 of the CLP set out how new residential development in the Local Plan area has an in-combination effect on the protected bird species of these protected sites. In this context, 'dwelling' includes net new dwellings to be used as holiday accommodation. The proposal does not seek to increase the number of units proposed at the site (unlikely the previous proposal), there is not net increase that required mitigation payments to be made.
 - Details are required by the applicant to undertake a Habitats Regulation Assessment (HRA) relating to key HRA issues such as buffer between the holiday units and the Silt Ponds, the loss of Brent geese feeding habitat and the insufficient consideration of the recreational disturbance issues.



- Full up to date surveys for protected species would be required and existing green infrastructure on site retained and enhanced.
- Enhancements to improve biodiversity across the site and shown on landscape and ecology plans for the redevelopment.
- In line with Policies 50 and 51 of the CLP, a financial contribution is required for any new dwellings. As the scheme is replacing the same number of dwellings and there is no net increase in units there will not be a requirement for mitigation payments.
- Full assessment of expected economic benefits will be required.
- WSCC Highways did not object to the 2019 proposals which increased the number of units on site. Transport information required with the submission will include Transport Statement and parking strategy. Potential impact of traffic through Earnley Conservation Area needs to be addressed.
- Additional information related to noise, contaminated land, lighting, air quality and ventilation to be provided as part of the application submission.
- Sustainability Statement required in accordance with Local Plan Policy 40: Sustainable Construction and Design and scheme design will need to include sustainable design and minimise energy use.
- Recommend EIA Screening Opinion be sought.

3.6. Informed by the pre-application feedback a project team was assembled and baseline assessments prepared to inform the masterplan proposals and prepare the necessary supporting documents to ensure the application proposals respond to and address the 2019 reasons for refusal and the pre-application feedback. In addition, further discussions with key stakeholders and the public consultation process summarised below have helped to inform the scheme design.

Community and Stakeholder Engagement

3.7. A consultation event was held over two days on Friday 16th and Saturday 17th June 2023 at The Medmerry, Medmerry Park, Stoney Lane, Chichester, PO20 7JP. This included both private timeslots for specific stakeholders and specific timeslots for public consultation. 14 Exhibition Boards were prepared by the applicant and their project team to inform those attending the exhibition about the existing holiday park site, key issues and considerations, the proposed development and benefits of the scheme.

3.8. The timings of the exhibition were as follows:

- Friday 9-10.30am - Private consultation for parish councillors and interested parties
- Friday 10.30-12pm - Private consultation for District Councillors and Officers
- Friday 12.30-5pm - Public consultation
- Saturday 9-12pm - Public consultation
- Saturday 12.30-3.30pm - Medmerry Park leaseholders

3.9. In terms of the public consultation, 3,000 leaflet were distributed to all residential properties and businesses in Earnley, Bracklesham and East Wittering. The objective of the leaflet was to invite the local community to the public exhibition (two time slots on both Friday 16th and Saturday 17th June) , to communicate information about the scheme. The leaflet included details of project specific website (<https://medmerry-park.co.uk>) to also allow those that could not attend in person to view the exhibition boards and provide their feedback.

3.10. Member of Earnley, Bracklesham and East Wittering Parish councils were invited to a private consultation on Friday 16th June. CDC Councillors and Officers were invited to a separate private consultation on Friday 16th June. A separate session was identified for local community groups and stakeholders including RSPB, Earnley Church, Manhood and Wildlife heritage group and Earnley Concourse. Finally, a separate time was arranged for existing leaseholders on the park to attend the exhibition on Saturday 17th June.

3.11. The applicant and members of the project team attended the exhibition to discuss the proposals and answer questions on the day. Visitors to the event were encouraged to fill in a feedback form. This feedback form was also made available online for people who could not attend or wanted to fill in the form later. In summary

- 15 people visited from the parish councils and other interested parties.
- 6 District councillors attended.
- 50+ members of the public attended across the two days.
- 60+ leaseholders visited us on Saturday afternoon.



- 3.12. The feedback was positive overall and further details are set out in the Statement of Community Involvement (SCI).
- 3.13. Additional pre-application discussions, site visits and meetings have been held with key stakeholders including the RSBP as immediate neighbour and statutory consultee as well as CDC Economic Development officers.



4. The Planning Application

Introduction

- 4.1. The vision for Medmerry Park is to redevelop and refurbish the site to create modern, sustainable, and high-quality self-catering accommodation and additional amenity facilities that meet current holidaymaker/visitor requirements within a landscape and ecology led context.
- 4.2. The Medmerry Masterplan proposals will transform an existing outdated holiday park, provide ecological benefits and habitat improvements, deliver significant economic benefits and incorporate flood risk and climate resilience measures to create a sustainable, nature focused tourism destination.
- 4.3. Medmerry Park proposals will create a unique holiday park, where visitors will have the opportunity to experience local wildlife (e.g. Water Voles and Brent Geese) from within the park setting, whilst minimising impact on the wildlife and their habitats. Visitors will have views from within the holiday park to the wider Medmerry Reserve, but it is important to highlight there will be no direct access from Medmerry Park to RSPB Medmerry Reserve. Visitors will be encouraged to stay on site to experience the local nature context and use the range of amenity facilities available.
- 4.4. The range and scope of proposed amenity facilities significantly improves and diversifies the existing offer and will therefore attract and cater for a much broader visitor base compared to the existing park. This has a significant benefit of retaining visitors on site, thereby reducing the need to leave the holiday park.
- 4.5. The Medmerry Masterplan proposals comprise phased enabling works, indoor and outdoor ancillary accommodation and amenity uses, including a series of lakes and wetland areas, alongside the phased development of lodges. Consolidated operational and maintenance back of house facilities are also proposed. Indicative Construction Phasing Plans (Phases 1-5) for the redevelopment proposals, has been devised to enable the existing holiday park to continue to operate as the phases are implemented. Throughout the indicative construction phasing plans the demolition of existing lodges and phased development of new lodges has been carefully devised so that the total number of existing and new lodges does not exceed 308 at any given time. Further details on the phasing are set out below.
- 4.6. This is a hybrid application, incorporating details for the appearance, access, layout, scale and landscape for the full application including 124 no. holiday lodges, wetland area, two lakes, amenity lake and beach, central village hub, boathouse, children's play and picnic area, adventure playground, adventure golf, padel tennis, beachside pool, tennis courts, playing field and dog park, back of house maintenance area, associated landscaping, drainage facilities, car parking, access roads and habitat enhancement areas.
- 4.7. The outline application for later phases for replacement 184 no. holiday lodges and associated works (with all reserved matters accept access and layout).
- 4.8. An Illustrative Proposed Masterplan and Illustrative Landscape Masterplan are submitted as part of this hybrid application package, alongside the floorplans and elevation drawings for the proposed buildings and lodge types for the full application submission.
- 4.9. The iterative design evolution for the Illustrative Proposed Masterplan and the individual building designs is set out in further detail within the Design and Access Statement, including the commercial, design and technical considerations that have been considered. Further clarification is also provided regarding the proposed character areas across the site.
- 4.10. A summary of the parameters and benefits of the scheme along with a description of the individual elements of the masterplan are provided below. Further details regarding the evolution of the scheme design are set out in the Design and Access Statement and ES Chapter 2.

Parameters and Benefits of the Scheme

- 4.11. To inform the Proposed Masterplan and building designs a series of key development parameters have been identified:



- Deliver a modern high quality holiday resort within a landscape and ecology led setting, providing a more diverse range of amenity and leisure activities to retain visitors on site and attract a wider client base.
- Create a range of high-quality sustainable holiday lodges, using energy efficient materials and construction methods.
- Retain the same number of lodges at 308. The redevelopment masterplan would replace the existing accommodation with the same number of lodges. These lodges would be larger and include separate bedrooms and living space to meet modern visitor requirements. The lodges would comprise detached, semidetached and some small terraces to provide a range of lodge types and facilities.
- Support the continued operation of the holiday park, whilst delivering a phased demolition refurbishment and redevelopment scheme ensuring lodge numbers do not exceed the 308 threshold within each phase
- Identification of landscape led character areas for the replacement holiday accommodation, alongside a central hub created by refurbishing and extending the existing amenity facilities.
- Retreat of the existing building line away from the most sensitive ecological areas and coastline through the introduction of an ecological and landscape buffer. This buffer creates a seascape character area to the south and reinforces separation with the adjoining settlements to the west, Medmerry Reserve to the west and east.
- Raising of the site in key areas through cut and fill from the wetland and lakes and building design to raise the finished floor levels (+4.44 AOD) thereby minimising the risk of flooding from 1:200 year (plus climate change) tidal events.

4.12. Through the preparation of the masterplan proposals, the following key benefits have also been identified:

- Scope to introduce other flood risk measures and address the future inherent flood risk issues for the existing site/use through redevelopment.
- Reducing traffic generation by providing additional amenities and leisure facilities, which encourage longer stays on site, thereby reducing the need to leave the holiday park.
- Securing additional jobs through the provision of additional amenity and leisure facilities and increased activity outside peak times of the year, as well as significant number of construction and maintenance jobs.
- An increase in direct and indirect spend and economic benefits of qualitative enhancements and new holiday accommodation on site which is more attractive to visitors throughout the 10 month holiday year.
- Restoring the historical coastal seascape character area by retreating buildings away from the most sensitive areas of the site and the coastline.
- Habitat creation and biodiversity enhancements next to the Medmerry Reserve to be delivered and managed through a long-term landscape and ecological management plan.





Figure 4.1: The Illustrative Proposed Masterplan

Access, Servicing and Parking

- 4.13. Vehicular access to Medmerry will be via the existing Drove Lane, which is owned by the applicant. The access point from Drove Lane into the holiday park and the internal access road which leads to the Central Village Hub are retained as existing. They will however be significantly enhanced and incorporate a landscaping scheme, to improve the sense of arrival at the holiday park, create a central accessway and direct visitors to the Central Village Hub and reception.
- 4.14. The existing visitor parking area next to the Central Village Hub is also retained. Additional visitor cycle storage is provided next to the Central Village Hub.
- 4.15. Approximately two parking spaces are provided for each lodge, either alongside the individual lodges or in parking blocks. Storage for bicycles will be provided for each lodge to enable the residents to lock up bikes.
- 4.16. Vehicular access and pedestrian access to the separate lodge areas will be managed by controlled access points off the central accessways, which allows guests to enter and exit the separate lodge areas using electronic fobs/codes.
- 4.17. All external deliveries and servicing arrangements to the holiday park will be via the existing northern access road off Drove Lane to the proposed back of house maintenance area. All day-to-day servicing arrangements within the holiday park, as well as housekeeping and maintenance arrangements will be managed using electric buggies and vehicles.

Proposed Accommodation Lodges and Amenity and Ancillary Buildings

4.18. There will be 308 lodges provided across 5 key areas as shown on the Proposed Masterplan and set out in the table below.

Table 4.1: Proposed Accommodation

Proposed Lodge Character Area	Total Number of Lodges	Number of Bedrooms (Bedspaces)	Total Proposed Bedspaces
Orchard	40	18 x 2 Bedrooms (4 bedspaces)	72
		22 x 3 Bedrooms (6 bedspaces)	132
Woodlands	113	113 x 2 Bedrooms (4 bedspaces)	452
Secret Garden	24	24 x 2 Bedrooms (4 bedspaces)	96
Wetlands and Rife	31	31 x 3 Bedrooms (6 bedspaces)	186
Lakeside	100	14 x 3 Bedrooms (6 bedspaces)	84
		86 x 2 Bedrooms (4 bedspaces)	344
Total	308	-	1,366

4.19. Except for a small number of lodges within the Woodlands area, all the lodges are single storey. They comprise a mix of 2 and 3 bedroom detached, semi-detached and terrace layouts. This provides a mix of lodge sizes and the range of accommodation to suit different visitor requirements and budgets.

4.20. The lodges vary in their external appearance, layout and configuration. The external materials include timber cladding and natural stone with aluminium doors and windows. A GPR Roofing System with a standing seam profile. Roof profiles are predominately pitched, with some single pitched and flat roofs. All lodges will include wooden decked areas and hot tubs.

4.21. Further details regarding the lodge character areas (Orchard, Woodlands, Secret Garden, Wetlands and Rife and Lakeside) and lodge designs are set out in the Design and Access Statement. Details of the landscape proposals for the different accommodation character areas is also set out in the Design and Access Statement.

4.22. A number of existing buildings will be retained and refurbished as part of the development and new amenity and ancillary buildings are also proposed:

Table 4.2: Retained and Refurbished Buildings and Proposed Amenity and Ancillary Buildings

Building	Existing Floorspace (GEA sqm)	Demolished Floorspace (GEA sqm)	Retained/Refurbished Floorspace (GEA sqm)	New Floorspace(GEA sqm)
Medmerry Village (including Pink Flamingo Building)	2303	1311	992	0
Medmerry Arms	329	33	296	0
Earnley beach Centre	317	317	0	0
Storage Units/Back of house	192	192	0	0
Swimming pool Structure	79	79	0	65
Proposed Boat House	0	0	0	180



Proposed Facilities Building	0	0	0	536
Proposed Maintenance Building	0	0	0	305
Total	3,220	1932	1288	1086

Landscape and Ecological Proposals

- 4.23. This is a landscape and ecology led masterplan, incorporating ecological enhancements across the site. The Landscape Masterplan has created character areas by incorporating specific planting proposals for the different accommodation areas and the amenity facilities. Around the Central Village Hub, Open Air Cinema, Childrens Play Area and Picnic/Outdoor Dining a combination of hard and soft landscape and structural and boundary planting to create an attractive public realm.
- 4.24. Walkways and waling routes will be provided throughout the proposed holiday park, including specific routes for dog walking. Dog park facilities are included in the proposals.
- 4.25. The Park Rife supports the existing population of Water Voles. The Proposed Masterplan incorporates a 7.5 metre set back from the water's edge to create an ecological buffer through the centre of the site and to minimise impact on the water voles and their habitat. Appropriate planting with reed, sedge and grasses will enhance the Park Rife and the proposed ecological buffer.
- 4.26. The Wetland area, pond and orchard areas will encourage wildlife diversity and provide new habitat for priority species. The Wetland will replicate the surrounding environment and draw in the local wildlife. Densely planted with grasses, reeds and sedge with added flowering marginal plants such as native lilies, Iris and Forget-me-nots. This wetland area will have a wild and native aesthetic. A small number of lodges will be interspersed within the wetland with some key viewpoints on the northern grass verges.
- 4.27. The Orchard area will be laid out to intersperse fruit trees alongside lodge accommodate. The site will be encircled by mounding, planted with a flowering/ fruiting mix of small trees: Crab Apple, Hawthorn, Snowy Mespilus, Mountain Ash and Buckthorn.
- 4.28. The field buffers to the south and east of the proposed built-up areas will create a buffer and minimise impact on the SSSI, RSPB Medmerry Reserve and the Silt Ponds. Within these field buffers lowland meadow will be created to increase suitable habitat for dark bellied Brent Geese, designated feature species of local internationally designated conservation sites. The lowland meadow will also encourage insects and reptiles and hedgerow planting will create green corridors. Access to the field buffers will be restricted. A permissive path is proposed in southern buffer during summer months. Furthermore, the existing pond to the southern field will be enhanced to a good condition.
- 4.29. A robust ecological management plan has been created to ensure wildlife provision for badgers, bats, birds, water voles is in place during construction to protect their habitat and habits. This will be conditioned and approved by CDC. The management plan will also incorporate measures to remove invasive species and manage scrub across the site.
- 4.30. The ecological initiatives will result in a net gain on site. Ongoing engagement with key local specialists and stakeholders will continue to explore opportunities to meet the 10% Biodiversity Net Gain requirements in the local area.

Wetland and Accommodation Lakes

- 4.31. The proposed Wetland area is described above as part of the landscape and ecological proposals.
- 4.32. The Lakeside accommodation area incorporates lodges around two large open lakes incorporating illuminated foundations. These lodges will benefit from private views across the lakes to central islands mounded with planted. The lake edges will be protected and enhanced with marginal planted coir rolls, creating a soft look

with grasses and reeds rising to 1.5m around the lodge decks. Boundary planting and mounding screens views of the lakeside accommodation from fields to the north of the holiday park.

The Medmerry Central Village Hub

- 4.33. The existing Medmerry Village provides a mix of back of house operations and guest amenities, in the centre of the site. As the back of house functions will be relocated to the east of the site (see below), the existing Medmerry Village can be refurbished to provide a new central village hub, incorporating a range of leisure facilities, food and beverage and amenity uses for guests on the site. The Central Village Hub facilities includes:
- Enhanced reception and welcoming area.
 - Convenience store offer providing small goods and local produce.
 - Day spa with treatment rooms, external relaxation area with pool, sauna and steam rooms, and associated changing facilities.
 - Fitness suite and adaptable fitness studio.
 - Lounge area with beverage offer, cocktail school, an external terrace, and external star gazing pods.
 - Enhanced food and beverage offer contained within the Medmerry Arms.
 - Landscaping throughout the site area to provide external dining and dwell areas.
- 4.34. The Central Village Hub will be orientated around the landscaped central courtyard, with the various amenities and facilities able to utilise the courtyard in good weather.

Back of House Facilities/Maintenance Compound

- 4.35. There is an existing storage area to the eastern edge of the application site, separate from the built-up central area. This storage area will be redeveloped to provide purposes-built accommodation comprising two single storey agricultural style buildings with green composite cladding. These buildings include staff facilities, office space, housekeeping, laundry, maintenance facilities and grounds keeping equipment areas and additional storage.
- 4.36. External waste and recycling facilities are also provided along with staff and maintenance car parking. The applicant will use electric site buggies and appropriate EV charging points will be provided. Landscape screening planting and boundary fencing will be incorporated to ensure the maintenance compound is well screened from the surrounding area and is secure.

The Medmerry Pool

- 4.37. The existing outdoor pool will be refurbished to upgrade the swimming pool area with new hard landscaping around the pool side area, incorporating level access via a new timber walkway and ramped access for wheelchair users. The swimming pool include a new roof canopy enabling the pool to be used in more inclement weather. The existing changing room facilities will also be upgraded as part of the pool refurbishment.

The Activity Lake, Beach & Boathouse

- 4.38. As described above the Wetland Area and Accommodation Lakes provide ecological enhancements and contribute to landscape setting and visual amenity within the park, incorporating informal walking trails. However, guests will not be able to use these lakes for water sports or swimming.
- 4.39. The new Activity Lake will provide the focus for watersport type leisure activities on the park, including paddleboarding, kayaking, canoeing and wild water swimming. Around the perimeter of the Activity Lake there will be landscaped nature trails and beach area providing informal recreation space for guests. A boathouse is proposed to the northern edge of the Amenity Lake, providing watersport equipment hire and to book classes for different water sports. The boathouse will include food and beverage for guests.

Adventure Golf & Padel Courts

- 4.40. The existing adventure golf and children's play park will be redeveloped to update the adventure golf facilities and two padel courts.



Outdoor Amenity, Childrens Play Park and Picnic/Outdoor Dining

- 4.41. This area incorporates a range of external amenity facilities and landscaping to include outdoor amenity, a children's play park and outdoor dining and picnic area close to the Central Village Hub and Amenity Lake.
- 4.42. The landscaping includes soft and hard landscaping, informal outdoor space, paths, benches and trim trails alongside additional tree planting.

Medmerry Outdoor Amenity Area

- 4.43. The Medmerry Outdoor Amenity Area incorporates different hard surface sporting facilities include tennis courts and a playing field for 5 aside football, hockey and other sports. The existing site includes a specific Dog Park which is the only space for guest's dogs to be allowed off lead. A new dog park will be provided in the Outdoor Amenity Area. Aluminium chain link fencing and screening planting will surround the Outdoor Amenity Area to ensure the activities do not encroach on the proposed ecological buffer which wraps around the south of the holiday park.

Construction and Phasing

- 4.44. As an existing operational holiday park, it is important that this development will be delivered across a series of demolition and development phases thereby enabling the existing holiday park to continue to operate throughout the construction period. The construction period is anticipated to take approximately six years and 10 months and has been designed so each phase can be self-contained with minimal impact on the existing operation of the park.
- 4.45. Commencement of initial enabling development for the full application is scheduled to commence from mid-2024, subject to discharge of pre-commencement conditions. It is anticipated that Phase 2 will be implemented in 2026, Phase 3 in 2027, Phase 4 in 2028 and Phase 5 in 2029 with completion of the Medmerry Masterplan proposals in 2030.
- 4.46. A set of indicative construction phasing plans have been prepared which are explained in further detail below. Detailed Phasing Plans will be subject to a suitably worded condition.
- 4.47. All the existing lodges and associated areas of hardstanding will be demolished in phases. It is anticipated that the demolition process will involve bulldozers for the existing accommodation blocks and a Site Waste Plan will be prepared to set out standard construction segregation methodologies.
- 4.48. The Medmerry Arms will be retained and incorporated into the proposed Central Village Hub. The swimming pool area will also be retained and refurbished to create a beachside pool facility.
- 4.49. The existing entrance point into the site off Drove Lane and the internal access road and parking area will be retained and upgraded. The central rife has also been retained and buffers incorporated to enhance the ecological habitat and features along the rife.
- 4.50. Each individual lodge will be constructed off site in a factory and transported by lorry to Medmerry Park in two parts to be assembled on site. It is anticipated at this stage that the foundations will comprise, concrete pad foundations for the lodges. If piling is required for any of the proposed buildings, screw pile or bore pile methods will be used.
- 4.51. The main building components including walls, roofs and flooring will be constructed using SIPs (Structural Insulated Panels). There are several benefits of using SIPs including high insulating qualities, meaning the buildings are more energy efficient, quieter and airtight. Lodges can be constructed more quickly than a standard construction and therefore the overall construction costs can be more effectively managed.
- 4.52. The lodges will be built in line with current Building Regulations to allow the site to be partially made up of rental lodges and partially privately owned, mortgageable lodges.



4.53. Overall, it is expected that the construction of the Proposed Development will be completed over a period of approximately six years and 10 months and will consist of the following principal activities are expected for each phase:

- Construction of temporary construction compound.
- Earthworks in relation to the proposed ground levels, including any earthworks for lakes.
- Construction of phase access tracks.
- Design and construction of temporary and permanent drainage measures and cable trenches.
- Laying of electricity cables in trenches.
- Construction of holiday lodges and other proposed amenity and ancillary buildings.
- Landscaping and ecological mitigation proposals.
- Site reinstatement and restoration.

4.54. The individual phases are described below and on the accompanying Indicative Construction Phasing Plans. The number referencing for different amenities facilities corresponds with annotation referencing on the Illustrative Proposed Masterplan.

Indicative Construction Phasing Plans: Phases 1a, 1b and 1c

4.55. As shown on the Indicative Phasing Plan 01, indicative Phase 1 a) comprises the construction of the:

- The two lakes immediately northeast of the existing central Medmerry village, the internal roads for these lakes and the development of 100 lodges, known as the Lakeside Lodges.
- The cut from the excavation of the two lakes will be used to create landscape bunding along the northern boundary of the site and raising ground levels for some of the Lakeside Lodges. Remaining fill will be used to re-grade the Woodland Accommodation area. If necessary the cut will also be stored on a temporary basis in the Woodland Accommodation area.
- Refurbishment and extension of the existing facilities to create the Medmerry Central Village Hub (annotated 2 on the Proposed Masterplan) along with resurfacing of main parking area to include visitor car parking spaces and cycle parking facilities.
- Refurbishment of the swimming pool area (7)
- Development of the adventure playground (5)
- Development of the adventure golf and padel tennis facilities (6)
- Hard and soft Landscaping
- First phase of ecological enhancement area

4.56. Indicative Phase 1 b) comprises the demolition of 116 units:

- Block 18-22 (49 units)
- Block 39-45 (45 units)
- Block 35, 36 and 38 (22 units)

4.57. Indicative Phase 1 c) comprises the

- Construction of the back of house operations and facilities, internal access road and landscaping

4.58. Following completion of Phase 1 there will be 292 units of accommodation on site.



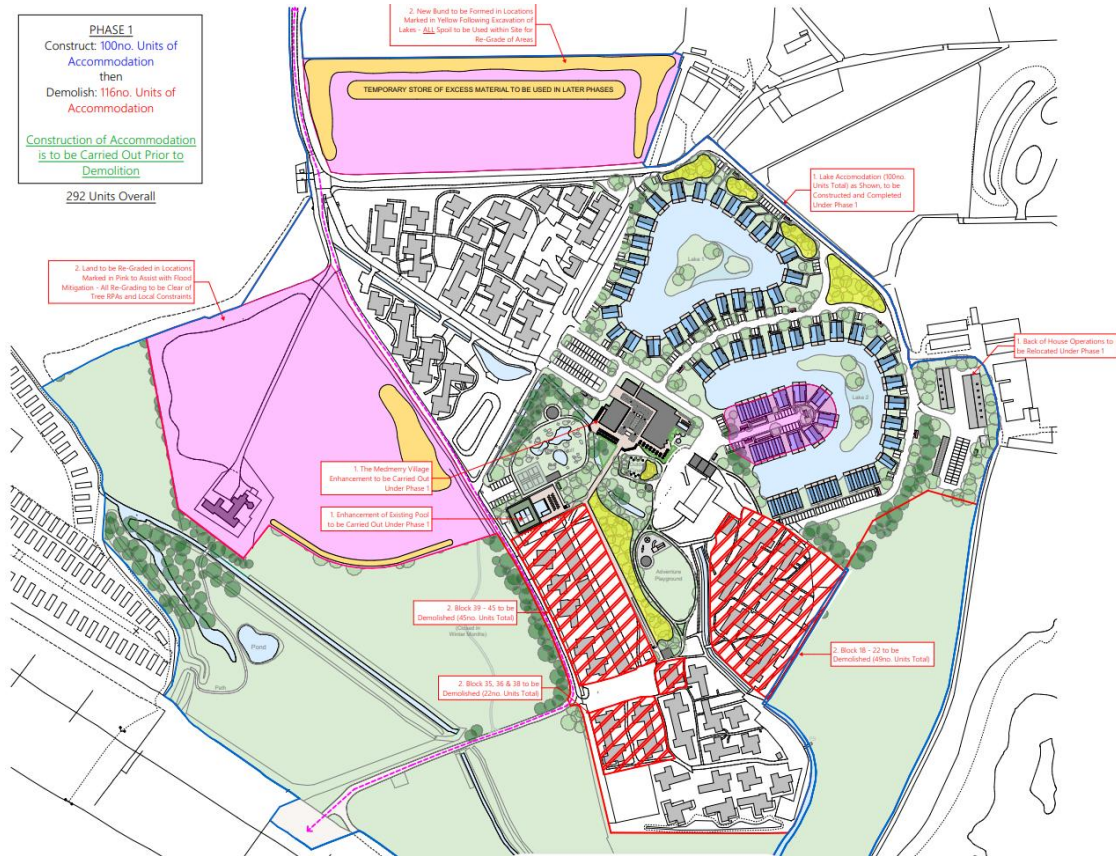


Figure 4.2: Indicative Construction Phasing Plan 01

Indicative Construction Phasing Plans: Phases 2a, 2b and 2c

- 4.59. As shown on the Indicative Phasing Plan 02, indicative Phase 2a comprises the construction of the:
- Activity Lake (8) and Boathouse Store and F&B (3).
 - The cut from the activity lake will be used to add to the bunds and reprofiling already established in Phase 1
 - Pop-Up Dining/Picnic Area, Children's Play Area, & Outdoor Amenity (4)
- 4.60. Indicative Phase 2 b) comprises the construction of the:
- Orchard Accommodation Area comprising 40 lodges, internal roads, landscaping and attenuation swales to serve this specific area.
 - Picnic Area (10)
- 4.61. Indicative Phase 2c) comprises the following;
- Secret Garden Accommodation and associated access arrangements including walkways (24 units)
 - Demolition of Block 23, 34 and 37 (66 units)
 - Medmerry Outdoor Amenity Area including tennis courts, playing field and dog walking facilities (9)
 - Second phase of ecological enhancement area to the south of the Outdoor Amenity Area and to the south and west of the Woodlands Accommodation
- 4.62. Following completion of Phase 2 there will be 290 units of accommodation on site and the main southern ecological enhancement areas will be delivered.



Figure 4.3: Indicative Construction Phasing Plan 02

Indicative Construction Phasing Plans: Phases 3a, 3b and 3c

- 4.63. As shown on the Indicative Phasing Plan 03, indicative Phase 3a comprises the:
- Woodland Accommodation providing 113 lodges, internal access roads, three new access points off the northern access road and landscaping.
- 4.64. Indicative Phase 3a comprises the:
- Demolition of Blocks 5 to 18 (95 units)
- 4.65. Following completion of Phase 3 there will be 308 units of accommodation on site.



Figure 4.4: Indicative Construction Phasing Plan 03

Indicative Construction Phasing Plans: Phase 4

- 4.66. As shown on the Indicative Phasing Plan 04, indicative Phase 4a comprises the construction of the:
- Wetland area to the north west of the Medmerry Central Village Hub and the development of 22 of the Wetland and Rife Accommodation lodges. Cut from the excavation of the wetland will be used to raise ground levels for the Wetland and Rife lodges.
 - Demolition of Blocks 1-4 (31 units)
 - Landscaping
- 4.67. Following completion of Phase 4 there will be 299 units of accommodation on site.



Figure 4.5: Indicative Construction Phasing Plan 04

Indicative Construction Phasing Plans: Phase 5

4.68. As shown on the Indicative Phasing Plan 05, indicative Phase 5 comprises the construction of the:

- Remaining 9 Wetland and Rife Accommodation lodges.
- Landscaping and ecological enhancements along the central rife
- Resurfacing of the internal access road up to the Central Village Hub

4.69. Following completion of Phase 5 there will be 308 units of accommodation on site.



Figure 4.6: Indicative Construction Phasing Plan 05

- 4.70. A framework Construction Environmental Management Plan (CEMP) will be submitted in support of the planning application and will set out the key measures to be employed during construction to control and minimise the impacts on the environment. The details and implementation of the CEMP will be secured by a planning condition. The purpose of a CEMP is:
- To ensure nuisance levels because of construction and operation activities are kept to a minimum.
 - To comply with relevant regulatory requirements and environmental commitments.
 - To ensure procedures are put into place to minimise environmental effects during construction.
- 4.71. Alongside the CEMP a Construction Traffic Management Plan (CTMP) will be developed to propose measures to control the delivery of materials and staff onto the Site during the construction phases. The CTMP will also be secured by a planning condition.

Operational Phase

- 4.72. As explained above this is an existing operational holiday park and the construction and phasing programme has been carefully devised so each phase can be self-contained with minimal impact on the existing operation of the park. The proposed number of lodges at 308 is the same as existing to ensure that the proposed traffic movements will be the same as existing. Retaining the same number of units also ensures that the development will not result in a requirement for Solent Recreation Mitigation Strategy recreational disturbance contribution.

- 4.73. Each lodge will be occupied as a single unit by visitors, and they will be able to choose the size of unit depending on their accommodation requirements. It is important to note that all bedspaces will be in bedrooms rather than living spaces, to meet modern visitor arrangements. This is a significant qualitative improvement on the existing accommodation, which typically provide fewer separate bedrooms and include bedspaces in the living rooms. As such whilst the units are larger and have separate bedrooms they are still booked as individual units by families or group bookings.
- 4.74. There is an existing condition restricting the occupancy restrictions for overnight stays from 6th January to 1st March inclusive each year. The purpose of this occupancy restriction is to control the use of the lodges for permanent residential purposes. The Applicant has confirmed their agreement to the same condition wording for the Medmerry Masterplan. This closure period also allows the Applicant to undertake necessary maintenance and repairs on the site that may otherwise disturb visitors during peak season.
- 4.75. A large majority (60%) of lodges will be available to purchase by individuals on a leasehold basis with annual ground rent fees. Typically, owners then agree with the Applicant to rent out their individual lodges for holiday bookings. The Applicant manages the holiday lettings of individual units on behalf of the owners directly through their website, rather than through any third-party holiday booking sites.
- 4.76. The Applicant will retain ownership of a 40% of units for holiday bookings. These units are typically referred to as 'fleet' within the holiday park industry.
- 4.77. Following construction of Phase 5, the Medmerry Masterplan will be fully implemented, and the site will be operational, providing 308 lodges and the range of amenity facilities for use predominately by visitors staying at the park. There will be some facilities within the Medmerry Village Hub (e.g., spa, fitness suite, restaurant and convenience store) that will be accessible to the public subject to availability.
- 4.78. The existing holiday park is not subject to any planning conditions restricting the hours of operation. The Medmerry Arms which is both a pub and restaurant has its hours controlled through licencing arrangements and the Applicants own operational controls. As such the Medmerry Arms is typically open in peak season from 8am, with breakfast served from 9am, with last orders for the pub at 11pm and closed doors at midnight.
- 4.79. The outdoor amenity facilities are predominately for the use by visitors staying at the park. A dark skies principle applies to the site, and none of the outdoor amenities and sports facilities will be floodlit. Consequently, use of the outdoor facilities will be dictated by daylight hours which will vary across the seasons.
- 4.80. It is therefore not considered necessary to control the hours of operation for the Medmerry Masterplan proposals.
- 4.81. The development will generate a total of 41.1 full time equivalent staff compared to the existing site which employs a total of 15.6 full time equivalent staff.
- 4.82. It is expected during the operational phase that ongoing Landscape and Ecological Management Plan (LEMP) measures will continue to be delivered and managed on site. It is expected that the LEMP will be implemented over a 10-year period. Timescales may differ regarding the BNG proposals.



5. The Needs Case

- 5.1. The needs case for the Medmerry Masterplan is informed by the applicants operational and business requirements, the qualitative requirement to regenerate an outdated existing holiday park, alongside the economic benefits in particular increased jobs, that will be created from the redevelopment.
- 5.2. The need for the development is also support by the contribution it will make to meeting local tourism policy, initiatives, and objectives. We also highlight how the development proposals align with central government research on the economic, health and housing issues for coastal towns and communities.

Operational and Business Needs Case

- 5.3. As explained in Section 2, the site has been used as a holiday park since the 1930s, and most of the existing lodges were installed in the 1960s and 1970s. The overall layout and orientation of the holiday park has not changed significantly since 1970s. Cove Communities commissioned a conditions survey in December 2021 and photographs of some of the worst condition chalets are enclosed at **Appendix 4**.
- 5.4. The chalets are arranged in 45 separate blocks comprising 4-6 chalets laid out around the central facilities. The majority are single storey timber framed and clad structures with either pitched or flat synthetic covered roofs. Three blocks are of brick elevations beneath tiled roofs. Two further blocks comprise two storey structures of brick, tiled or timber clad elevations beneath pitched tiled or synthetic sheet roofs. Many of the lodges have minimal insulation, suffer from widespread damp problems, rot, and poor ventilation.
- 5.5. Whilst some chalets close the main entrance have been refurbished, the remaining accommodation is dated, with damp and mould problems and in need of modernising. Many of these existing chalets (approximately 64 chalets) are not fit to be occupied and are not currently used. There are also inherent limitations to the internal configuration and layout of these chalets, as the bedrooms are small with limited internal living space. Furthermore, the configuration of 4-6 chalets in blocks does not align with modern visitor expectations.
- 5.6. There is therefore a clear need to refurbish and replace the existing accommodation on site. However, upgrading or replacing the existing chalets, will only go so far to ensure the holiday park continues to be attract leaseholders and holiday makers in the long term.
- 5.7. Other existing facilities such as the Pink Flamingo Building and Earnley Beach Centre are currently vacant and need to be upgraded or replaced. Tourist and visitor destinations such as Medmerry Park, require constant refurbishment and maintenance to ensure they meet visitor requirements and remain attractive destinations for holiday and leisure purposes. Whilst the site is well managed and maintained, the existing open space and landscape context, particularly to the south of Medmerry Village, requires major upgrade and modernising to ensure it is competitive with other holiday park destinations, both within Chichester District but also with other tourist destinations within the southern coastal region. This need to attract visitors on holiday/longer stays rather than simply day trips or overnight stays has been identified in tourism policy as a specific need.
- 5.8. The range of amenity facilities on site is limited compared to other holiday parks that provide more extensive and up to date facilities, in line with modern visitor expectations. A comparison of existing and proposed amenity facilities is set out below, which demonstrates a more extensive and varied range of facilities will be provided through the Medmerry Masterplan to appeal to visitors’ different needs and to retain visitors on site.

Table 4.1 comparison of Existing and Proposed Amenity Uses

Existing Amenity Uses	Proposed Amenity Uses
Medmerry Arms Restaurant and Pub, Small games room and store	The Village Hub including Medmerry Arms restaurant and pub, Convenience Store, Day Spa, Fitness Suite and Fitness Studio Lounge Area

Pink Flamingo Building (clubhouse (vacant for many years)	Boathouse Store and additional Food and Beverage Facility
Childrens Play Park	Pop-Up Dining/Picnic Area, Children's Play Area, & Open Amenity Uses
Dog park	Multiple dog parks and dog walking routes
Adventure Golf	Adventure Golf and Padel Tennis
Outdoor swimming pool	Beachside Pool incorporating indoor and outdoor swimming facilities
Tennis court and dog walking area	Outdoor Amenity Area (play field and tennis courts)
	Activity Lake and Beach, incorporating water sports
	Picnic Area
	Adventure Playground
	Wetlands and lakes providing informal recreation and wildlife watching

- 5.9. Finally, the back of house accommodation is currently provided with the existing Medmerry Village and provides a rather disjointed operation. Consolidation, modernisation, and relocation of these facilities away from the main visitor amenity facilities would create significant benefits for the day to day operation of the holiday park.
- 5.10. Considering the wider scale refurbishment and upgrades set out above, the applicant considers there is a strong operational and business needs case to support a comprehensive refurbishment and regeneration of this existing holiday park and has secured investment of over £60 million to deliver a comprehensive redevelopment scheme.

Economic Benefits

- 5.11. The proposed development represents a significant new capital investment in the area, which will provide employment opportunities during construction and once operational. It will help to retain and attract visitor expenditure to the local area, thereby supporting further employment. The economic benefits are a crucial part of the overall needs case for the comprehensive redevelopment.
- 5.12. The most significant economic impacts of the proposed development will be:
- A capital investment of c. £57.8 million.
 - Temporary construction work equivalent to 110 FTE direct construction jobs per annum during an overall build period of 6 years and 10 months. Additionally, 122 indirect and induced FTE jobs during the construction period.
 - A contribution of £19.7 million per annum in total (direct, indirect and induced) GVA to the South East economy from direct and indirect/induced jobs during the construction period.
 - Following completion, the creation of an additional 38 jobs in the low season and 70 jobs in the high season (equivalent to 41.1 FTE jobs on an annualised basis) at the Park.
 - New direct employment at the Park will support an additional 23.0 indirect and induced FTE jobs in the South East, of which 15.6 FTE jobs will be based in Chichester.
 - A contribution of £2.2 million per annum in total (direct, indirect and induced) GVA from new employment created at the Park.

Local Tourism Policy, Initiatives and Objectives

- 5.13. There are several tourism policy, initiatives and objectives promoted by CDC and West Sussex. All of which provide a tourism needs case to support expansion and upgrade of existing tourism facilities. These are summarised below.

The Tourism Recovery Plan June 2021



5.14. Covid-19 has seen a significant shift in demand for holidays. Because more people in the UK are choosing a 'staycation' instead of holidaying abroad, the demand is for good quality self-catering accommodation, of the type that can be provided in a modern static caravan, or lodge. This situation is expected to last for several years, as the barriers to foreign holidays (largely based around uncertainty, risk of losing money, cost and availability of hotels and flights) are not going to be all removed in the short term. Expectations are that the process could take another 5 years, with staycation levels permanently remaining higher than pre-2020.

5.15. In June 2021, the Government published The Tourism Recovery Plan. Page 1 states:

'Tourism has a significant role to play in delivering the government's wider Global Britain, levelling-up and economic growth agendas. The UK government is determined to do what it can to help the sector recover swiftly from COVID-19 and to build back better from the pandemic with a greener, more accessible, more resilient, more productive and more innovative tourism industry.'

5.16. The Tourism Recovery Plan sets out the role that the UK government will play in assisting and accelerating the tourism sector's recovery from Covid-19. Specifically, the aim is to, among other things: recover domestic overnight trip volume and spend to 2019 levels by the end of 2022, and inbound visitor numbers and spend by the end of 2023 - both at least a year faster than independent forecasts predict; ensure that the sector's recovery benefits every nation and region, with visitors staying longer, growing accommodation occupancy rates in the off-season and high levels of investment in tourism products and transport infrastructure; build back better with a more innovative and resilient industry, maximising the potential for technology and data to enhance the visitor experience and employing more UK nationals in year-round quality jobs (Executive Summary, Paragraph 7).

5.17. More recent research carried out by Sykes Holiday Cottages (one of the country's leading holiday accommodation agencies) in July 2022, highlights the growing demand for staycation accommodation. The report notes several key statistics taken from their survey results:

- On average Brits will take 3 UK breaks - up from 2 in 2021;
- 77% of Brits will holiday in the UK at some point in 2022 versus 75% last year;
- 35% will holiday at home this year because of budget pressures.

Chichester District Destination Management Plan 2019-2023 (11 January 2019)

5.18. The Chichester District Destination Management Plan (DMP) establishes a framework to grow the visitor economy; building on the strength of the product to increase the district's share of overnight stays and day visitor expenditure. Paragraph 1.4.1 specifically acknowledges that that holiday parks play a significant contribution to visitor accommodation in the district:

'The 2016 TSE accommodation audit indicates the district has a capacity for 19,000 bed spaces of which approximately 75% were in the caravan/camping/ holiday park category located in the coastal areas.'

5.19. In terms of challenges and opportunities the DMP notes that there is a need to attract visitors throughout the year rather than just in the summer period. In addition it clarifies that over 90% of District visits are day trips which this has a significant effect on the value of the district's visitor economy. Increasing overnight stays is identified as a key opportunity to support the visitor economy. The DMP has identified the following core objectives:

- 1. Increase day visitor spend and dwell time
- 2. Convert day visits into overnight stays
- 3. Attract visitors from a wider catchment area
- 4. Deliver a strong and distinctive brand
- 5. Increase visitors outside peak season
- 6. Work in partnership to create a healthy visitor economy

Creating a Prosperous and Sustainable Economy: Economic Development Strategy for Chichester District 2022-2024

5.20. The Economic Development Strategy (EDS) for Chichester District sets out a strategy for the following priority areas within the local economy which includes the visitor economy. The EDS specifically acknowledges that the district's *'.....natural assets support a strong tourism sector which contributes £460m per year to the District's economy.'*



- 5.21. However, whilst the district attracts 6.5 million visitors every year to national events such as Glorious Goodwood, the EDS highlights that *'Chichester could create more innovative tourism packages that could encourage more of its day visitors to remain in the District for longer.'* (page4).
- 5.22. In this context page 6 of the EDS notes that *'Successful coastal areas are often those that have found ways of extending the holiday season to make better economic use of their access to the sea during the colder, winter months.'*
- 5.23. The EDS (page 8 and 9) sets out priorities to support economic development. Priority 4: Make Best Use of the District's Natural and Cultural Assets notes that:
- 'Working with the natural environment is a key component of sustainable economic development. Chichester's high quality natural environment needs to be viewed as an economic asset, not an obstacle to securing sustainable economic growth.'***
- 5.24. To meet this priority the EDS identifies a primary aim of supporting *'..... landowners to make best economic use of their buildings and land assets within the constraints of landscape, wildlife and listed buildings designations'* Additional secondary aims include:
- Encourage coordinated, high value visitor packages and to increase the value of tourism and culture to the economy through supporting the emerging Tourism and Cultural Strategy work; and
 - Support the development of a comprehensive list of the cultural and tourism offer.

West Sussex County Council: Economy Reset Plan 2020-2024

- 5.25. The West Sussex County Council Economy Reset Plan was prepared in November 2020 to establish a 'reset' plan to enable the County Council to respond to challenges facing the broader economy such as Brexit, Covid-19 and challenges relating to unemployment. The Plan included nine priority themes, as follows:
- "Themes 1-3 reflect the spatial economic challenges for Crawley and the wider Gatwick Diamond; and for the coastal and rural economies;
 - "Themes 4-5 focus on the fundamental platforms of business start-ups, existing businesses, and employment and skills;
 - "Themes 6-7 focus on two key sectors hit hard, the visitor economy, with links to hospitality; and the health and social care market, under considerable strain from Covid-19; and,
 - "Themes 8-9 focus on the opportunities we are keen to embrace around digital infrastructure and the application of digital technology to boost business productivity and enhance digital skills; and the importance of embedding climate change and the environment in the reset approach."
- 5.26. Theme 2 (protect and revive coastal towns) details one of the challenges facing this area related to coastal towns being dependent on hospitality and tourism. To respond to the challenges facing coastal towns, the Council will undertake steps to support investment and create the conditions for start-ups, support town centre recovery, and secure infrastructure investment for strategic transport and digital infrastructure.
- 5.27. The Plan's sixth theme is to protect and revive tourism and the visitor economy following Covid-19. It states that *"sustainable and responsible tourism should underpin the approach to help secure for the longer term the environmental gains from the Covid-19 crisis, such as supporting natural capital projects, improvements in air quality, increased access to nature and increased use of sustainable active travel"* (page 21).

Gatwick 360° The Coast to Capital Strategic Economic Plan 2018-2030

- 5.28. The Coast to Capital Strategic Economic Plan (SEP) identifies four functional economic hubs within the Plan Area that each have distinctive characteristics. It identifies different growth and development opportunities within one of the hubs, the County of West Sussex, and highlights the *"growing tourism economy centred around the natural environment"* (page 9) in Chichester.
- 5.29. The SEP sets eight economic priorities for the Coast to Capital area. The following are relevant to this socio-economic assessment:
- *"Priority 2: Develop business infrastructure and support;*
 - *Priority 3: Invest in sustainable growth; and,*
 - *"Priority 8: Build a strong national and international profile."*



- 5.30. As part of Priority 8, the SEP has an ambition to “coordinate work with active partners in inward investment and tourism, to establish an alliance of organisations focused on developing a strong brand proposition” (page 53).

Chichester District Council Corporate Plan 2022-2025

- 5.31. The Chichester District Council’s Corporate Plan’s mission is “to support our communities by enabling a choice of quality housing to high sustainable standards, promoting growth and inward investment which protects the environment, and working with partners to maintain the outstanding quality of life available to our residents” (page 3).
- 5.32. Under the Thriving Economy priority, the Plan aims to “promote the visitor offer that the city, market towns and rural communities across our district can provide” (page 11).

Experience West Sussex Partnership Strategic Priorities & Objectives April 2022 to March 2024

- 5.33. The Experience West Sussex Partnership’s strategic priorities relate to supporting the sector’s recovery and supporting the growth in overnight staying visitors. In addition to this, the Partnership intends to highlight the region’s natural assets and increase the delivery of a more responsible tourism with a lower environmental impact.

Central Government Research on Coastal Towns and Communities

- 5.34. For many years there has been significant research on the economic, health and housing impacts on coastal towns and communities to identify key issues and inform policy and funding initiatives. These are summarised below.

The future of seaside towns, House of Lords Select Committee (July 2019)

- 5.35. In July 2019, the House of Lords Select Committee on Regenerating Seaside Towns and Communities published the report The future of seaside towns. This examined problems faced by coastal communities, identifying and made a number of recommendations regarding on how regeneration could be supported in coastal towns. Common problems faced by coastal towns identified in the report included:

- Coastal towns are often adversely affected by inadequate transport connectivity, hindering the realisation of their economic potential.
- Limited access to education, in particular to FE and HE institutions, curtails opportunities for young people in some coastal areas.
- Many seaside towns are suffering from skills shortages.
- High levels of population transience.
- Disproportionately high levels of people claiming sickness and disability benefits.
- Recommendations made in the report included:
 - Additional government support to recognise, promote and support diversification in coastal areas where a sole reliance on tourism is no longer a viable option.
 - A dedicated source of funding specifically for coastal communities, beyond the completion of the Coastal Communities Fund.
 - A sustained, long-term effort to address the impact of transience on coastal areas.
 - Amending planning restrictions which limit the potential for changes of use on port sites.
 - Improvements to the coastal transport network.
 - A targeted investment and improvement programme for schools in coastal communities

- 5.36. The government published a response in June 2019 and an updated response in June 2021. The Future of Seaside Towns Follow-up report was recently published by House of Lords on 23 July 2023

- 5.37. The applicant has a proven track record as explained in Section 1 of this Planning Statement, to supporting work and training opportunities working with local charities and partnering with Chichester College to create apprenticeships and initiatives to help train young people for leisure industry careers.



5.38. Coastal towns in England and Wales: October 2020 - Data and analysis on seaside and other coastal towns in England and Wales (October 2020)

5.39. This 2020 analysis of coastal towns in England and Wales published by the Office for National Statistics found that coastal towns are more likely to have higher levels of deprivation than non-coastal towns, as well as slower levels of population and employment growth. Some of the broader main points from the research as summarised below:

- Over 5.3 million residents live in coastal towns in England and Wales, of which 3.5 million live in seaside towns (those with a beach and visitor attractions) and 1.9 million in other coastal towns.
- Coastal towns have experienced lower rates of coronavirus (COVID-19) related deaths during 2020 than non-coastal towns.
- 71% of coastal towns had both slower population and employment growth than the England and Wales average over the 2009 to 2018 period; this compares with 47% of non-coastal towns.
- Between 2009 and 2018, 50% of coastal towns had a decline in employment compared with 37% of non-coastal towns.
- Seaside towns have higher shares of self-employment and part-time employment than non-coastal towns as well as a lower share of residents with degree-level qualifications.
- Population declined in almost one in three (32%) smaller seaside towns between 2009 and 2018 compared with only 16% of small non-coastal towns.
- 30% of the resident population in small seaside towns were aged over 65 years old in 2018 compared with 22% in small non-coastal towns.
- Experimental data on population density, based on Facebook app (with location enabled) data, illustrates the influx of visitors to seaside towns during July and August this year.

5.40. Whilst it is acknowledged that this research is focussed on towns rather than villages it provides an understanding of the key economic and social issues relevant to seaside communities. Selsey is the nearest smaller seaside town to Medmerry, included in the research and the data set confirms that the principle industrial/economic sectors are Accommodation and Food at 18.9%, followed by health (17.4%) and retail (15%).

5.41. As explained in the ES Socio-Economic Chapter, the proposed development is a regeneration project resulting in significant qualitative improvements to an outdated existing holiday park. It will also create significant quantitative economic benefits in terms of economic investment in the Accommodation sector with a construction value of £57.8m with associated construction and supply chain jobs. It will also generate significant operational benefits through the creation of up to 70 direct jobs on site (FTE 41.1) as well as supply chain jobs and gross value added (GVA).

5.42. Chief Medical Officer's annual report 2021: health in coastal communities (July 2021)

5.43. The report showed that coastal communities have a higher disease burden across physical and mental health conditions, as well as lower health outcomes including life expectancy, healthy life expectancy and disability free life expectancy.

5.44. Coastal communities face the same housing challenges as many other areas of the UK. In some coastal areas these can be exacerbated by high concentrations of second home ownership and Houses in Multiple Occupation. In this context the benefit of purpose-built holiday parks such as Medmerry Park, is to provide an attractive alternative type of accommodation that provides the potential to free up the use of standard housing stock for second homes or holiday accommodation.

5.45. The Future of Coastal Communities (5 September 2022)

5.46. This report focuses on health and housing in coastal communities and recognises that *'...where the number of second homes comprises a significant proportion of the housing market, it can reduce housing supply and push up house prices to unaffordable levels for local people.'*

5.47. In terms of Medmerry Park the lodges are restricted to holiday use only and provide an alternative second home or holiday home option separate from the main housing supply. In this context the report notes *'On the other hand, if second homes are used regularly as holiday lets, they may boost local economies and the tourism trade.'*



6. Planning Policy Context

National Planning Policy Framework and National Planning Practice Guidance

- 6.1. At the national level planning guidance is contained in the NPPF and the Planning Practice Guidance (PPG). The NPPF (September 2023) sets out the Government’s planning policies for England and how it expects these to be applied. The NPPF is a significant material consideration in planning decisions. Paragraph 2 states that:-

‘Planning law requires that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise. The National Planning Policy Framework must be taken into account in the preparation of local and neighbourhood plans, and is a material consideration in planning decisions.’

- 6.2. Paragraph 11 states that plans and decisions should apply a presumption in favour of sustainable development. For decision-taking this means approving development proposals that accord with an up-to-date development plan without delay; or, 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 the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

- 6.3. Paragraph 8 states that there are three dimensions to sustainable development, each of which give rise to the need for the planning system to perform a number of different objectives:-

“An economic objective - to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

A social objective - to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and

An environmental objective- to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.”

- 6.4. Chapter 6 sets out guidance for building a strong, competitive economy. In this context, Paragraph 81 states:

“Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.”

- 6.5. Tourism facilities, including holiday parks like Medmerry are supported through this policy, which supports existing businesses to expand and adapt, in the interests of economic growth and to the benefit of the wider local economy.

- 6.6. The Sussex coastline within which Medmerry is located is a major tourist destination. Paragraph 83 refers to the NPPF’s strong support for a prosperous rural economy, stating that policies and decisions made by relevant authorities:

".....should ‘enable:



a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;

b) the development and diversification of agricultural and other land-based rural businesses

c) sustainable rural tourism and leisure developments which respect the character of the countryside; and

d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship."

- 6.7. Paragraph 84 clarifies further that planning policies and decisions need to recognise that sites to meet the local needs of business in rural areas may not always be found in or adjacent to existing settlements or locations not well served by public transport. In such circumstances development needs to be sensitive to its surroundings and does not impact unacceptably on local roads. The use of sites well related physically to existing settlements should be encouraged where suitable opportunities exist.
- 6.8. Chapter 11 Making effective use of land, focuses on the effective use of land to meet the needs of different uses and previously developed land. Paragraph 120 d) confirms that decisions should promote and support the development of underutilised land or buildings.
- 6.9. The Government attaches great importance to design and clarifies that good design is a key aspect of sustainable development (paragraph 126).
- 6.10. In respect of the conservation and enhancement of the natural environment, the NPPF states that planning policies and decisions should protect valued landscapes and sites of biodiversity value, especially those protected or designated nationally or internationally. In respect of planning applications on or near land designated as a Site of Special Scientific Interest, local planning authorities should normally not permit any proposal that would adversely affect it. Only if the benefits of the proposal 'clearly outweigh' its likely impact on the SSSI and their national network should such a proposal be granted planning permission.
- 6.11. The NPPG is a web based guidance resource which was introduced in March 2014 in order to bring together existing planning practice guidance for England that was not deleted by the NPPF in an accessible and usable way. Together the NPPF and the NPPG set out what the Government expects for both plan making and decision taking. The guidance is a material consideration in deciding planning applications. The NPPG includes further guidance on issues included in the NPPF such as design, flood risk, natural environment and noise.
- 6.12. Relevant paragraphs from the following principal sections include 4 (Environmental Impact Assessment), 6 (Climate change), 7 (Flood risk (including sequential and exception tests)), 8 (Natural environment), 18a (Historic environment), 21a (Use of planning conditions), 23b (Planning obligations), 31 (Light pollution), 34 (Water supply, wastewater and water quality), 42 (Travel Plans, Transport Assessments and Statements), 65 (Appropriate Assessment).

The Adopted Development Plan

- 6.13. The adopted Development Plan for the Chichester area is the Chichester Local Plan: Key Policies (2014 – 2029) (hereafter referred to as the CLP) (adopted on 14 July 2015), the CDC Site Allocation Development Plan Document and all made neighbourhood plans. There is currently no made Neighbourhood Plan for Earnley.
- 6.14. The Local Plan Policies Map identifies the following designations on or near to the application site:
- Open Countryside (Countryside Policies)
 - Flood Zone 3
 - Adjacent to Integrated Coastal Zone Management designation (Coastal Management policies)
 - Adjacent to Bracklesham Bay Site of Special Scientific Interest (SSSI)
- 6.15. The CLP contains policies used for development management in the Chichester area. The following policies within the CLP are of relevance to this application:
- Policy 1 Presumption in Favour of Sustainable Development
 - Policy 3 The Economy and Employment Provision



- Policy 8 Transport and Accessibility
- Policy 9 Development and Infrastructure Provision
- Policy 22 Integrated Coastal Zone Management for the Manhood Peninsula
- Policy 30 Built Tourist and Leisure Development
- Policy 31 Caravan and Camping Sites
- Policy 39 Transport, Accessibility and Parking
- Policy 40 Sustainable Design and Construction
- Policy 42 Flood Risk and Water Management
- Policy 44 Development around the Coast
- Policy 45 Development in the Countryside
- Policy 46 Alterations, Change of Use and/or Re-use of Existing Buildings 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
- Policy 51 Development and Disturbance of Birds in Pagham Harbour Special Protection Area
- Policy 52 Green Infrastructure

6.16. Policy 3 (The Economy and Employment Provision) sets out the overall strategy for growth of the economy and makes specific reference to the tourism economy, stating that one of its objectives is “supporting and promoting a high-quality tourism economy”. This is directly linked to Policy 30 (Built Tourist and Leisure Development) which states:

“Proposals for tourism and leisure development, including tourist accommodation, will be granted where it can be demonstrated all the following criteria have been considered:

1. *It is sensitively designed to maintain the tranquillity and character of the area;*
2. *Is located so as to minimise impact on the natural and historic environment, including that of visitors or users of the facility, particularly avoiding increasing recreational pressures on Chichester Harbour AONB and Pagham Harbour and other designated sites;*
3. *It provides a high quality attraction or accommodation; and*
4. *Encourages an extended tourist season.*

In the countryside planning permission will be granted for new tourism buildings including bed and breakfast, self catering and hotel facilities where the above and following criteria have been met:

1. *Be of a scale appropriate to the location and demonstrate they require a rural location and cannot be accommodated elsewhere, or the proposal is associated with the expansion of an existing facility; and*
2. *Support the objectives of rural regeneration/diversification.*

Proposals involving the loss of tourist or leisure development, including holiday accommodation, will only be granted where there is no proven demand for the facility and it can no longer make a positive contribution to the economy.”

6.17. The supporting text in Paragraph 16.25 states: *“Visitors support a range of facilities and services which are important to the local economy and enhance its attractiveness as a location for businesses and residents. However, due to a lack of suitable accommodation an insufficient number of tourists are able to stay overnight. To support the visitor economy, new tourist accommodation and attractions will be encouraged in areas that can accommodate additional visitor numbers without detriment to the environment. This will enable development and provide facilities that could extend the tourist season and also benefit the local community.”*

6.18. As regards to development in the countryside, the supporting text states at Paragraph 16.27: *“Within smaller villages and the countryside, proposals should fully assess the potential to re-use existing buildings and extend*



current businesses, in preference to new build. If there are no other alternative sites or buildings, new sensitively designed tourism buildings and serviced accommodation may be permitted in these locations. A more restrictive line will be taken where development would be more intrusive and environmentally damaging. Occasionally larger scale facilities may be appropriate where they are associated with enhancing visitor use or appreciation of a specific feature or location. Proposals will need to demonstrate the requirement for and compatibility with a countryside location.”

6.19. Policy 31 relating to Caravan Sites is relevant and 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.”*

6.20. A full list of policy text is enclosed at **Appendix 5**. An assessment of the proposed development against these policies is set out in Section 7 following.

The Emerging Development Plan

6.21. CDC are currently preparing their emerging Development Plan - The Chichester Local Plan 2021-2039. CDC previously consulted on the Local Plan Review 2016-2035 Preferred Approach (LPR) document between December 2018 and February 2019 under Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012. Following consideration of all responses to the consultation period, the Council recently consulted on the Chichester Local Plan 2021 - 2039: Proposed Submission under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). This consultation ran from February 2023 until 17 March 2023. All comments will then be passed to the Secretary of State for Independent Examination.

6.22. A full list of policy text is enclosed at **Appendix 6**. An assessment of the proposed development against these policies is set out in Section 7 following.

SPD and Other Local Policy

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

- Surface Water and Foul Drainage SPD
- Planning Obligations and Affordable Housing SPD



7. The Main Assessment

- 7.1. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, applications for planning permission should be determined in accordance with the provisions of the Development Plan unless material considerations indicate otherwise.
- 7.2. The NPPF sets out a presumption in favour of sustainable development which is seen as a golden thread running through both plan making and decision taking. In terms of application decisions this means approving development proposals that accord with the development plan without delay and where the development plan is absent, silent or relevant policies are out of date, granting permission unless adverse impacts significantly outweigh the benefits.
- 7.3. This section sets out the key issues and assesses the application proposals against the relevant national and local planning policies and the material considerations that weigh in the planning balance. Firstly, considering the principle of the development in land use terms as well as the needs case in accordance with CLP Policies 30 and 31; and secondly the relevant technical matters with regard to various development management policies, namely:-
- Flood Risk and Drainage.
 - Ecology, Biodiversity Net Gain and HRA
 - Design
 - Landscape and Visual Impact
 - Arboriculture
 - Transport, Accessibility and Access
 - Noise
 - Air Quality
 - Archaeology and Heritage
 - Contaminated Land
 - Materials and Waste
 - Sustainability
 - BREEAM

Principle of Development and Needs Case

- 7.4. To assess the principle of the proposed development on the application site it is important to consider the existing permitted use; the site's planning history; and the relevant Local Plan designations and policies.
- 7.5. The application site is an existing holiday park (sui generis use) and has operated as such since 1930s. The site is not allocated for any alternative uses in the adopted or emerging Local Plan. The Medmerry Masterplan maintains the existing use of the site as a holiday park and retains the existing accommodation at 308 lodges, whilst enabling a comprehensive regeneration of the site and the provision of additional amenity uses and activities.
- 7.6. As set out in Section 2, a previous scheme to redevelopment the site to provide 518 static caravans and lodges was refused on 26 January 2021. The officers delegated report confirms on page 27 that:
- “The redevelopment of the existing holiday park to improve accommodation quality and reduce flood risk is supported in principle by the adopted Local Plan and NPPF. However there remain key areas of particular concern including flood risk, ecological impacts, landscape impacts and a lack of evidence of high demand for the number of additional units proposed.”***
- 7.7. Whilst this application was refused, the principle of redevelopment was considered acceptable by officers in line with the NPPF and relevant CLP policies 3, 30 and 31. We consider the same in principle conclusion can be reached for the proposed Medmerry Masterplan, which addresses the key technical concerns and proposes significantly less accommodation compared to the previous proposals.



- 7.8. Policy 3 of the Chichester Local Plan 2014-2029 (CLP) encourages tourism development and policies 30 and 31 set out the detailed criteria.
- 7.9. Policy 30 deals with Built Tourist and Leisure Development. It states that proposals for tourism and leisure development, including tourist accommodation, will be granted where it can be demonstrated all the following criteria have been considered:
1. *It is sensitively designed to maintain the tranquillity and character of the area;*
 2. *Is located so as to minimise impact on the natural and historic environment, including that of visitors or users of the facility, particularly avoiding increasing recreational pressures on Chichester Harbour AONB and Pagham Harbour and other designated sites;*
 3. *It provides a high quality attraction or accommodation; and*
 4. *Encourages an extended tourist season.*
- 7.10. The site falls outside of a settlement boundary under CLP Policy 2. Therefore the second part of Policy 30 also applies, which states that in the countryside planning permission will be granted for new tourism buildings where the above and following criteria have been met:
1. *Be of a scale appropriate to the location and demonstrate they require a rural location and cannot be accommodated elsewhere, or the proposal is associated with the expansion of an existing facility; and*
 2. *Support the objectives of rural regeneration/diversification.*
- 7.11. The supporting text at paragraph 16.27 also confirms that proposals should fully assess the potential to re-use existing buildings and extend current businesses, in preference to new build. If there are no alternative sites or buildings, new sensitively designed tourism buildings may be permitted.
- 7.12. Policy 31 specifically related to caravan and camping sites and paragraph 16.30 clarifies further that the policy relates to accommodation in temporary or mobile units. The Medmerry Masterplan is for permanent accommodation therefore we do not consider policy 31 is relevant. However given the reference to this policy within the officers pre-application response and given the criteria are similar to policy 30 we have taken the approach of assessing the Medmerry Masterplan against the criteria within both policy 30 and 31.
- 7.13. Policy 31 states that proposals for the intensification or alteration of 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.*
- 7.14. Clearly the principle of improving and upgrading the quality of tourism accommodation is strongly supported in local plan policy, the NPPF and other local tourism policy as set out in Section 6 above. In addition, the comprehensive redevelopment of Medmerry Park is also considered acceptable as confirmed in the officers delegated report for the 2021 refusal and the more recent pre-application response from CDC dated September 2022.
- 7.15. There are however some key issues and considerations, in line with the criteria for policies 30 and 31 which need to be addressed, to confirm the proposed Medmerry Masterplan development is acceptable in principle. These criteria are assessed below in further detail.

Policy 30 Criteria 1 - It is sensitively designed to maintain the tranquillity and character of the area;

Policy 31 Criteria 3 - They are sensitively sited and designed to maintain the tranquillity and character of the area; and



Policy 31 Criteria 4 - They are sited to be visually unobtrusive and can be assimilated so as to conserve and enhance the surrounding landscape;

- 7.16. The objective of these three criteria is similar, namely, to be sensitively designed to maintain the tranquillity and character of the area to conserve and enhance the landscape. It is therefore important in the first instance to understand the character of the area and the existing holiday park, to then assess the impact of the development.
- 7.17. Medmerry Park is an attractive and popular destination for visitors, principally due to its close position along a stretch of undeveloped coastline and the varied wildlife features, species, and habitats in the immediate area. Furthermore, the scale of the existing holiday park and level of accommodation at 308 chalets, ensures it is a quiet and peaceful location for visitors to stay.
- 7.18. A principal objective of the Medmerry Masterplan redevelopment proposals is the requirement to retain the peaceful and tranquil character of the park as well as its setting. This will be achieved in part by incorporating landscape benefits such as restoring the historic coastline by retreating development away from more sensitive locations and the beach. Landscape planting and perimeter buffers, alongside ecological features such as the wetlands and the watercourse buffers have also been incorporated within the masterplan which contribute to the peaceful nature led character of the redevelopment scheme.
- 7.19. The built-up area within the holiday park will increase overall to include additional amenity facilities and lower density. Although the masterplan provides the same number of lodges they are more spread out and comprise 2 and 3 bedroom detached and semi-detached lodges rather than clusters. These design principles ensure the privacy and amenity of each resident will be significantly enhanced compared to the existing layout.
- 7.20. The masterplan has incorporated individual character areas such as the wetland and lakeside settings which provide a tranquil landscape and ecological context for visitors to stay within. Other character areas such as the woodland and orchard areas also incorporate landscape features and screening, all of which provide privacy and a tranquil nature led setting.
- 7.21. Most of the existing amenity facilities are centrally located and are retained and refurbished within the Medmerry Masterplan scheme. This area includes F&B facilities, informal outdoor recreation, and sports facilities. These are physically separate from the lodges, thereby ensuring the amenity facilities will not impact on the quiet enjoyment of the holiday park and resident's amenity and privacy. Use of the amenity facilities will be limited to visitors staying on the part so their use can be managed effectively by the applicant.
- 7.22. Applying a dark skies principal to minimise nighttime activity of the ancillary facilities, will also ensure that the park is quiet in the evening and nighttime.
- 7.23. Further details regarding how the development has been incorporated into the landscape are provided in the LVIA within Chapter 10 of the ES and as summarised in the landscape section below.

Policy 30 Criteria 2 - Is located so as to minimise impact on the natural and historic environment, including that of visitors or users of the facility, particularly avoiding increasing recreational pressures on Chichester Harbour AONB and Pagham Harbour and other designated sites;

- 7.24. The existing natural environment has been considered from the outset within the masterplan proposals, applying an iterative constraint led design process, whereby ecological information was utilised to avoid impacting potentially important ecological features where possible and to ensure that the development minimises impact on the natural environment. Key nature led considerations are set out below:
 - Areas of greater importance to ecological features are, for the most part, to be retained within the design of the Medmerry Masterplan, including waterbodies, woodland, scrub, and hedgerows. The project design has been subject to change, evolving in line with ecological assessments and the identification of sensitive ecological features.
 - The identification of the water vole population within the site has led to the retainment of all watercourses and has enacted developmental changes to avoid construction related impacts and safeguard the population. A construction buffer zone of 7metres around all important ditches will ensure that no new construction will take place in sensitive areas for this species.



- The proximity of the Medmerry Reserve and more specifically the Stilt Pools, makes them sensitive to construction and operational related developmental changes. As a result, the field to the east of the Site bordering the Stilt Pools is to be retained to maintain a buffer between the park and the Medmerry Reserve, to prevent and avoid construction and recreational related disturbance.
- Access to all areas within the retained enhancement area (including the field east of the Site bordering the Stilt Pools ('Field D')) will be prohibited during the operation phase of the Proposed Development.
- Park rules will ensure that resident keeps dogs on leads in all areas apart from a small designated fenced 'off-lead' area within the centre of the Site within the picnic area.
- Additionally, signage boards will be deployed in sensitive ecological areas to educate visitors on ecology and its sensitivities (e.g., for dark-bellied brent geese, the internationally designated sites, water voles, etc.). This will help in ensuring that recreational disturbance is prevented.
- An increase in amenity facilities within the Medmerry Masterplan thus reducing the need for holiday makers to explore neighbouring designated sites.
- The proposals have been designed to minimise the extent of habitat loss required. As such, new areas for development have been minimised as much as possible, with the main aspect of the masterplan focusing on re-developing and utilising urban areas of the existing site, to minimise disturbance to semi-natural habitats.
- incorporate the creation of valued ecological features which would in turn provide positive impacts for not just ecology but for visual amenity as well. This includes the creation of wetland habitats and priority habitat ponds within the centre of the Site, a wooded area around accommodation to the southwest, and hedgerow and mound planting to act as screening and to additionally provide habitat for ecological features.
- Use of prefabricated lodge construction to reduce the construction programme. Reducing the potential impact on ecological features and habitats through construction related processes and activities. A draft CEMP has been prepared to set out a series of measures and controls through the construction process to minimise working areas to avoid unnecessary habitat removal / alteration and disturbance, and measures to avoid / minimise the generation of additional noise, dust, light spill, vibration, and pollution. An Ecological Clerk of Works (ECow) will be appointed to manage the CEMP implementation.

7.25. Any residual impacts will be managed through the range of management plans proposed, including the Landscape and Ecological Management Plan (LEMP).

7.26. There are no historic assets on the site. The nearest conservation area and listed buildings are in Earnley. The construction traffic will be carefully management through the CEMP to ensure the construction process will not create a negative impact on Earnley.

7.27. In terms of the increase in recreational pressures on Chichester Harbour AONB and Pagham Harbour and other designated sites, the officer's pre-application response notes that given the proposal does not include a net new dwelling there is no requirement to provide mitigation payments. In addition, pre-application discussions with RSBP have identified opportunities to enhance dog walking facilities within the masterplan proposals and to incorporate initiatives in management plans that will encourage alternative off site walking routes that enable visitors to use other options instead of accessing the Medmerry Reserve.

Policy 30 Criteria 3 - It provides a high-quality attraction or accommodation;

7.28. Medmerry Park is a popular location, but the overall quality of accommodation needs modernising. Whilst some refurbishments have taken place, the redevelopment scheme provides a unique opportunity to enhance the overall quality of an existing holiday park and ensure the long-term sustainability for many years to come.

7.29. As set out in the Design and Access Statement and the drawings accompanying this application, high quality and well-designed lodge accommodation is provided comprising 2 and 3 bedrooms, in a range of building styles and configurations including detached, semidetached and terraces. This variation in form and style provides interest and variety within a consistent setting.



- 7.30. A limited palette of materials will be used throughout the site to provide a cohesive and consistent appearance that ensures the development blends into its rural surroundings. Materials include timber weatherboarding, local stone and contemporary detailing. Buildings such as the back of house facilities have been designed using a rural scale and appearance similar to an agricultural barn.
- 7.31. Within the masterplan, landscape and building character areas have been identified and the layouts have been devised to minimise avoid the use uniform lines or urban layouts and provide a more organic, open and rural typography and form. Each lodge includes a private outdoor area and decking, and the wider masterplan provides, formal amenity and recreation uses and activities alongside informal recreation including walking routes, picnic areas and open space.
- 7.32. A consistent palette of hard landscaping surface treatments, furniture, lighting and boundary treatments will be used alongside soft landscape to ensure consistency across the different character areas within the context of the wider masterplan scheme.
- 7.33. Further details regarding the design process that has informed the preparation of the masterplan is set out in the Design and Access Statement.

Policy 30 Criteria 4 Encourages an extended tourist season.

- 7.34. The existing site is occupied for 10 months of the year, but most visitors come in the peak season during the Spring and Summer months. The provision of additional amenity uses, including indoor uses such as the spa, food and beverage facilities, the amenity lake clubhouse and the partially covered swimming pool will encourage visitors to stay outside the main peak season and when the weather is cooler, thereby extending the season outside peak times.
- 7.35. The increased range of indoor and outdoor facilities will also encourage visitors to stay for longer durations, to enjoy the range of facilities available, increase visitor spend and dwell time in line with local tourism objectives in CDC Destination Management Plan.
- 7.36. It is also important to highlight that many of the existing chalets are poorly insulated and therefore limits the potential for visitors to stay in colder weather or during winter months. The new lodges will be built to current building regulation standards, using insulated building panels and will be more energy efficient, thereby providing modern and comfortable visitor accommodation that can be occupied throughout the 10 months of the year the park is open to visitors.

Policy 30 Part 2 Criteria 1 - Be of a scale appropriate to the location and demonstrate they require a rural location and cannot be accommodated elsewhere, or the proposal is associated with the expansion of an existing facility; and

- 7.37. The proposal is a redevelopment of an existing holiday park, whilst the overall extent of built form is more spread out, this enables the building line to be set back from the coastline and incorporates additional amenity facilities within the Masterplan, the benefits of which have already been explained above.
- 7.38. In terms of scale, most of the proposed lodges are single storey. There will be a small number of raised or two storey lodges but there have been carefully sited alongside landscaping planting and screening to restrict views. The Pink Flamingo is the largest building on site but this will be demolished, thereby opening up views through the park. Proposed buildings, such as the swimming pool enclosure, boathouse and back of house are all single storey structures, which in terms of scale, blends well with the lodge accommodation.

Policy 30, Part 2 Criteria 2 Support the objectives of rural regeneration/diversification.

- 7.39. The Local Plan glossary defines rural diversification as:

“A term relating to improving and sustaining the quality, range and occupational mix of employment in rural area in order to provide wide and varied work opportunities for rural people, including those formerly or currently employed in agriculture and related sectors.”
- 7.40. As noted in ES Chapter 14 Socio Economics, the proposals will result in the creation of 41.1 operational FTE jobs across the year, which will result in a beneficial long term economic impact and contribute towards supporting rural diversification in the area.



- 7.41. In addition, the masterplan proposals will deliver rural regeneration through the significant investment in and redevelopment of an outdated holiday park.

Paragraph 16.27 Potential to re-use existing buildings

- 7.42. The supporting text for Policy 30 encourages the re-use of existing buildings. Where feasible, the applicant has recently refurbished some of the existing chalets close to the main entrance to the holiday park. Given the recent investment in these chalets, redevelopment of these buildings is programmed for the later phases of the construction programme.
- 7.43. As demonstrated in Section 5, a significant proportion of the existing chalets are in poor condition and have inherent issues in terms of the type of building fabric, poor quality insulation and unsuitable internal layouts and configuration to be effectively re-useable. A significant number of units are currently vacant and not capable of being let. Refurbishment and re-use of these chalets is therefore not considered to be structurally or commercially feasible, and redevelopment is the preferred option.
- 7.44. The existing Medmerry Village, Medmerry Arms and swimming pool within the centre of the site, will be retained and refurbished as part of the masterplan proposals. Other building such as the Pink Flamingo are also in a poor state of repair and would require substantial rebuilding, refurbishment, and reconfiguration to be useable.
- 7.45. The Eardley Beach Centre is also vacant and in a poor state of repair. It is proposed that this building will be demolished as part of the Medmerry Masterplan proposals and provide a picnic area/open space, thereby increasing the separation between the edge of Bracklesham and the new holiday lodges.
- 7.46. In summary, where existing features and buildings can be retained, they have been incorporated into the masterplan layout, in accordance with this supporting text for Policy 30.

Policy 31 Criteria 1 They meet a demonstrable need and require a rural location.

- 7.47. The planning officer's pre-application response dated September 2022 confirms that given the existing accommodation at 308, will be maintained, albeit in a different layout, unit design and operational model, the requirements under policy 31 to demonstrate tourism need is no longer required, with the focus more towards the need for redevelopment/enhancements. The officer pre-application written response concludes on this matter that:

“As such, it remains the case that the proposed upgrading and improvement of the existing stock can be supported by officers in principle, subject to the other detailed considerations as set out later in this report. The ability to support the principle of development is also supported by the Council's Planning Policy and Economic Development officers, as demonstrated in their consultation responses (enclosed). In particular, the economic development officer supports the betterment of tourism opportunities in this area due to the beneficial impact on the local economy.”

- 7.48. The proposals are for the redevelopment of an existing operational holiday park which is in a rural location. It would not be feasible to relocate the holiday park to another location as the key appeal of Medmerry Park to visitors is its rural and coastal location.
- 7.49. A specific needs case is set out in Section 6 above, which focusses on the commercial and operational needs case for the comprehensive redevelopment of the park. The needs case is also supported by the socio-economic benefits that are generated by the redevelopment, in particular the capital investment and the need for additional jobs.
- 7.50. The development also accords with wider local tourism policies within CDC and West Sussex which promote the development of high-quality accommodation which attracts longer stays, encourages stays outside peak season and increases dwell time and spend. The comprehensive redevelopment also aligns with findings within national research, which focuses on the need for economic investment, regeneration opportunities and job creation for coastal communities and settlements.

Policy 31 Criteria 2 They are of an appropriate scale in relation to their setting and would not diminish local amenity;



Policy 31 criteria 5 The road network and the site's access can safely accommodate any additional traffic generated.

- 7.51. As previously explained the scale of the development within the existing setting is considered appropriate and the historical seascape character will be restored by retreating the building line away from the most sensitive areas and coastline. This will enhance the wider amenity value and open character of the coastline.
- 7.52. The site is in a rural location, physically separate from existing settlements of Bracklesham and Earnley. Therefore, there will be no impact on the amenity of existing residents in the surrounding area. There are a limited number of residential properties adjoining the existing holiday park and the masterplan proposals have been designed to ensure the amenity of these occupiers is not affected through the inclusion of buffers and landscape planting.
- 7.53. Medmerry Masterplan retains the same level of accommodation at 308, thereby ensuring that the development will not result in significant increase in visitor numbers, which could have knock on impacts on the amenity for existing residents in the surrounding area through increased traffic movements. In fact, it is expected at operation stage that given the increased provision of amenity facilities on site, that visitors are likely to dwell on site for longer and make less car trips within the wider area.

Technical Matters

Flood Risk and Drainage.

- 7.54. Local Plan policy 42 Flood Risk and Water Management confirms that development in areas of current flood risk will be granted where they meet the relevant criteria. A FRA, drainage strategy and ES Chapter 8 Water have been prepared in support of this application, to ensure that the proposals for development are acceptable and that any risk of flooding is appropriately mitigated
- 7.55. The site is located within Flood Zone 1, 2 and 3 and as such, the NPPF and Policy 42 require a Sequential Test to be undertaken. A Sequential Test was prepared as part of the previous application in 2019 (by others), which concluded that the development passed the Sequential Test. CDC concluded that the proposals passed the Sequential Test, as noted on page 40 of the delegated report. It is assumed the same conclusions therefore apply to the Medmerry Masterplan scheme.
- 7.56. As much of the site is located within Flood Zones 2 and 3, the development proposals have been assessed in terms of the Exception Test. Through the appraisal of flooding from all sources and detailed numerical flood modelling (pluvial and tidal), the FRA provides evidence to demonstrate that Part B of the Exception Test can be passed. This is achieved by including appropriate mitigation within the scheme design. In terms of tidal flood risk, a precautionary approach is applied which assumes the coastal defence adjacent to the site will not be maintained for the lifetime of the development. Therefore, mitigation measures in the FRA are based on a worst-case scenario. Firstly, moving the development away from the coastline compared to the existing development so that the new lodges are situated at highest areas of the site. This is a betterment on the existing context without considering other flood mitigation measures. Additional floor mitigation has also been incorporated to reduce the risk of flooding for future residents. These include land raising, floor level raising, floor resistant and resilience measures and a Flood Warning and Flood Evacuation Plan.
- 7.57. The development will not increase flood elsewhere. In this context the Surface Water Management Strategy proposals manage all of the surface water runoff discharged from the proposed development via connections to the watercourses within the site. SuDS measures include permeable surfacing, swales, bioretention systems and lakes. These SuDS will be used to store water onsite and provide pollution control benefits before water is discharged to the watercourse. Surface water discharge rates from the development have been reduced significantly when compared to the existing situation and reflect the ecological constraints imposed on the Park Rife.
- 7.58. The proposed development will provide a significant betterment compared to the existing site. The future occupants, users and staff of the site will be safe for the lifetime of the development and the development will not increase the risk of flooding elsewhere. It is therefore considered that the scheme accords with the NPP and policy 42. Furthermore in terms of the ES the embedded design mitigation ensures that both construction



and operational stages the effects in terms of flood risk, surface water management and foul water management are considered not significant.

Ecology, Biodiversity Net Gain and HRA

- 7.59. A comprehensive suite of ecological surveys and desktop studies has been collected and conducted over several years from 2019 to 2023 using appropriate methodologies. This data has been analysed to identify key ecological features, habitats and species that would be effected by a proposed development of Medmerry Holiday Park.
- 7.60. The close proximity of the Medmerry Reserve, the nearby national ecological designations and the suite of ecological surveys and desktop studies, have all informed an iterative design process to avoid impacting on the ecological context and to ensure ecological mitigation is embedded within the masterplan designs. This approach minimises habitat loss, reduces operational and construction related disturbance and incorporates habitats that create positive results in terms of ecological benefits and landscape amenity.
- 7.61. This has resulted in an ecological and landscape focused masterplan with ecology at the heart of the proposals which will enable guests and the public to have the opportunity to engage and learn about our local wildlife and nature through information and education boards along walks on site. Key ecological considerations in the masterplan design and application submission include:
- Retention of the central Park Rife which will support population of Water Voles and be key ecological feature of the site with all accommodation set back 7.5 metres from water's edge to create an ecology buffer and minimise impact.
 - Creation of wetland, pond and orchard areas to encourage wildlife diversity and priority species.
 - Provision of open field buffers to the South and East to reduce impact on SSSI, RSPB Medmerry and Stilt Pools
 - Creation of two large areas of lowland meadow to increase suitable habitat for the dark-bellied Brent Geese and encourage insects and reptiles.
 - Removal of invasive plant species and provision of a hedgerow and scrub management introduced to help increase the green corridors across the site.
 - Comprehensive landscape scheme including significant additional and replanting proposals using native species
 - Bat and bird nest box installation across the site
 - Appropriate licencing applications
 - A robust Construction and Environmental Management Plan (CEMP) been created to ensure wildlife provision for badgers, bats, birds, water voles are in place during construction to protect their habitat and habits.
- 7.62. CDC has confirmed through their planning pre-application written response that given the location of internationally designated sites and the Medmerry Reserve, the applicant will need to provide all the details necessary to undertake the HRA. Accordingly, a HRA screening report has been prepared as part of this application submission, which confirms that provided mitigation is implemented as part of the Proposed Development in accordance with a CEMP and project design embedded mitigation, then significant adverse effects on the integrity of any internationally designated sites would not occur.
- 7.63. The development strategy of providing a like for like replacement of 308 units on the site, was defined from the outset to minimise recreational disturbance on the Medmerry Reserve. This was confirmed as an acceptable approach within the pre-application response, which highlighted that a financial contribution to recreational disturbance would not be necessary. Ongoing pre-application discussions with the RSPB have helped to inform the scheme design further and incorporate changes to minimise disturbance at the Medmerry Reserve. This includes removal of particular amenity facilities (falconry and horse riding) identified in previous iterations of the masterplan and incorporate walking routes and dog exercise areas within the holiday park to provide additional facilities to help minimise dog walking within the Medmerry Reserve. It has

been agreed in discussions with the RSPB that guidance will be provided to visitors to encourage them to reduce dog walking in the reserve and provide alternative suggestions. The applicant will continue to work with the RSPB to minimise disturbance on the Medmerry Reserve in accordance with the approach set out in CLP Policy 51.

- 7.64. Enhancement measures will be delivered as part of the Proposed Development to ensure an overall positive effect on ecological features and a Biodiversity Net Gain (BNG) is achieved. The BNG assessment identified a post-development gain of 6.06%, with a 185.46% gain in hedgerows, and a 37.85% gain in linear aquatic features.
- 7.65. Such enhancement measures include lowland meadow creation, wetland creation, grassland creation and enhancement, hedgerow planting and enhancement, scrub enhancement, pond creation and enhancement, woodland planting, bee poles, bat boxes, habitat piles, and education signage boards. A Landscape and Ecological Management Plan (LEMP) will be produced to outline the long-term objectives and targets of the enhancement measures, along with prescriptions for management and monitoring.
- 7.66. As confirmed in the ES Chapter 6 the proposed design, mitigation measures and enhancements incorporated within the design and the provision of the CEMP ensure that the scheme will not result in an unacceptable impact on ecological features, habitats and species in accordance with relevant biodiversity legislation, the NPPF and CLP Policies 49 Biodiversity, 50, Development and Disturbance of Birds in Chichester and Langstone Harbours Special Protection Areas, 51 Development and Disturbance of Birds in Pagham Harbour Special Protection Area and 52 Green Infrastructure. Accordingly, it is considered that the proposed development overcomes the previous ecological reasons for refusal set out in the 2021 refusal.

Design

- 7.67. The previous 2021 decision and the five reasons for refusal provided the starting point to reevaluate the design approach for the development of Medmerry Park. Informed by this decision a set of key parameters were identified to inform the masterplan and individual building designs:
 - Deliver a modern high quality holiday resort within a landscape and ecology led setting, providing a more diverse range of amenity and leisure activities to retain visitors on site and attract a wider client base.
 - Create a range of high-quality sustainable holiday lodges, using energy efficient materials and construction methods.
 - Retain the same number of lodges at 308. The redevelopment masterplan would replace the existing accommodation with the same number of lodges. These lodges would be larger and include separate bedrooms and living space to meet modern visitor requirements. The lodges would comprise detached, semidetached and some small terraces to provide a range of lodge types and facilities.
 - Support the continued operation of the holiday park, whilst delivering a phased demolition refurbishment and redevelopment scheme ensuring lodge numbers do not exceed the 308 threshold within each phase
 - Identification of landscape led character areas for the replacement holiday accommodation, alongside a central hub created by refurbishing and extending the existing amenity facilities.
 - Retreat of the existing building line away from the most sensitive ecological areas and coastline through the introduction of an ecological and landscape buffer. This buffer creates a seascape character area to the south and reinforces separation with the adjoining settlements to the west, Medmerry Reserve to the west and east.
 - Raising of the site in key areas through cut and fill from the wetland and lakes and building design to raise the finished floor levels (+4.44 AOD) thereby minimising the risk of flooding from 1:200 year (plus climate change) tidal events.
- 7.68. A pre-application masterplan scheme was submitted in Spring 2022. This masterplan was refined further following officer pre-application written response in September 2022 alongside feedback from site specific assessments and technical inputs.
- 7.69. At the heart of the masterplan redevelopment proposals is the requirement to create a landscape and ecology led solution whilst retaining the same level of accommodation. This has enabled the masterplan to incorporate several key benefits and ensures the redevelopment proposals are sensitive designed and an appropriate scale



and appearance to align with the character and natural features and assets on the site and within the wider location. This accords with Policy 30 Built Tourism and Leisure Development and Policy 46 Alterations, Change of Use and/or Re-use of Existing Buildings in the Countryside.

- 7.70. Further details regarding the design process and considerations are summarised in Section 4 above and set out in the Design and Access Statement accompanying this application.

Landscape and Visual Impact

- 7.71. There are several CLP policies of relevance which include landscape criteria and considerations including Policy 30: Built Tourist and Leisure Development. Policy 44: Development around the Coast. Policy 45: Development in the Countryside and Policy 47: Heritage and Design and Policy 48 Natural Environment. Policy 30 criteria are considered in specific detail under principle of development sub heading above.
- 7.72. A landscape and visual impact assessment (LVIA) has been prepared as part of ES Chapter 10 Landscape which follows the appropriate guidance to assess the impact of the development. As already explained the potential landscape and visual impacts have been considered from the outset to mitigate and address them through the scheme design. In terms of the main project mitigation, the development line has been moved away from the coastline, which has a landscape benefit by increasing the landscape buffer to the Bracklesham Bay SSSI and coast. Planted bunds along the northern and southwestern boundaries to visually screen the Proposed Development alongside retaining and enhancing existing vegetation and natural features, such as the Park Rife, ensure that the landscape context is enhanced. Furthermore the landscape masterplan creates specific character areas which seek to define the proposed development and relate the proposals to the site and surrounding context.
- 7.73. The key landscape transformation onsite will be to lessen the density of the development and really focus on creating a well landscaped and ecologically enhanced park. Landscape and ecological improvements to the Park Rife corridor was one of the principal design drivers, by creating a buffer and opening up views through the site. Strengthening the planting in and around it has greatly improved the habitat and its legibility within the sites landscape setting . Alongside this new aquatic landscapes, woodland planting, tree and hedges will transform the site.
- 7.74. The Proposed Development will not result in a significant effect on landscape character and therefore, no additional mitigation is required. However, significant adverse visual effects have been identified during the construction phase as landscape planting will likely only be undertaken towards the end of construction. Therefore, additional mitigation measures will need to be included to reduce the potential impact during construction. This includes some construction and planting of the landscape buffers and bunding in advance of the main site works. In addition a green privacy mesh be added to the compound fencing to act as a visual barrier which will mitigation a large part of the negative visual impact caused during the construction.
- 7.75. Accordingly, the Medmerry Masterplan proposals are considered to be acceptable in terms of landscape and visual impact and therefore accord with the relevant CLP policies noted above.

Arboriculture

- 7.76. A Tree Survey and Arboricultural Impact Assessment (AIA) have been prepared to assess the quality of the trees on site, assess the arboricultural impact of the Medmerry Masterplan and provide recommendations for tree protection measures. As set out in the Landscape section above, a Landscape Masterplan has been prepared for the site which introduces significant planting across the site. This planting will predominately be nature species suitable for this coastal location.
- 7.77. The AIA confirms that 96 individual trees, six tree groups and 8 scrub and hedgerow areas will need to be removed out of 136 individual trees, 16 tree groups and 8 hedgerow and 24 scrub areas. Out of the trees removed, only one is Category A ('High quality') and the majority are Category C ('Low quality').
- 7.78. A package of mitigation measures has been proposed as part of the AIA to ensure any tree work is undertaken in accordance with British Standards, timing avoids nesting bird season and tree protection measures are incorporated, during the construction phases. The tree removal and retention plans along with the proposed mitigation are consistent with CLP Policy 48, 49 and 52.

Transport, Accessibility and Access



- 7.79. The application submission is accompanied by a Transport Assessment, prepared in accordance with requirements set out by West Sussex County Council in response to the 2022 pre-application submission. A Travel Plan and Construction Traffic Management Plan (CTMP) have also been prepared alongside ES Chapter 16 which assesses the transport impacts of the development, using ES methodology.
- 7.80. The 2021 refusal which proposed an increase in units from 308 to 518, was not refused on highway or transport grounds. Consultation feedback to the application from Chichester District Council, West Sussex County Council and National Highways confirmed that there was no reason to object to this larger scheme from a highway or transport perspective.
- 7.81. The Medmerry Masterplan retains the same number of lodges at 308 and therefore, there will be no increase in vehicle trips compared to the existing site and there is no material or cumulative highway impact. Previous surveys conducted at the site access in 2018 are still representative of the current holiday park and show most vehicle trips are undertaken around midday. The existing holiday park does not have any existing issues in terms of traffic generation.
- 7.82. In this context by retaining the same number of units as existing the application accords with CLP Policy 30, criteria 2, which seeks to minimise impact on the natural and historic environment and avoids any increase from recreational pressures on designated sites. It also accords with CLP Policy 31, criteria 5 that the road network and access can accommodate any additional traffic.
- 7.83. The proposed development does not require any changes to the configuration or layout of the existing site access for the holiday park. The existing private access roads will be resurfaced where necessary as part of the later phases' development. There are also no off-site highway works required.
- 7.84. Delivery and servicing arrangements will be similar to existing arrangements and include, refuse and recycling collection, delivery of stock and consumables, collection and delivery of laundry and maintenance. Any changes associated with the proposed development and additional amenities facilities are negligible. Most servicing will now be focused via the back of house facilities to the western side of the site. Electric buggies or service vehicles will be used within the site to move between the back of house facilities, the Central Village Hub, other amenity facilities and the lodges. Swept path analysis drawings demonstrate that different vehicles can access the proposed internal access arrangements. This accords with CLP Policy 39 criteria 3.
- 7.85. CLP Policy 39 Transport, Accessibility and Parking confirms that the parking provision will be assessed on a site-by-site basis. The proposed development incorporates sufficient parking for each holiday lodge, providing the 616 car parking spaces for 308 lodges. Additional community communal and visitor spaces are proposed throughout the park. The existing central visitor's car park next will be retained and refurbished. Given the location of the holiday park via a private access road, no overspill parking is expected on the local highway network.
- 7.86. Each unit incorporates storage for bicycles and visitor cycle parking will also be provided close to the proposed Central Village Hub.
- 7.87. The existing holiday park is in a rural location and visitors will travel from different starting points. It is anticipated that most holidaymakers will be arriving by car.
- 7.88. However, once visitors have arrived there are a range of options for active leisure travel by walking and cycling, with good existing routes through the holiday park and the nearby vicinity. It is also anticipated that by increasing the amenity uses and facilities on site, this in turn will reduce the need for visitors to travel from the holiday park to use similar types of leisure facilities.
- 7.89. A Travel and Visitor Management Plan (TVMP) has been prepared and submitted with the application. The overarching objectives of the TVMP is to reduce unnecessary travel to and from the development, reduce traffic generated and encourage walking, cycling and use of public transport. The Travel Plan sets out initiatives and measures to be implemented. A TVMP coordinator will be appointed to ensure sustainable travel information is available and measures are implemented. This is in line with the requirements of Policy 39.
- 7.90. A separate CTMP accompanies the application, seeking to control and mitigate for the temporary construction impact caused during the development of the holiday park. The phasing and management of the development will ensure that the construction impact is minimal.



7.91. Having regard to the Transport Assessment and ES Chapter and considering the mitigation measures set out in the TVMP and the CTMP, the proposals meet the requirements of the NPPF and CLP Policy 8 Transport and Accessibility, Policy 22 Integrated Coastal Zone Management for the Manhood Peninsula, Policy 31 Caravan and Camping Sites and Policy 39 Transport, Accessibility and Parking.

Noise

7.92. The CLP identifies noise sensitive properties and includes all residential properties and hotels, although there is no specific policy relating to impact on existing tourism uses and holiday parks. The CLP paragraph 20.9 notes that recreational activities which are likely to create noise disturbance to the surrounding environment should demonstrate that activities would not adversely impact on the tranquillity and enjoyment of local residents, or other users of the coast and countryside.

7.93. A noise survey was undertaken to understand the existing ambient sound on the site. Sound levels across the site are low.

7.94. Medmerry Park is a quiet relaxing holiday park renowned for its tranquil nature and setting. The holiday park proposals incorporate a range of additional amenities and indoor and outdoor leisure activities, and it is important that these amenities and leisure activities do not impact on the tranquillity of the holiday park as well as adjoining uses such as the Medmerry Reserve. The use of the outdoor activities will therefore be limited to daylight hours only. This will ensure that nighttime use will be minimal to prevent disturbance and not impact on visitors sleep and relaxation. The restaurant and the bar will be subject to the same opening hours as existing, which are controlled by licencing and the applicants own operational measures.

7.95. In terms of construction an indicative construction noise and vibration assessment has been undertaken for the site. With the Construction Environmental Management Plan (CEMP) it is likely that the noise impact would be negligible/minor and not significant at all the receptors, and therefore no additional noise mitigation is proposed.

Air Quality

7.96. The site is not located within an Air Quality Management Area. The adopted CLP does not include specific air quality and pollution policies, although paragraph 8.14 acknowledges that an Air Quality Assessment (AQA) may be required to accompany applications to assess the cumulative impact on local air quality.

7.97. The emerging local plan policies NE20 Pollution and NE22 Air Quality are relevant. Emerging policy NE22 confirms that development proposals will be permitted where they are located and designed to minimise traffic generation through sustainable transport modes. NE22 Part 2 states that where development creates or results in pollution in terms of dust, smoke, pollutant gases or odour for both the amenity of users and the surrounding environment, an AQA would be required, and the proposals should be designed to minister minimise and mitigate impact.

7.98. An AQA has been prepared for the development proposals and to inform ES Chapter 12 Air. In terms of construction the main air quality impact is from the phased construction process. The phased approach ensures that the construction process will be contained to specific parts of the park at any one time to minimise impact on the ongoing operation of the holiday park. A Dust Management Plan (DMP) will form part of the CEMP for the construction phase and will be controlled by condition. Furthermore, a Construction Transport Management Plan (CTMP) is also proposed which ensures the construction traffic is carefully managed and controlled to minimise any impact from construction traffic in terms of dust and emissions.

7.99. In terms of the operation of the site no significant combustion sources such as combined heat and power (CHP) plant or biomass boilers are proposed. The main air quality impact at operation stage is therefore associated with traffic movements. As previously explained the development comprises 308 lodges which is a like for like replacement of the existing chalets, therefore the traffic movements will not increase. Furthermore, provision of additional amenity facilities within the park will retain visitors on site, thereby minimising they need to travel and access other tourism and leisure amenities in the local area.

7.100. Other measures to minimise traffic movements and reduce emissions from vehicles includes provision of EV charging points and a TVMP for visitors. The proposed development and management plans therefore include



an appropriate package of mitigation measures in accordance with the requirements of emerging policy NE20 and NE22.

- 7.101. The pre-application response noted that details of any cooking extraction equipment related to the food and beverage facilities would need to be controlled to minimise cooking odours. Further details of extraction equipment will be submitted in due course when the internal configuration of the food and beverage facilities are designed. This will be controlled through appropriate conditions.

Archaeology and Heritage

- 7.102. An Archaeological Desk Based Assessment (ADBA) has been prepared to accompany the application, in accordance with discussions with CDC Archaeology officer and policy requirements. In addition to the ADBA, ES Chapter 9 provides an assessment of the impact of the development on cultural heritage assets.
- 7.103. There are no statutory designated heritage features located within the bounds of the proposed development site. Two non-designated buildings of moderate historic interest lie outside the proposed development boundary and there will be no impact on these building and minimal impact on their setting. The holiday park is approximately 1km south of the Earnley Conservation Area. The development will have no impact on any building within this conservation area.
- 7.104. The potential for archaeological deposits within the application site is limited. A further programme of archaeological investigation approved by the Council Archaeologist may be proposed. This would be secured by an appropriately worded condition. It is therefore considered that the proposal is consistent with paragraphs 189 -193 of the NPPF, and CLP Policy 47 Heritage and Design.

Contaminated Land

- 7.105. A previous Groundwater Level Assessment report, prepared by Enzygo Environmental Consultants was undertaken in June 2019. This includes 6 borehole samples and groundwater monitoring was undertaken. The report concluded that groundwater levels were too shallow for viable soakaway drainage, and alternative methods of drainage should be utilised.
- 7.106. A Phase 1 Environmental Desk Study Report (PRA) has been undertaken in March 2023 to provide an assessment of potential land contamination sources and the environmental risks and liabilities associated with site. This information has been used to inform ES Chapter 7 Land and Soils.
- 7.107. The PRA report found that there were no potential complete contaminant linkages that would normally drive recommendations for further intrusive investigation across the site. However, potentially localised significant land contamination may be present in the northeast of the site which has been the subject of fly tipping and is the location for the proposed back of house facilities. A Phase 2 Geo-Environmental Intrusive Investigation of the fly-tipped area in the northeast portion of the site to assess the potential presence of ground contamination, assess the degree of any contaminative impact and if any unacceptable risks are present. This can be secured by an appropriate condition.

Materials and Waste Management

- 7.108. ES Chapter 13 Material Assets and Waste has been prepared to assess the impact of waste from the proposed development and to identify how waste will be managed.
- 7.109. The proposed development has been designed to control the use of materials, through the creation of cut and fill earthworks balance and using prefabricated lodges which that will reduce the demand for materials such as stone, soil and aggregate and minimise construction waste. A draft Outline Waste Management Plan (OWMP) has been prepared and appended to the ES, to assess the impact of the waste and identify how the waste will be managed. The draft OWMP will be updated and refined as more details of the construction process are made available. A final version of the OWMP will be conditioned.
- 7.110. A Pre-Demolition Survey (PDS) will be required to understand the nature and quality of materials from the demolition process for each phase and further investigate the existing ground conditions, which will in turn inform the potential for any re use and will inform the Materials Management Plan (MMP). Both the PDS and the MMP plan will be used to update the draft OWMP. This accords with the requirements of West Sussex West Sussex Waste Local Plan Policy W23 which requires development proposals to minimise waste during excavation, demolition and construction.



- 7.111. In terms of the proposed operation stage waste and recycling bins are proposed throughout the masterplan scheme with easy access from every holiday lodges, in accordance with West Sussex Waste Local Plan Policy W23, part b) and Local Plan Policy 40 criteria I, which require on site waste and recycling facilities. Visitors staying in the park will be encouraged to collect and sort their waste and recycling, using these bins to maximise recycling where feasible. Waste and recycling will be continued to be collected by Chichester District Council as part of their household waste collection service.
- 7.112. The commercial waste from food and beverage facilities and day to day management of the holiday park, will be stored within central storage facilities in the back of house compound and picked up a private waste management collection service.

Sustainability

- 7.113. As part of the 2022 pre-application written response, the requirement for a Sustainability Statement was confirmed to set out sustainability measures for the development. This aligns with the requirements set out in CLP Policy 40 Sustainable Design and Construction.
- 7.114. In this respect it is important to highlight that an iterative design approach has been applied across all technical issues to firstly ensure suitable measures are incorporated within the design and secondly management plans and proposed mitigation ensures that any residual impacts can be sustainably managed in accordance with Policy 40, other adopted policies and in line with other sustainable best practices and measures. Full details are set out in the Sustainability Statement accompanying the application and summarised below.
- 7.115. *Policy 40 Criteria 1 Protect and reduce harm to the environment* – As explained already in this statement an iterative design and technical approach has been applied to incorporate and embed landscape and ecological mitigation with the masterplan design. In addition, a CEMP will be conditioned based on the draft appended to the ES, which incorporates measures such as seasonal surveys, bat and bird boxes and ecological enhancement measures. A BNG Assessment has been prepared which presents a 6.06% net gain on site and within the blue line land owned by the applicant. Landscape mitigation has also been embedded into the development through planting bunds along the boundaries as well as enhancement of existing vegetation and nature features.
- 7.116. *Policy 40 Criteria 2 The proposal reduces water consumption to 110 litres per person per day* – This can be achieved by using modern sanitary fittings. This will reduce the existing water level consumption based on the current facilities from 130 litres to 110 litres for the redevelopment scheme.
- 7.117. *Policy 40 Criteria 3 Building for Life Standards* - There are 12 standards for Building for Life and the Sustainability Statement summaries how the proposals and the masterplan incorporate and meet these standards and cross refers to the various management plans submitted in support of the application.
- 7.118. *Policy 40 Criteria 4 Sustainable design, building techniques and reduction in embodied carbon. Re-use and recycling of materials* – The lodges are constructed off site in a controlled factory setting reducing pollution, waste and emissions and shortening the construction period. Each lodge is built to Building Regulation Standards. The masterplan has been prepared to incorporate cut and fill assessments whereby all the cut from the lakes and enabling works is redistributed across the site to create appropriate ground and finished floor levels to incorporate flood mitigation measures. This also avoids the need to transport earth off site. The draft OWMP identifies other measures during construction to explore the re-use of materials.
- 7.119. *Policy 40 Criteria 5 Energy consumption* – Chapter 11 Climate Change sets out measures to mitigate greenhouse gas emissions as part of the operation stages. These measures focus on electric heating and cooling, on site renewables whereby owners can opt to include PV panels on their lodge, EV charging points, electric operational vehicles and minimising energy use by using energy efficient, lighting and appliances.
- 7.120. *Policy 40 Criteria 6 Measures to adapt to climate change* – As set out in this statement and the ES Chapter 8 Water, flood mitigation measures have been incorporated from the outset to reduce the risk of flooding. These measures have been calculated to incorporate climate change predictions. Most of the existing holiday park built up part is within Flood Zones 2 and 3. Flood mitigation measures have been proposed to reduce the risk of the development flooding. Firstly, through the masterplan layout which moves the building line and new lodges further away from the coast. Ground and floor level raising across the site to ensure the lodges will have internal floor levels above the worst-case design tidal floor level of 4.44AOD.



- 7.121. Flood resistance and resilience measures will be retrofitting to the refurbished existing buildings where floor levels can't be raised. Finally a Flood Warning and Evaluation Plan (FEP) has been prepared which includes details of emergence access routes, procedures, contact numbers and flood warning details.
- 7.122. *Policy 40 Criteria 7 historic and built environment, open space, and landscape character will be protected and enhanced* - An Archaeological Desk Based Assessment has been prepared and the impact on heritage assets assessed in ES Chapter 9. In terms of the Earnley Conservation Area and nearby listed buildings a traffic management plan will be implemented for the construction stage to ensure construction traffic does not impact on these heritage assets. Landscape planting, screening and bunding this has been incorporated into the landscape masterplan to ensure the development will be appropriate in landscape and visual impact terms.
- 7.123. *Policy 40 Criteria 8 The natural environment and biodiversity will be protected and/or where appropriate provision will be made for improvements to biodiversity areas and green infrastructure* - The existing natural environment has been considered from the outset within the masterplan proposals, applying an iterative constraint led design process, whereby ecological information was utilised to avoid impacting potentially important ecological features where possible and to ensure that the development minimises impact on the natural environment.
- 7.124. *Policy 40 Criteria 9* The development is appropriate and sympathetic in terms of scale, height, appearance, form, siting and layout and is sensitively designed to maintain the tranquillity and local character and identity of the area; - The scale and form of the development has been carefully designed to be sympathetic to the existing environment to maintain the tranquillity and local character. Further details on this matter are set out under Policy 30 above.
- 7.125. *Policy 40 Criteria 10 The reduction of the impacts associated with traffic or pollution* - The Medmerry Masterplan retains the same number of lodges at 308 and therefore, there will be no increase in vehicle trips compared to the existing site and there is no material or cumulative highway impact. Visitors will have a range of options for active leisure travel by walking and cycling, with good existing routes through the holiday park and the nearby vicinity. It is also anticipated that by increasing the amenity uses and facilities on site, this in turn will reduce the need for visitors to travel from the holiday park to use similar types of leisure facilities.
- 7.126. A Travel and Visitor Management Plan (TVMP) sets out initiatives to reduce unnecessary travel to and from the development, reduce traffic generated and encourage walking, cycling and use of public transport. A separate CTMP accompanies the application, seeking to control and mitigate for the temporary construction impact.



8. Conclusions

- 8.1. This hybrid application proposes a significant redevelopment of Medmerry Park, an established holiday park and visitor destination situated in the countryside, a short distance from the Manhood Peninsula southern coastline, close to East Wittering and Bracklesham.
- 8.2. The Medmerry Masterplan is not considered to be in a sensitive area; however, it is located adjacent to several sensitive areas including the Bracklesham Bay Site of Special Scientific Interest (SSSI) and the RSPB Medmerry Reserve. This habitat is functionally linked to the Pagham Bay Special Protection Area (SPA) and Ramsar European designated site, approximately 2.8km to the north-east of the site.
- 8.3. Medmerry Park comprises amenity fields surrounding the central built-up area of the site which includes 308 holiday chalets, amenity uses and operational facilities. A previous proposal for the redevelopment of the holiday park proposed a significant increase in accommodation providing up to 518 caravans. Whilst the officer's report confirmed that the redevelopment to improve accommodation quality and reduce flood risk was supported in principle by the adopted Local Plan and NPPF, there were key concerns regarding flood risk, ecological impacts, landscape impacts and a lack of evidence for the number of additional units. This application was refused in January 2021.
- 8.4. The applicant subsequently acquired Medmerry Park, in August 2021 and identified the potential to deliver a sympathetic redevelopment of the existing holiday park, replacing the outdated poor quality 1970s accommodation, and delivering a package of environmental and economic benefits. To inform the redevelopment proposals and building designs a series of key development parameters were identified which focussed amongst other matters on:
 - Delivering a modern high quality holiday resort within a landscape and ecology led setting,
 - A more diverse range of amenity and leisure activities to retain visitors on site and attract a wider client base.
 - Retain the same number of holiday lodges at 308 but replace the poor-quality accommodation with high-quality sustainable pre-fabricated lodges, incorporating energy efficient materials and construction methods.
 - Retreat of the existing building line away from the most sensitive ecological areas and coastline through the introduction of an ecological and landscape buffer.
 - Raising of the site in key areas through cut and fill from the wetland and lakes and building design to raise the finished floor levels thereby minimising the risk of flooding.
- 8.5. The 2022 pre-application submission was made, and the officer's written response reconfirmed the principle of redevelopment and improvement of existing tourist facilities through Local Plan Policy 30, subject to a series of criteria which focus on maintaining the character of the area, minimising impact on the natural environment and avoiding increases on recreational pressures on Chichester Harbour AONB and Pagham Harbour, providing high quality accommodation and extending the tourist season. The officer's response confirmed that given there would be no net increase in accommodation there would not be a requirement for a recreation disturbance contribution.
- 8.6. A comprehensive application package has been prepared including the necessary technical assessments and reports reflecting the proposed development and site-specific considerations. A voluntary Environmental Statement (ES) has been prepared following the same topics and considerations as the 2019 application.
- 8.7. Through the preparation of the masterplan proposals, the following key benefits have also been identified:
 - Scope to introduce other flood risk measures and address the future inherent flood risk issues for the existing site/use through redevelopment.
 - Reducing traffic generation by providing additional amenities and leisure facilities, which encourage longer stays on site, thereby reducing the need to leave the holiday park.



- Securing additional jobs through the provision of additional amenity and leisure facilities and increased activity outside peak times of the year, as well as significant number of construction and maintenance jobs.
- An increase in direct and indirect spend and economic benefits of qualitative enhancements and new holiday accommodation on site which is more attractive to visitors throughout the 10 month holiday year.
- Restoring the historical coastal seascape character area by retreating buildings away from the most sensitive areas of the site and the coastline.
- Habitat creation and biodiversity enhancements next to the Medmerry Reserve to be delivered and managed through a long-term landscape and ecological management plan.

8.8. Several management plans are proposed which deliver mitigation and enhancements alongside the masterplan proposals. These include a Landscape and Ecological Management Plan (LEMP), Construction Environmental Management Plan (CEMP), Invasive Species Management Plan (ISMP), Construction Traffic Management Plan (CTMP) Flood Evacuation Plan (FEP), Outline Waste Management Plan (OWMP), Travel and Visitor Management Plan (TVMP).

8.9. Medmerry Masterplan is a comprehensive sustainable and well-designed redevelopment scheme, that provides an opportunity to deliver high quality site wide improvements through the reconfiguration of the holiday park layout, flood mitigation measures, provision of significant landscape planting, habitat creation and biodiversity enhancements and the creation of positive economic impacts and benefits through additional jobs, economic investment in an existing tourism facility, increased activity outside peak season and indirect knock on spend and benefits to the wider local economy.

8.10. The benefits are therefore compelling and clearly outweigh any minor impact in the balance of considerations. In conclusion, having regard to the relevant development plan, the provisions of the NPPF, and all other material considerations, we conclude that the proposed development is acceptable in policy terms and permission should be granted subject to a set of agreed conditions.



Appendices



**Appendix 1: Officers Delegated Report January 2021
(E/19/02840/FULEIA)**

Delegated Decision Sign off Sheet

Case Number:	E/19/02840/FULEIA	Case Officer:	Naomi Langford
Proposal:	Hybrid planning application - Full application for the redevelopment of Medmerry Park to provide 518 static holiday caravans and lodges in lieu of 308 holiday bungalows and associated works including drainage, landscaping, habitat enhancement areas, access roads, footpaths and a comprehensive flood defence scheme including bund. Outline planning application for the part demolition of the existing facility buildings and erection of replacement facility buildings together with extension/refurbishment of existing facility buildings (with all matters reserved except for access).		
Site:	Medmerry Park, Stoney Lane, Earnley, Chichester West Sussex PO20 7JP		
Applicant/Agent:	Agent Details : Mr David Middleton Savills (UK) Limited, 16 Grosvenor Court, Foregate Street Chester, CH1 1HN		
Application Type:	Full Application with an EIA		
Site Visit:	12 March 2020		
Map Ref:	(E) 481996	(N) 95774	
Parish:	Earnley	Ward: The Witterings	

Red Card?	N	Stat. Consultee Objections?	Y	Parish Objection	Y
No. of Contributors?	77	Overall Publicity Expiry Date:	29 December 2020	CIL Liable	N/A
Legal Agreement?	N	Extension of Time?	29 January 2021		
Recommendation:	REFUSE		Expiry Date:	17 March 2020	
Decided Plan(s):	ES01, LP01, IN01, SOR012484 01, 0032/RD-330, CP02 REV A, CP01 REV R, D1850-SK300 REV A, D1850-SK301 REV A, D1850-SK302 REV A, PH01, RP01, SE02 REV A, SE03 REV A, SE04, D1850-SK100 REV A - D1850-SK116 REV A				
Officer Signature	Date: 26.01.2021				
Naomi Langford					
Signed & Agreed By			Date:		
Joanna Bell					
Line Manager Comments					

1. Site Description, Proposal and History

The Site and Surroundings

The site is located on the coast between Bracklesham and the Medmerry Reserve, a managed realignment project and compensatory SAC habitat. It is located in a mostly flat agricultural landscape typical of a natural coastal plain.

The site is accessed from Drove Lane, a private road south of Earnley Village that is also in part a public footpath. There are public rights of way including bridleways to the north and east including along the banks of the Reserve, and a public footpath dissects the site on the western side. The site is adjacent to Bracklesham beach and the Bracklesham Bay SSSI.

The site is adjacent to the Bracklesham Caravan and Boat Club (BCBC) on the edge of Bracklesham, with the main residential area of Bracklesham located to the west of the BCBC. The site is approximately 0.8km south of Earnley Village and Conservation Area which includes a Grade II* parish church located adjacent to the a road junction leading to Drove Lane. Access to the application site by road from either East Wittering and Bracklesham via Clappers Lane (class C) from the west, or from Almodington via Bookers Lane (class C) from the north/east passes the church.

The majority of the site lies within existing Flood Zone 3, with the Flood Zone 2 area overlapping and slightly larger. The northernmost parcel and the far north east edge are in Flood Zone 1. The central and south east parts of the site have the lowest ground levels. The full site and adjacent land is identified to be at increased risk of tidal flooding from climate change (equivalent risk to current Zone 3) by 2115. The Earnley Rife which crosses through the south western part and continues across the southern part of the site into the Reserve is classified as a Main River. There is a further Rife that runs through the site (the Park Rife).

The site is operated as a holiday park, comprised of 308 bungalows leased to holiday makers with central shared facilities including a public house and leisure complex, and staff accommodation. The accommodation is clustered in the central part of the site, with additional land in the applicant's ownership to the west around Earnley Beach Centre, to the north and north east towards Marsh Farm Barns (residential) and Marsh Farm (agricultural/storage), to the south east adjacent to stilt pools, and to the south up to and including some of the SSSI. The majority of this additional land is managed grassland, while the southern part is more wild. The land to the east is accessible for informal recreational use by park occupants in the spring to autumn season.

The site is screened from the north by mature vegetation which at times is patchy and dominated by evergreen species. The parcel between the footpath and Bracklesham is partly bounded by hedgerows with shrubs and trees to the north and west. Planting around the developed parts of the site is typically shrubs with some trees (ornamental, evergreen and deciduous) and sections of hedgerow. The peripheral boundaries are identified with post and wire fencing.

Proposal

The application proposes the redevelopment and expansion of the site for holiday use purposes. The existing 308 bungalows would be removed to be replaced by 518 static caravans and lodges (426 statics and 92 lodges). Full planning permission is sought for the use of land for the holiday units, with associated flood defence works, engineering operations and hard and soft landscaping. Outline permission is sought for the redevelopment of the shared leisure facilities.

The static and lodge style units would meet the statutory definition of a caravan within the Caravan Sites and Control of Development Act 1960 and Caravan Sites Act 1968. It is proposed that the holiday lodges will be provided in darker, muted external colours (typically browns and greys). It is submitted that there would be opportunities to provide the static holiday caravans in a mix of muted

external colours including, browns, greys, greens and creams. The single pitch roofs for both the static holiday caravans and lodges would be in a uniform dark grey colour which is a manufacturer standard. These details are however indicative as the planning application seeks only the use of land and the caravans are temporary buildings not subject to standard planning controls.

The 426 traditional static caravans are shown at a standard 13ft x 40ft (3.96m x 12.19m) footprint and the 92 holiday lodges are shown at a standard 20ft x 45ft (6.09m x 13.72m) footprint. The indicative layout plans show the statics would be provided at 6m spacing and the lodges at 8m spacing distances. The overall site density, given the full site area is some 30 hectares, would be 17 to the hectare. They would have an industry standard 0.75m freeboard between the finished floor level and concrete slab base, with a ridge height from base of 4.2m.

As recognised in the assessment on flood risk matters, the existing developed area and land to the south are closest to sea level. The proposal seeks to reduce these risks and secure its future in two distinct phases. In phase 1 would be the relocation of in effect 299 of the existing 308 holiday units onto fields to the south west (Field E), north (Field B) and north east (Field C) which are on higher ground. This would be accompanied by associated works to improve site drainage, ecological enhancement, landscaping and service infrastructure (access roads, caravan bases etc.).

It is intended that phase 1 comprises the provision of 253 caravans and 46 lodges (299 total) within Fields C, E and B including some land raising identified as "minor" in the Nov 20 legal agreement supplementary document, although this was clarified in the supplementary flood risk document (Nov 20) to comprise up to 0.8m increases in Fields C and E (phase 1) and up to 0.4m in Field B (phase 1).

In phase 2, a bund would be constructed around the site, land raised in the central area and works to the rife within the park would take place prior to the remaining 219 units being located within the existing core of the site where the existing bungalows are currently sited (Field A, built out last) and the field to the south east (Field D). (Total 518) Originally it was proposed that the final stage of phase 2 would be the alteration of the Earnley rife and the upgrading of the bund to provide longer term protection. The assessment process has identified that the bund would need to be constructed in full at the beginning of phase 2. This phase also includes land raising within the core of the site (up to 300mm in the southern end of Field A) and an alteration to the access road to the north to accommodate the flood defences.

It has been confirmed that the two stages are not interdependent, with phase 1 being a stand-alone project. Demolition of the existing bungalows would take place during phase 1, in blocks, once the existing leases within each block had expired. It is clarified that at no time would more than 308 units be available for occupation during phase 1.

It is intended to provide Fields F, G, H and I to the south of the site for wildlife habitat, with Fields F and G designed for dual use for recreation and wildlife for the spring to autumn season and wildlife only for November and December. The park would be closed from 6 January until 1 March each year.

The proposed re-development of the facilities buildings at the centre of the park is in outline format only with all matters, save for access to the site, being reserved. The siting remains approximately as existing. An outline footprint of 1941sqm is proposed, smaller than the existing. While the description is for replacement facilities, the indicative plan shows part-replacement part-refurbished and extended building(s). These would be single storey. The existing 'Pink Flamingo' entertainment building would be demolished. The facilities as updated would provide a clubhouse, pub/restaurant and swimming pool. It is intended that the Earnley Beach Centre is retained and is continued to be used as the Estate Director's accommodation.

The May 2020 additional information provides more details on phasing. Due to long expiry dates on existing bungalow leases, the provision of 299 units in phase 1 is programmed to take until 2033 to complete, although this may be able to be reduced if existing occupiers either terminate their lease or take up offers to 'upgrade'. Phase 2 would commence in 2029 with the flood defence and Rife works taking around 14 months to complete (this may now be longer as the EA has since confirmed that all the bund works would need to be completed in one go before the 309th unit is occupied rather than updated in 2070 as originally proposed). The site would then progress at an average rate of 30 units per year and reach full capacity (518 units) by 2038. The applicant confirms that phase 1 would have to be substantially sold before phase 2 can commence. It is also understood that the applicant would need sufficient confidence that 'commercial conditions permit' before committing to the park's expansion.

The application is accompanied by an Environmental Statement and a suite of specialist reports, many of which were updated or supplemented during the course of the assessment in response to officer and consultee responses. Key additional documents were provided in May 2020 and November 2020 and were subject to re-consultation.

Relevant history

15/00368/FUL: Proposed holiday use of Medmerry Chalet Park from the 1 March in any one year to the 6 January the following year. PER106 11.03.2016
03/00222/FUL: Change of use from redundant staff accommodation to 3 no. holiday apartments involving external alterations / replacement fenestration, realignment of access road and provision of garden areas. PER 21.07.2003
98/02365/FUL: Demolition of existing buildings and construction of 105 holiday units and 2 dwellings. WDR 21.06.2001
E/00010/90EUC: Holiday camp and centre. PER 04.12.1990
E/00048/89: Diversion of existing ditch. PER 23.01.1990
86/00024/WW: Alterations and change of use from store building and water tower to staff accommodation. PER 17.02.1987
84/00006/WW: Use of holiday camp for Christmas and New Year holiday period from 21st December to 3rd January (variation of existing consent). PER 10.09.1984
77/00006/WW: Part-demolition, alterations and additions to existing amenity complex. PER 26.04.1977
77/00003/WW: 276 self-catering holiday chalets. PER 15.03.1977
77/00002/WW: Conversion of 40 chalet units to self-catering units. Footpaths and incidental works. PER 15.03.1977
76/00005/WW: Redevelopment of existing camp. PER 02.11.1976

The proposal in its earlier form - with provisional community flood defence scheme - was subject to pre-application advice prior to submission (17/02279/PRELM). An Environmental Impact Assessment Scoping Opinion was issued (19/00140/EIA).

2. Representations and Consultations

The following representations are summarised below for information purposes, with the focus on the most recent comments. Full representations from all parties have been taken into account in the assessment and are available to view on the electronic case file.

Earnley Parish Council

January 2021

WSCC Highways response misses the environmental and safety impact of additional traffic in and around the Earnley Conservation Area and Drove Lane.

December 2020

Objections raised in addition to those submitted 31 January 2020, 1 July 2020 and 11 September 2020. The Parish Council does not believe that the latest documents submitted by the applicant sufficiently address the fundamental issues raised on Landscape Impact, Tourism Need, Flood Risk, Ecology and Access & Sustainable Transport.

Landscape impact

- The visualisations are misleading, taken from a lower viewpoint
- Screening of the bund would be much reduced
- Views and impacts from the South Coast Path not considered
- Hard engineering will detract from landscape and visitor experience
- Landscaping not in keeping with surroundings

Tourism need

- Insufficient evidence to demonstrate particular need
- Concerns about impacts on other businesses, effect on local economy of competition rather than additional provision
- Is Brexit/Covid-19 impact short term or permanent change

Flood risk

- Questionable that the proposal passes the exception test (wider sustainability benefits), impact on coastal processes and management uncertain
- Little evidence given to show any benefit of reducing flood risk outside of the park

Ecology

- Lack of recreational space within the park, more pressure on ecologically sensitive fields, especially F, G, H and I
- Mitigation questionable and unproven
- Query provision of adequate sewerage infrastructure

Access and sustainable transport

- Increase in size of units, number of bedrooms and floor areas, will increase traffic beyond predictions
- Bellamy Roberts study commissioned, strong reasons to believe the applicant's projected trip figures are not robust. Very concerned about increase in traffic volumes on narrow and winding lanes and Conservation Area
- Question impacts on rights of way and public access
- Support to the walking and cycling route from Selsey to West Wittering would be most welcome, via S106.

For all the reasons outlined, Earnley Parish Council continues to strongly object to this planning application. It is the parish council's view that the modest benefit to the overall UK economy in no way justifies the environmental and ecological harm as well as the landscape blight created by the expansion of Medmerry Park. If the application were to be approved, then Earnley Parish Council would require that the Park should only open from 1 March each year to the 6 January the following year. The closure period is particularly sensitive for over-wintering birds. The Parish Council supports the idea of delivering construction material to the site by sea and would like to see a much firmer commitment to this approach now, rather than being a possible consideration at some time in the future.

September 2020

Further comments on landscape impact and economic impacts.

Landscape impacts - insufficient details

Economic impacts

- Case presented lacks transparency and fails to draw out the true economic benefits to the district and UK. Figures are overstated

July 2020

The latest changes to the applicants plans do not in any way sufficiently address the issues raised by ourselves and other consultees and leave many important questions unanswered. Earnley Parish Council unanimously believes that the economic benefits are overstated and, whilst significant, do not justify the long term environmental damage. We therefore object to the application.

January 2020

Objection

- The scale of the development is inappropriate due to the constraints
- The land is one of the last undeveloped stretches
- Field D impacts on Stilt Ponds, home to Amber conservation birds
- Coalescence with Bracklesham Boat and Caravan Park
- No consideration of impacts of traffic on character of the Conservation Area or increased vehicular use of public footpath route
- Serious flood risk concerns
- Absence of vibration report to assess impacts on Grade II* listed church
- Fails to comply with policy 30 and 31 on local amenity, character and conservation of the surrounding landscape, extra noise and light pollution will be significant

Birdham Parish Council

July 2020

Fully supports the objections and concerns of Earnley Parish Council. Nothing in the additional information has made the Council change its original objections.

March 2020, resubmitted in December 2020

Support Earnley Parish Council in all their objections.

- Over-development, isolated rural location
- Loss of wildlife
- Effect on the environment
- Increased traffic and pollution

Sidlesham Parish Council

December 2020

Further to our previous comments of 7.5.20 as the neighbouring Parish Council bordering the Medmerry Reserve we fully support the views submitted by Earnley Parish Council in its report of 4.12.20

May 2020

- Serious concerns regarding overdevelopment in an important rural area of outstanding natural beauty
- Ecologically sensitive area
- Medmerry lagoon is a key outlet for 2 or 3 rifes, aware of disturbing water flows

- Effect on local flora and fauna and environment in general from light pollution, atmospheric pollution, increased traffic
- Use of Almodington Lane
- Look carefully at sewage capacity, existing systems fragile, query capacity in practice
- Existing preponderance of large holiday villages, another will seriously damage the character of the area as unspoilt, one of the few remaining on the south coast

West Itchenor Parish Council

July 2020

Fully supports Earnley Parish Council in all of its objections.

- Isolated rural location, access for construction traffic will have a detrimental impact
- Adverse effect on the local environment and nature reserve

West Wittering

December 2020

Supports Earnley Parish Council in their objection for the reasons in the EPC response.

- Extra traffic on Manhood Peninsula as a whole, adding to existing significant problem and A27 bottleneck

July 2020

Support Earnley PC objection, sustain previous comments. Objection on grounds of flood risk, lack of access and lack of infrastructure.

- Appropriate Assessment required for future SPA
- Struggle to meet requirements of NPPF para 110
- All neighbouring Parish Councils impacted due to the geography of the area
- Ecologically sensitive and remote, surrounded by sensitive European sites
- Detrimental impact on the environment
- Encourages more visitors which would impact on the sensitive habitats
- Flood risk area, extra development adds to the risk and would be at risk
- Many existing holiday parks on the peninsula not currently viable, does not suggest more is required
- Development does not contribute to sustainable travel
- Traffic during construction would be dangerous to pedestrians and cyclists

January 2020

Objection on the grounds of flood risk, lack of access, lack of infrastructure. Appropriate Assessment may be required.

Environment Agency

December 2020

The proposed development will be acceptable if three conditions are imposed, without which the EA would object due to its adverse impact on the environment and ability to meet the NPPF's requirements on flood risk.

The construction and land raising/movement proposed as part of this development could have an unacceptable effect on the ecological value of the linear waterbodies (ditches/rifes) at this site. These provide habitat for a wide range of biodiversity including protected species, as well as a wildlife corridor to adjacent habitat.

The ecological enhancements that have been proposed will require a management plan to be in place prior to each stage of development. This will ensure the landscape provides a maximum benefit to people and the environment.

Recommended conditions:

1. Landscape and Ecological Management Plan. Including long-term objectives, management responsibilities, and maintenance schedules. Refer to paragraphs 170 and 175 of the NPPF in relation to conservation and enhancement, net gains for biodiversity.

2. Water vole protection and mitigation of damage to populations and habitats, for the duration of the development. Protection and improving of habitats. Without this an objection would be raised because it cannot be guaranteed that the development would not result in significant harm to water voles and their habitats

3. Flood risk mitigation:

- Flood bund must be fully complete prior to the addition of unit 309

- Finished floor levels for all units shall be no lower than those stated in Fig5 p10 FRA (Nov 20 update)

- Annual inspections and maintenance of the bund to be completed as stated in section 7.2 of the FRA

- Construction of the bund and associated landscaping cannot commence until the final designs have been shared and used to update the flood model, and demonstrated there would be no increase in flood risk to neighbouring sites and communities

These measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing and phasing arrangements, then retained and maintained thereafter throughout the lifetime of the development.

We strongly advise that the site is not allowed year round occupancy. Although the level of flood risk will be reduced through development there is still residual flood risk.

Use the PPG requirements on flood warning and emergency response. Consult the Council's Emergency Planners and emergency services to determine whether the proposals are safe in accordance with the guiding principles of the PPG

Our response is on the understanding that CDC is satisfied that the Sequential Test has been adequately demonstrated to the requirements in the NPPF. This means that before proceeding to determination, Chichester District Council must apply the Sequential Test and therefore, must consider whether the Applicant has demonstrated and sufficiently justified that no alternative sites are available in lower flood risk zones. Our role is to advise on the process. We do not comment upon the comparative assessment of land, its availability or suitability for development.

July 2020

Maintain objection in part (flood risk). Now in a position to remove biodiversity objections subject to recommended conditions.

Flood risk

- Awaiting second model review

- Pleased to see 2 stages, 1 being partial rollback and raising floor levels to 1m above ground, 2 providing the comprehensive flood defence bund

- Require updated maps for the relocation, confirmation of finished floor levels set above the undefended 0.5% AEP 2115.

- Need confirmation of no increase in numbers of units, and no units placed closer to the coast until the new flood defence (phase 2) is completed

- Applicant required to assess the risk of fluvial flooding using the 1%APE fluvial event including an additional 45% flows for climate change

Biodiversity

Supplementary information on Ecology and Nature Conservation (May 2020) satisfactorily addresses earlier concerns. Conditions to follow once flood risk matters resolved. We note the response from Southern Water with regard the issue of increased waste water from the site, and confirmation from that the previously described "activity lake" will in fact be a natural feature beneficial to wildlife.

January 2020

Objections on 3 grounds

1. Fluvial and coastal modelling used in the FRA has not been agreed, cannot assume the baseline evidence is suitable for use.

2. Further clarification or additional information required on:

- Loss of floodplain storage, which may increase flood levels upstream at Bracklesham
- Both functional floodplain and the design event for planning should be present day fluvial rather than surface water, with appropriate climate change allowances
- We do not agree with the assumptions in the Flood Defence Strategy report on the longevity of the shingle ridge, therefore do not support the approach of no need for a sea defence until 2040. There are concerns that the roll back of the shingle barrier inside the Medmerry Realignment site is spreading west and increasing flood risk to the Park
- Long phasing. Between now and phase 2 (40-50 years) more studies on climate change and sea level rise will be available and a new set of rules and policies therefore it is hard to agree now on the principle of the flood defence upgrade. The relocation of the Earnley Rife (main river) might not be possible
- Discrepancies between the Flood Defence Strategy Report and FRA in terms of phasing and projected dates. The flood defence works of phase 1 will need to be completed before the occupancy of Fields A, E and D, more vulnerable to flood risk. Details of the maintenance regime of the new defences will be required to ensure the standard of protection is maintained.

3. There is insufficient information to conclude the proposals will not have a significant impact upon important biodiversity on the site itself and adjacent valuable habitat at the Medmerry Compensation site and other protected sites nearby:

- Insufficient compensatory habitat for winter wildfowl in Field I in terms of scale and habitat type
- Wastewater discharging from Sidlesham Wet into Pagham Harbour through the Broad Rife has potential to impact on water quality
- Assumption of poor quality habitat for water vole but survey data is too limited and comprehensive mitigation would be required
- Further details are required of wetland habitat creation in Fields F, G and I and improvements to the watercourses, with management plan
- Bund along the Earnley rife is in close proximity and likely to cause impacts.

Consult Lead Local Flood Authority on surface water drainage matters.

De-culverting of watercourses is encouraged but there are concerns about aspects of the watercourse works including riffles, widening channels and an activity lake. Potential for 10 years of disturbance and visual effect of the development, in particular on the Medmerry Stilt Pools.

A flood risk activity permit may be required.

Natural England

December 2020

As submitted, the application could have potential significant effects on Medmerry compensation site, Chichester and Langstone Harbours Special Protection Area (SPA), Pagham Harbour SPA, Pagham Harbour Marine Conservation Zone (MCZ) and Bracklesham Bay Site of Special Scientific

Interest (SSSI). Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation. The following information is required:

1. Confirmation the increase in caravan units takes place after improvements to sewage works. Occupancy could be conditioned accordingly.

2. Confirmation of how construction impacts will be mitigated, particularly bund construction impacts on designated sites. Construction outside wintering season could be conditioned

3. Evidence demonstrating the provisions to prevent recreational disturbance including displacement of guests onto surrounding sensitive areas including the Bracklesham Bay SSSI. The interest features of Bracklesham Bay SSSI utilise the stilt pools, this is therefore considered functionally linked as it provides supporting habitat and any impacts to it should be considered in any assessment of impacts. Evidence required that proposed mitigation would be sufficient. Education measures are supported.

4. Evidence or a detailed breakdown of how the £14,000 can be used to mitigate for the in perpetuity impacts, including guest and dog impacts, and bird predators. Further engagement with RSPB is recommended.

5. Further Brent goose survey data. These will need to use robust scientific methods and take the condition of the fields into account as a variable. Further evidence is required to demonstrate the efficacy of mitigation and how it can be delivered.

6. Further details of the adaptive management strategy and local strategies to mitigate impacts to Brent geese.

- The proposed offset land to mitigate the loss of fields currently used by geese for grazing will need to fulfil the same or an enhanced contribution and function as those to be developed. We advise the replacement habitat must provide a clear and permanent gain for the geese.

- The ecological function of the offset fields is likely to be seriously undermined if subject to regular disturbance, and we advise the proposed measures to prevent indirect effects are fully assessed.

- We further advise the offset habitat should be functioning and readily available to the geese prior to any loss or damage to the original grazing location. Any offset fields should be as close to original grazing locations as practicably possible.

- The management and monitoring plan will need to be costed, with sufficient funds provided in perpetuity.

- The adaptive management strategy does not contain clear triggers for action. The roles, responsibilities and governance of the members of the steering group should be clear as it remains unclear whether the adaptive mitigation approach will effectively manage impacts.

- We further advise the applicant to work with the local planning authority to identify a local project which would benefit Brent geese. If local project options are explored and exhausted, we suggest a new local project is explored as an option funded by financial contributions. If financial contributions are to be made to projects further afield we request demonstration from the applicant and the local planning authority that this will be effective in mitigating the impact of the development.

Without this information, Natural England may need to object to the proposal.

Natural England welcomes the removal of the path from the bund and the restriction of the construction period to avoid the breeding and wintering season. More information is needed on the design of the bird hide on the bund, to minimise disturbance

June 2020

Further information is required to determine impacts, without which Natural England may need to object to the proposals.

- Appropriate mitigation not secured, proposal could have potential significant effects on the nearby European sites

- Appropriate Assessment to be undertaken by CDC

- Field E should not be dismissed as not possessing grazing potential due to condition of field during last survey. Clear management and monitoring strategy to be secured, clear and viable

- Recreational disturbance mitigation to be secured for SPA Zones of Influence in line with CDC guidance
- Medmerry compensation site designed with access in mind therefore relatively resilient however the beach frontage is sensitive, mitigation to be considered for additional visitors, working with RSPB
- Stilt Pools sensitive to disturbance. Concerns about a footpath on top of the bund. Suggest instead the path is behind the bund with viewpoints as a compromise
- Water quality of Pagham Harbour (SPA, MCZ) would be adversely affected without mitigation. Planned upgrades to sewage treatment works to take place prior to any additional caravans

January 2020

Further information is required to determine impacts on designated sites.

As submitted, the application could have potential significant effects on Medmerry compensation site, Chichester and Langstone Harbours Special Protection Area (SPA), Pagham Harbour SPA, Pagham Harbour Marine Conservation Zone (MCZ) and Bracklesham Bay Site of Special Scientific Interest (SSSI). Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation. The following information is required:

- Assessment of impacts of surface water run-off during operation and suitability of mitigation measures
- Assessment of impacts of additional sewage effluent discharge from Sidlesham waste water treatment works on the habitats and species of Pagham Harbour
- Detail on potential disturbance to birds during construction. In particular, timing of the construction of the flood bund and impacts on birds using adjacent habitats
- Mitigation measures to reduce recreational disturbance to birds using adjacent habitats
- Mitigation measures to address loss of functionally linked land for Brent geese

Natural England would also like to advise your authority that, in our view, the proposal would have a likely significant effect under the Habitats Regulations. Therefore, an Appropriate Assessment will be necessary to determine whether it will have an adverse effect on the integrity of the relevant sites. The further information listed above will be necessary to complete an Appropriate Assessment.

Without this information, Natural England may need to object to the proposal.

Further additional information is required on water quality impacts, construction disturbance, recreational disturbance and Brent geese functional land.

RSPB

July 2020

We acknowledge the Applicant has attempted to provide further information to address our concerns. We have focused our comments in this response on the new information provided, however, a number of the issues raised in our earlier response (22nd January 2020) are still applicable and therefore we reference you back to that letter. The RSPB maintains its objection to the above proposals. Whilst we note the further information and amendments to the scheme design there remains serious concerns regarding (a-c) and further information required (d-e):-

- (a) Loss of Brent goose feeding habitat (functionally linked to the SPAs / compensatory habitat)
- (b) A loss of the existing buffer between the holiday units and the Stilt Pools
- (c) Insufficient consideration of recreational disturbance issues
- (d) Risk to Medmerry compensatory habitats and the surrounds in terms of water quality and flooding
- (e) Habitat enhancement

- (a) Field I would not provide the same functionality as Field E
- There is a need for much further information to secure adaptive management including how the success of Field I would be evaluated, the details of further monitoring of Field E, the triggers for remedial action, who will be assessing success etc.
 - Lack of use recently in Field E could be interpreted inappropriately as reducing the need for mitigation.
 - Given the potential importance of this area in linking Pagham and Chichester SPAs, the opportunities to mitigate close to the loss and that the SWBGS does not cover this area we consider that the current proposals are inadequate.
- (b) The introduction of units into Field D brings development closer to the north-west of the Stilt Pools and with-it increased lighting, people movement and disturbance. We therefore recommend:
- (i) Field D is not developed;
 - (ii) The footpath along the bund is removed and access is prevented to the bund (leaseholders can view the Stilt Pools from the east along with other visitors to Medmerry so that this can be managed appropriately);
 - (iii) Robust fencing is provided to prevent dogs accessing Medmerry reserve
- (c) Medmerry was designed to incorporate access however there remain sensitive areas such as the beach. The interior shingle beyond the high tide line is becoming increasingly attractive to breeding shorebirds and seabirds (e.g. ring plover and little terns). Increased disturbance as a result of recreation could impact these habitats and undermining their value. Therefore, we recommend zoning fencing on the beach to prevent disturbance to this shingle habitat and saltmarsh which is open to the coast between the two revetments.
- We would be pleased to discuss further details about engagement and education
 - Proposals substantially reduce onsite greenspace, advise reducing the number of units and increasing on site greenspace
 - Support WSCC and Earnley PC comments in relation to PRow improvements consistent with the GLaM plans
 - Further details of the net gain assessment needed to review the proposed 25%-40% gains
 - Without further information and amendments to the design we do not consider that it will be possible for the Council to discount adverse effect on the integrity of Medmerry Compensation site or SPA/SSSIs and its features.

January 2020

The RSPB objects to the above proposals. The RSPB highlighted its concerns with the proposals as part of pre-application consultations. Whilst we note amendments have been made to the scheme design to attempt to address some issues there remains serious concerns:-

- (a) Loss of Brent goose feeding habitat (functionally linked to the SPAs / compensatory habitat)
- (b) A loss of the existing buffer between the holiday units and the Stilt Pools
- (c) Risk to Medmerry compensatory habitats and the surrounds in terms of water quality and flooding
- (d) Insufficient consideration of recreational disturbance issues
- (e) Limited habitat enhancement

Concerns about long phasing, construction disturbance, increased predators, lack of certainty over mitigation.

Marine Management Organisation

Any works within the Marine area require a licence from the Marine Management Organisation. It is down to the applicant themselves to take the necessary steps to ascertain whether their works will fall below the Mean High Water Springs mark.

Highways England

January 2021

In response to the Bellamy Roberts report: I do not necessarily disagree with their position that the traffic impacts are understated in the applicant's submission. This is certainly possible. However, as with any Transport Assessment the findings can be subjective based on the authors experience and Highways England will always attempt to take a balanced view of the information provided.

The additional information does not change Highways England's position in relation to this application in that the applicant will be required to make a contribution of £91,487.00 towards the future approved improvements to the Chichester Bypass, or such other schemes of similar or better effect. As per my email of the 6th November 2020 to the applicant's consultants I do not accept their reasoning for a reduced contribution of £41,169.

June 2020

The substitute plans do not alter our previous response of No Objection provided that the applicant makes a relevant contribution to the A27 Local Plan mitigations based on Chichester District Council's SPD "Approach for securing development contributions to mitigate additional traffic impacts on the A27 Chichester Bypass". Accordingly, the proposed development should make a contribution of £91,487 (£8,317 x 11) due to the 11 additional two-way trips in the weekday AM peak hour.

January 2020

The proposed development is outside of the Local Plan and is predicted to generate 11 additional two-way trips in the weekday AM peak hour. Therefore, provided that the applicant makes a relevant contribution to the A27 Local Plan mitigations based on Chichester District Council's SPD 'Approach for securing development contributions to mitigate additional traffic impacts on the A27 Chichester Bypass', we are satisfied that the proposals would not materially affect the safety, reliability and / or operation of the SRN (the tests set out in DfT Circular 02/2013, particularly paragraphs 9 & 10, and DCLG NPPF, particularly para 109), in the vicinity of the development site. Accordingly, the proposed development should make a contribution of £91,487 (£8,317 x 11).

Portsmouth Water

The site is located outside our groundwater source protection zone catchments for our public drinking water supply sources and therefore we have no adverse comments to make on this application from a groundwater quality protection perspective.

SSE

SSSEN have no objections to this planning application, however from checking our systems SSSEN have live underground cables running through the development. Before any works takes place the cable locations need to be determined so that they are not damaged or built over.

Southern Water

June 2020

The comments in our response dated 14/01/2020 remain unchanged and valid.

January 2020

There is an increased risk of flooding unless any required network reinforcement is provided. Any such network reinforcement will be part funded through the New Infrastructure Charge with the remainder funded through Southern Water's Capital Works programme. Southern Water and the Developer will need to work together in order to achieve the necessary infrastructure prior to occupation. Southern Water will seek however to limit the timescales to a maximum of 24 months from a firm commitment by the developer to commence construction on site and provided that Planning approval has been granted. Alternatively, the developer can discharge foul flow no greater than existing levels if proven to be connected and it is ensured that there is no overall increase in flows into the foul system.

The Council's technical staff and the relevant authority for land drainage consent should comment on the adequacy of the proposals to discharge surface water to the local watercourse. The applicant will need to ensure that arrangements exist for the long-term maintenance of the SUDS facilities. Foul and surface water drainage conditions are recommended.

WSCC Fire and Rescue

Further information is required on the intended provision of water for firefighting and access to all areas of the site for a fire appliance to attend a fire and be within 45 metres of all parts of all dwellings. A swept path diagram showing a fire appliance can reach all areas, road widths (need to be a minimum of 3.7 metres for an appliance to have sufficient access).

WSCC Highways

January 2021

In simplest terms, should the worst case figures presented in the Bellamy Roberts report be correct then the development would result in a total of 41 AM peak two way trips and 83 PM peak two way trips. With 25 AM and 52 PM peak trips being new to the network.

Given the trip rates are calculated from a Saturday peak and from trip distributions and modelling provided from other local developments it is unlikely that these trips would result in a severe impact on the highway network. As such I'm content to rely on my original response.

November 2020

No comments are offered upon the Transport and Highways Supplementary Information Note.

January 2020

No objection.

Access - The existing access to the site via Drove Lane would be retained. Drove Lane is a private road which becomes public highway close to Earnley Church. No RSA is required.

Trip generation - An ATC was undertaken in June 2018 which provides a robust estimate of vehicle trips generated by the existing site. The site currently generates 14 vehicle trips in the AM network peak and 30 in the PM peak with a total of 385 daily two way trips. Utilising the trip generation factors from above the development is anticipated to generate a maximum of 26 vehicle movements in the AM peak, 52 in the PM peak and 648 daily movements. (12 new AM peak trips, 22 new PM peak trips and 263 daily trips) however is likely to be lower during most of the year. It is not considered that the development would result in a severe impact on the local highway network.

Construction Impact /Management Plan - A construction management plan has been provided with the application and details the highest anticipated HGV trip would be 15 movements in day however the average daily HGV trips would be lower at approximately 5 HGV trips per day.

Parking and servicing - Parking spaces are to be provided adjacent to each holiday home as well as at a central location for visitors and guests checking in. Servicing operations will remain as existing.

Travel Plan - More commitments are needed including in relation to car sharing, cycle training for employees, bus travel discounts, incentives for public transport.

Conditions are recommended to secure the submitted construction management plan agree an updated travel plan prior to first occupation. A section 59 agreement is required to deal with extraordinary traffic on the public highway.

WSCC Public Rights of Way

February 2020 and July 2020

No objection. Advice.

The main access to the site is Drove Lane over which is a public right of way with footpath status known as FP55, not FP35 as stated in the application and then continues on Stoney Lane to the foreshore. In the previous application E/19/00140/EIA the applicant was advised by our Highways Colleagues after consultation with PROW to consider the following comments:

- Upgrade FP55, which runs on Drove Lane, to public bridleway for the benefit of cyclists and horse riders
- Create a link from the site to the existing public paths at Medmerry, giving easy access to site residents and visitors whilst also establishing a local circular route - these are usually quite favoured over linear routes
- Create a link from Drove Lane west to Bracklesham so enabling safer and convenient access to shops and other services rather than using Clappers Lane

The above have not been taken into account. The County Council requires the applicant to reconsider the comments in the wider context of improving access links to the wider rights of way network and local communities.

Some local walking and cycling routes are missing from the Travel Plan. The beach path is a shingle beach not suitable for many path users.

The applicant is advised that a public access right has precedence over a private access right. The development proposes shared use of a PROW with vehicles, which increases the risk of accident or injury to a PROW user. The applicant must consider how access is managed so the public is not endangered or inconvenienced.

WSCC Flood Risk Management

January 2020

Current surface water mapping shows that the majority of the proposed site is at low risk from surface water flooding although some higher risk exists in association with the watercourse running through the site. The area of the proposed development is shown to be at high risk from groundwater flooding based on current mapping. Current Ordnance Survey mapping shows an ordinary watercourse running across/adjacent the site. Parts of this site have experienced historic flooding.

The Flood Risk Assessment/Surface Water Drainage Strategy for this application propose that sustainable drainage techniques (permeable surfaces and a restricted discharge to watercourse) would be used to control the surface water from this development. As indicated by the District Engineer, the disposal of surface water via infiltration should be shown to have been fully investigated across the whole site. As the site is located within Flood Zone 3 the EA should be consulted.

During storms and heavy rainfall floodplains will naturally flood with river or coastal water, making them ineffective for storing surface water runoff and vulnerability to erosion. The presence of a floodplain should not preclude the site from using SuDS but they should be selected and designed with the above in mind.

All works to be undertaken in accordance with the LPA agreed detailed surface water drainage designs and calculations for the site, based on sustainable drainage principles. The drainage designs should demonstrate that the surface water runoff generated up to and including the 1 in 100 year, plus climate change, critical storm will not exceed the run-off from the current site following the corresponding rainfall event. Site specific maintenance arrangements should be agreed and adhered to.

Landscape Adviser

December 2020

Holding objection.

Following a review of the additional documents provided, it there continues to be a holding objection on landscape grounds, to the development proposals described in this application for the following key reasons:

- Scale of development in relation to loss of tranquillity (and potential impact on dark nights skies) in this countryside and coastal area that is SC2: Manhood Peninsula. Negligible reductions in the scale of development have been made since the initial application was submitted. This landscape response identifies key issues described in the previous two landscape responses (dated 30th January 2020 and 3rd July 2020) that are yet to be properly addressed.

Specifically, the over scale of development relates to the following areas:

1. Field D, on the Eastern edge of the site must not be developed, as it intrudes too far into the open countryside, and this will have the greatest impact on reducing tranquillity within the Manhood Peninsula. Development in this field is close to the RSPB Medmerry Nature Reserve and will negatively affect the quality of experience of the users of the Permissive Path and Bridleway 3750 and 3750 and their quiet enjoyment of the Nature Reserve and wider Landscape. Development must not be permitted further East than the current development edge of Field A.

2. Field E is still too intensely developed, and it is strongly recommended that more space within the field be given over to green infrastructure (for the functions of screen planting and informal recreation space: and these needs to be considered as separate functions in separate locations). This field is highly visible from the Coast (especially from the elevated footpath that runs along the top of the shingle beach). Field E has the potential to appear as suburban sprawl coalescing with the edge of Bracklesham, so a strong visual 'break' between this site and Bracklesham is required, through the provision of a more significant 'landscape buffer'. The triangle of land set aside in the North East corner of the field, is a significant part of that 'landscape buffer' between the development and the adjacent Bracklesham Caravan and Boat Club, must be designated for structure planting. It should not double up as recreation space (it is too far removed from the holiday lets for natural surveillance). As a general principal screen planted areas cannot effectively double up as recreationally space, as the wear and tear from recreation may weaken the woodland/hedge cover. Effective screening is required to ensure that any development in this field

can blend into the landscape. Recreation space and structure planting need to be separately designated areas.

To clarify: for provision of informal recreational space within the field, we mean, small to moderate sized pockets of open space, integrated within the holiday let layout, in viewing distance of groups of chalets/caravans, that allow families or children to congregate for informal play, for example, children can play under natural surveillance whilst their parents/grandparents are cooking meals or relaxing adjacent to their holiday lets. This type of informal recreation is not in conflict with more significant holiday activities, that may take those family groups off-site, to spend money in the local economy, but does allow the pressure to be taken off immediately adjacent nature conservation areas or structure planting.

3. Field C is still too intensely developed and would benefit from more space being given over to green infrastructure (in the form of informal recreation space). This would make for a more attractive development, with internal informal recreational space for Holiday Park residents (for the same reasons as described for Field E above).

4. In addition, it appears that the proposals for Field G have developed from original plans to be maintained not just for nature conservation to also include an open space for active recreation use. This is NOT acceptable. Field G must be maintained as an area for nature conservation. The wear and tear on the space as a result of active recreation could compromise the nature conservation. Some passive recreation can occur in this space, but active recreation areas should be contained within the main body of the site, in properly designated areas amongst the holiday lets. The purpose of having more recreation space within the main development is to take the pressure off nature conservation areas, like this one.

5. The work on the Recreational Open Space Plan is welcomed and clear, but it demonstrates that the development has changed minimally since the initial proposals were submitted, with a poor amount of Green Infrastructure in relation to the size of development it is serving, and that the previous requests for alterations to the development layout have been largely ignored.

Should the above-mentioned items be resolved to the satisfaction of the Local Planning Authority, and should the Local Planning Authority then be minded to grant planning approval to an improved scheme, the following items will be required:

- A 25year Landscape and Ecological Management Plan.
- Minimum structure planting maintenance height to ensure long term screening from users of the shore and PRoWs/Permissive Paths. N.B. The Landscape Photomontages are welcomed and demonstrate that work has been done to consider how the structure planting can help to screen the development, but it is considered that the proposals may be over optimistic about how much growth will have occurred to the planting after 2-3 seasons, considering this windswept location. One can see from the existing vegetation on site, that the wind exposure has had a significant effect on limiting vegetation heights. Visualisation1(Viewpoint 5a) has been taken from the lower Permissive Path, and it is considered that had the Visualisation been taken from the higher vantage point, roofs in Field D would have been more apparent.

- Limitations must be put on external lighting and music or other noisy activities

Offsite/onsite traffic management. WSCC highways have made no objection to increased vehicle numbers on the wider network, but it is worth noting that in landscape terms, and specifically for users of the Public Rights of Way and Permissive Paths around this area, that the near doubling of traffic, will have a negative effect on tranquillity and therefore enjoyment of the landscape.

It is considered that the revised proposals provide more detail, but that some key aspects have still not been addressed, and the development proposals therefore continue to be NOT acceptable and form the basis for continuing to recommend a holding objection on landscape grounds.

July 2020

It is considered that the revised proposals make some improvements on the earlier application, but that the following aspects of the development proposals are still NOT acceptable, and form the basis for continuing to recommend an objection for the following reasons:

1. Scale of the development is too large within this landscape setting and this will have a negative effect on tranquillity that is not possible to completely offset by planting mitigation.
2. Further work could be done by the developer to bring the proposals to a more acceptable scale by:
 - Omitting all development in Field D, as it is an important buffer between the Holiday Park and the RSPB Medmerry Nature Reserve.
 - Further reducing the amount of development in Field E, to provide a more significant landscape buffer between the site and Bracklesham.
- The close proximity of Field E to the edge of Bracklesham, specifically to the edge of the Bracklesham Caravan and Boat Club has the potential to make this development appear to coalesce with Bracklesham and form a continuous urban development along the coast. This is a rare undeveloped part of the Coastline and should be valued as such.
- The layout proposed of: 'suburban streets', with uniform lines of buildings/accommodation units, that are for the most part tightly packed, will have a negative effect on the landscape character where this can be seen or perceived from the wider landscape. Advise development in Field C is laid out with more informal recreational green infrastructure, to reduce people pressure on the nature reserves.
- Whilst WSCC Highway colleagues have not objected to the proposals of traffic grounds, we note that the additional traffic through the Conservation Area of Earnley will have a negative impact on the tranquillity of the village.

Field A - no objection to redevelopment, subject to detailed landscape and ecological management plans.

Field B - preferable to avoid due to long views and landscape character, but accept long term planting will help mitigate effect

Field C - no objection in principle but recommend earlier looser knit layout for landscape reasons and to ease recreational pressure

Field D - on the basis of the negative impact on the landscape character and visual quality affecting the setting of the RSPB Medmerry Nature Reserve, we continue to object to this field being developed.

Field E - on the basis of insufficient reduction in scale of development in Field E: we continue to have a holding objection to the planning application. More work needs to be done to reduce the scale of development in this area.

Field F, G and I - There is no objection in principal to the management of these areas for nature conservation (subject to the approval of detailed landscape and ecological management plans

Should the Local Planning Authority be minded to approve the Application, if the above issues can be resolved, we recommend that the following are made a condition of approval:

1. Detailed Landscape and Ecological Implementation Plans.
2. Existing tree surveys and retention and a strategy for protection of existing vegetation to be retained, during construction.
3. A 25year Landscape and Environmental Establishment and Management Plan.
4. Detailed information of proposed the proposed external lighting strategy, taking on board mitigation to protect dark night skies
5. Photomontages from viewpoints selected by the Local Planning Authority, so the impact of the development can be clearly seen.
6. Detailed existing and proposed levels plans, with tops of roof heights plotted and contextual height information (i.e. heights above sea level for adjacent PRoWs) with long sections drawn, to demonstrate roof scape in relation to surroundings.

CDC Archaeology Officer

I agree with the assessment contained in the Desk Based Assessment and the Environmental Statement of the potential impact of this proposal on below-ground archaeological deposits. I also agree that this impact would be best mitigated through a staged process of phased and adaptive investigations in advance of construction. This can be secured by condition.

CDC Principal Conservation and Design Adviser

The building out of the landscape area is consistent in scale and type with the existing holiday park and with the suburban built up area of Bracklesham Bay to the immediate west. As a context for the Earnley Conservation Area there is comparatively little change in the wider surroundings, and no change in the immediate setting of the CA.

Vehicular access will be through the Earnley Conservation Area including past the Grade II* listed Parish Church. It is difficult to quantify any level of harm from the assumed increase in traffic flow through the Conservation Area such that it would affect its character and appearance. I have no concerns that even a moderate level of traffic increase would be sufficient to cause harm in terms of pollution or vibration to the conservation area. An effective traffic management plan mandated by other parts of the application would in any event be sufficient to mitigate against the effects of development and increased long term traffic. There are no listed buildings within the proposed development area. Two non-designated buildings of moderate historic interest lie outside the proposed development boundary. There will be no impact on these buildings and there will be minimal impact on their setting.

CDC Drainage Engineer

January 2020

The Shoreline Management Plan policies differ primarily because there is space to realign on the Medmerry frontage, which is the most sustainable approach. This does not mean that defences will / would not be built, and leaves the exact line to be determined.

When seeking central government grant caravans / mobile homes do not count, and therefore it is essential they are either protected or constructed to be resilient. The proposal as I understand is to build in areas at lower risk first, and then build defences when additional caravans are to be constructed / occupied. This is acceptable in principle from our perspective.

This frontage (Medmerry) is managed by the EA as the primary risk is flood risk, but we work closely with them, as anything done here has a significant impact on the adjacent frontage (Bracklesham). Any scheme to protect those dwellings in the future will also need to consider the Medmerry stretch carefully.

They are proposing a new bund to protect the caravan park; it is not inconceivable that this could link up with any future scheme to protect the properties to the west. I also wouldn't have thought this will significantly prejudice any decision made with regards to protecting this frontage, but will let the Environment Agency comment further on any potential flood defences. We have made comments previously regarding the design of the "bund" specifically that it should be designed based on "undefended levels" and "no beach" as this is more than conceivable during the lifetime of the development as this frontage naturally rolls back.

This site is not in a Coastal Change Management Area (re: paragraphs 167-169 of the NPPF).

June 2020

We raised concerns that additional caravans/lodges could be constructed before the required defence (bund) is built, this document reaffirms their commitment that this will not be the case, but we suggest you should be satisfied that you can control this, perhaps through suitable conditions. According to the application the replacement holiday caravans/lodges (initial 308) will be on higher land and with higher floor levels (1m above Ground level) than existing, this will ensure a reduction in flood risk for those dwellings and so is acceptable in principle.

We also note that there has been an adjustment to phasing in order to develop land at lower flood risk first, and a commitment to deliver the required defence for any additional caravans/lodges before they are constructed/occupied. We suggest you ensure you have suitable conditions to control this. We will let the EA comment on the detail/acceptability of the flood defences, but like the EA Coastal Expert we have noticed the regression/narrowing of the beach on this frontage, and would strongly recommend that any new defence disregards the beach from their calculations (i.e. assumes it has been overtopped/rolled back).

Jan 2020

Flood risk

The majority of the site is within flood zone 3 (high risk), the use is considered "more vulnerable" and so additional dwellings should only be permitted subject to the sequential test and the exception test. The applicant has submitted evidence for both of these tests, although there are alternative sites at lower risk, including immediately to the north, you will need to determine whether the submission is acceptable as there are more considerations than simply flood risk.

We would have no grounds to object to the replacement of the existing number of caravans subject to them demonstrating no increase in flood risk. However the proposal is to increase the number of dwellings by an additional 210 dwellings. The applicant proposes to install flood defences to protect these additional properties once the 308 figure is reached, which they state will be around 2027. More information is needed on phasing. We expect the Environment Agency to comment further on the acceptability of the development in this location, specifically whether any of the proposed development falls within flood zone 3B. We also expect emergency planning to comment on the evacuation plans.

Surface Water

The proposal is to construct permeable surfaces, drain to the existing watercourses within the site and attenuate flows leaving the site. Discharge will need to be restricted to greenfield rates and flows attenuated for the 1 in 100yr event +40%CC. This approach is acceptable in principle subject to infiltration being ruled out. Some monitoring has been undertaken but we would require further shallow infiltration tests (less than 1m deep) to confirm infiltration is unviable. Further details can be secured by conditions. Ordinary Watercourse Consent will be required for all alterations or discharges to ordinary watercourses.

CDC Economic Development Officer

December 2020

Economic Development understand the scheme will benefit the business, however there are issues that need to be overcome to ensure compliance with Local Plan policy.

In the most recent "Development Need" document there are some good indications of need for the additional accommodation at the site., however we don't feel that it goes far enough as an evidence base. With applications on other sites, we have asked for more detailed information

regarding the demand for the space, which has subsequently been treated as commercially sensitive information. Economic Development would suggest that more detailed information should now be put forward by the business in order to support the extension of 210 units. This would normally include things such as waiting lists and occupation levels at the park. This would have to be classed as commercially sensitive and not available publically.

Similarly, we would expect the business to have financial information surrounding the requirement of the additional plots to help fund the sea defence work required. Again, as it is financial information, this would be classed as commercially sensitive and not available within the public documents on file.

Lastly, Economic Development does understand that this site is in need of an update, given that the accommodation is much older than the market average. We fully support the updating of the current stock and the changes to layout which is likely to better suit holiday home owners in this day and age.

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). Within Chichester District, camping and caravan sites account for 24,836 bed-spaces. This represents 85.8% of all available bed-spaces. 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.

CDC Emergency Planning Officer

January 2020

I have no concerns as long as the 'Flood Warning and Evacuation Strategy', as drafted by Herrington Consulting Ltd (Nov 19) is implemented and exercised.

CDC Environmental Protection Officer - Air Quality

Our department would not raise an objection to the proposed development; however consider that conditions, to protect air quality in the vicinity, are required should planning permission be granted. It is noted in the Medmerry Park Improvement Project, Environmental Statement (Nov, 2019) Section 10 relating to Traffic and Air Quality that during operation it is anticipated that the overall impact shall be considered Minor Adverse/Insignificant. The modest increase in road traffic, will lead to a detriment to air quality as a result of the development. A travel plan is required, and electric charging points installed on site. These can be conditioned to be operational prior to occupation.

CDC Environmental Protection Officer - Land contamination, construction and noise

Land contamination

It is noted that land contamination was scoped out of the EIA however given the scale of the development it is recommended that a watching brief is kept throughout the construction phase of the development in case unexpected land contamination is encountered. Condition DC13 should be applied.

It is also recommended that informative INF42 is applied in case unexploded ordnance is disturbed by the proposals, particularly during the construction of the flood defence scheme and bund.

Given the age of the existing facility building it is considered possible that asbestos containing materials will be present at the site. The Control of Asbestos Regulations must be followed with respect to demolition, handling and disposal of any asbestos at the site and it is suggested INF38 should be applied.

If any significant quantities of fuel or chemicals are required to be stored in connection with the development, condition AT36 should be applied to prevent pollution of the ground or water resources.

Construction

A construction environmental management plan should be put in place to control environmental impacts such as noise, dust, traffic, waste handling, fuel storage and other such issues. There should be no on-site burning of demolition or construction materials. A condition should be applied to ensure the CEMP is both submitted prior to works commencing and followed thereafter. Hours of use of the works should be stated within the CEMP.

Noise

It should be noted that the use of the facility buildings for functions/events is likely to require a premises licence. Details can be obtained from the Council's Licensing Team.

CDC Environmental Co-Ordinator

Appropriate Assessment - see separate document

January 2021: Fail - Adverse Effect on Integrity

September 2020: Fail - Adverse Effect on Integrity

CDC Environmental Strategy Officer

January 2021

We still have serious concerns regarding the loss of the existing buffer between the holiday units and the Stilt Ponds, the loss of Brent geese feeding habitat and insufficient consideration of the recreational disturbance issues which are discussed individually below.

HRA issues

Recreational Disturbance

The Supplementary information on Ecology and Nature Conservation states that the contribution to the Bird Aware scheme will be required as the number of accommodation units in the park begins to increase (from around 2028). The fees will be based on a worst-case (maximum) projection for visitor numbers as verified through evidence collected in preceding years (using card entry or electricity usage or both as metrics for occupancy). Payments will be made in advance of projected recreational increases.

As stated within the Environmental Statement (ES) and the Supplementary Planning Report - Ecology (Nov 2020) the site will be open for 10 months of the year with two months closed period for Jan - February. Due to the location of the site to Pagham the contribution will need to be made to the bird aware scheme will be for the Pagham contribution figures (currently set at £893 per unit 1st April 2020).

We are still concerned that within the ES, the Supplementary information on Ecology and Nature Conservation and the Supplementary Planning Report - Ecology (Nov 2020) that the proposal is for the payments to be made in an adaptive manner going forward under the auspices of the proposed environmental management plan and with reference to available site specific evidence of the

occupancy rates (for the net gain of units). This will involve paying a fee each January to cover new units proposed that year but based on the evidence of occupancy from the preceding year(s). Due to a lack of robust evidence at this stage, the proximity, leisure use and ability of occupants to access the site during the opening period, a full contribution (10/12ths) will be required (for 210 units) for us to be able to undertake an appropriate assessment and to determine whether the site would be applicable for a reduced rate based on the occupancy rates.

Birds - Over Wintering and Nesting

We note that further information has been included within the Supplementary Planning Report - Ecology (Nov 2020) and Supplementary information on Ecology and Nature Conservation relating to the disturbance of overwintering birds with the path around Field D being located at the base of the bund on the landward side and exclusion fencing used in the north of the field where the bund height is reduced. As well as the installation of a bird hide at the top of the bund.

We are concerned about the introduction of units into Field D which will mean there will be development closer to the north-west of the Stilt Pools. This will result in increased disturbance through more people and recreational disturbance, and lighting which is a concern. We require that Field D is designated as an area for ecological enhancement and not accessible to humans or dogs.

An Ecological Clerk of Works for bird behaviour will be overseeing works onsite including timing of fledging and arrival of overwintering birds.

As detailed within the Supplementary Planning Report - Ecology (Nov 2020) there is a proposal to inform visitors about the wider area and promote responsible recreational through the £14,000 funding to the RSPB to provide signage and ropes to management the disturbance. It appears though that this has not been discussed or agreed with the RSPB. Further details and communication needs to take place between the RSPB and the application before we are happy to accept that this is acceptable.

Brent geese

The further information provided within the Supplementary information on Ecology and Nature Conservation and the Supplementary Planning Report - Ecology (Nov 2020) states that collectively the three fields F, G and I will provide suitable levels of mitigation based on the current survey results.

Following the monitoring to date a target of 100 Brent geese (peak over 4 years from 20/21) has been set based on the maximum observed number of Brent geese in Field E over the winters 2018 - 2020. As detailed within the Supplementary Planning Report - Ecology (Nov 2020) the Environmental Steering Group (NE, RSPB and Medmerry Park representatives) will provide advice on management of these areas over a 4 year period (starting 2020/2021) to meet this target. Further details on how this group will be managed and governed need to be provided along with clear triggers for action.

However as stated by NE we require that additional survey are conducted for Brent geese to determine the suitability of the fields which are being proposed as alternative winter grazing locations. Until this is submitted we are unable to determine the suitability of the mitigation and how it can be delivered.

Nutrient Neutrality

As stated with the Supplementary information on Ecology and Nature Conservation once the number of units becomes greater than 308 production of foul water will increase and this is predicted to occur from 2030s onwards. Once the project is complete there is an expected increase in foul water by 9.72l/s. The Supplementary information on Ecology and Nature Conservation details that a new pumping station and storage tank will be built onsite and capacity within Sidlesham WwTW will be made available by Southern Water. A condition should be used to

ensure that there is no increase in units above 308 until capacity has been created by Southern Water.

Water Quality

The Supplementary information on Ecology and Nature states within section 3 states that sufficient treatment of run off will be provided to lessen the impact on water quality downstream and into Medmerry. It states that swales and ponds, emergent and submerged aquatic vegetation can help reduce contaminant concentrations in the water and these will be included within the scheme. We are satisfied that along with the Surface Water Drainage Strategy this addresses our concerns on the impact on water quality draining into Medmerry. Further details of the scheme of measures which will be included on this site needs to be included and should be informed by the findings of survey work taking place for water voles and Park Rife modelling.

Protected Species and Habitats

Bats

We are pleased to see that an outline mitigation strategy has been provided within appendix C Bat Mitigation Strategy May 2020 of the Supplementary information on Ecology and Nature and this is suitable. Before the works were due to take place:

- New emergence surveys for bats would need to be done and the mitigation updated to reflect their findings (condition)
- a copy of these surveys and updated mitigation reports will need to be submitted to CDC (condition) prior to works taking place in these areas
- The hedgerows on site will need to be retained and enhanced for bats with a 5m buffer (use conditions)
- protection should be used where caravans are closer than 5m to the hedges to ensure there is no disturbance to the hedgerows and no lighting can spill onto these areas (use conditions)
- lighting will need to take into account the presence of bats in the local area and no new lighting should be installed along the Earnley Rife and south of it to create a dark corridor (condition a lighting strategy)

Water voles

We are pleased to see that a mitigation strategy for water voles has been included within appendix C Water Vole Mitigation Strategy May 2020 of the Supplementary information document. We are also pleased to see that updated water voles surveys will take place a year before works take place and the outline mitigation proposal updated to reflect the findings. However we require that:

- an updated mitigation strategy is provided to reflect any changes based on survey findings and any NE licensing requirements, including if any works need to take place within 5m of the ditches (condition)

Reptiles

We are pleased to see the inclusion of mitigation for reptiles within Appendix C Reptile Mitigation Strategy May 2020 the Supplementary information on Ecology and Nature and are satisfied that the alternative measures of translocation are suitable with Field F being used as an onsite receptor site for the reptiles. A condition should be used to ensure this takes place. The management of the receptor site will so need to be included within the Landscape and Environmental Management Plan as there may be some conflict with the management of the field for Brent geese (including cutting or grazing) that may impact upon the reptiles here.

Badgers

We are satisfied that as stated within the Supplementary information on Ecology and Nature prior to works starting on each area of the site a badger survey will be undertaken to ensure badgers are not using the site. If a badger sett is found onsite, Natural England should be consulted and a mitigation strategy produced.

Nesting Birds

Any works to the trees or vegetation clearance, apart from the pre agreed works within the buffer zone for the Stilt Pools 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). A check will also be required for birds' nests within the building prior to work commencing. If nesting birds are found, works in the area will need to be avoided and the nest protected until after the young have fledged.

Invasive species

We are satisfied within the additional information provided within the Supplementary information on Ecology and Natural and further details of this will need to be included within the CEMP.

Hedgerows

As detailed within the ES there will be some loss of hedgerows onsite with loss of approximately 360m of hedgerow within the North east and west of Field A and Northwest of Field D. The ES states that new planting is proposed to reinstate the connectivity onsite, however we would require that this is undertaken prior to the loss of any hedgerow to ensure no connectivity is lost temporarily. Due to the long build time this is an important issue as there is a risk that hedgerows will be removed and not replaced for a number of years which will negatively affect the green infrastructure across the site and wider landscape. We are satisfied that the actual clearance will be undertaken with an ecological clerk of works. With the species and areas being retained will be protected. Further details relating to this will need to be incorporated within a CEMP.

Enhancements

We are pleased to see confirmation within the Supplementary information on Ecology that enhancements will be incorporated across the site above and beyond the requirements for the compensatory habitats and mitigation required. Further details for this will be required with landscaping plans including the enhancements proposed.

Policy 40

We are disappointed to read within the Supplementary Planning Report - Sustainability (Nov 2020) that renewables are not being installed on the holiday homes onsite though we understand that these are holiday homes and need to be treated differently to a conventional building, there is still the ability for renewable technologies to be incorporated into the scheme.

Firstly as detailed within paragraph 2.17 of the Sustainability Statement (May 2020 air source heat pump/combi boilers, or solar panels can be included within static caravans / lodges. Though it has been deemed that the buyer will decide if these are included on their holiday home. We require that a percentage of the units on site provide one of these features as standard.

The other area we are concerned with is regarding the electric car points. Though we are pleased within the Supplementary Planning Report - Sustainability (Nov 2020) electric vehicle charging points are being installed centrally for the benefit of staff and guests, whilst appropriate external sockets (can) be fitted to caravans ... to allow the charging of scooter, mobility scooters and e-bikes. We require that electric car charge points are installed as standard on a percentage of the holiday homes.

Finally please can some information be provided on how the applicant plans to meet the requirement for a maximum water usage of 110l per person, per day for the units onsite.

August 2020

Objections due to insufficient details or unsuitable proposals:

1. Recreational disturbance adaptive payments, insufficient evidence to warrant reduction

2. Birds over wintering and nesting, noise and disturbance. Impacts on Stilt Pools. Lack of precautionary information for site works. Positive changes made in relation to site work timing, use of an Ecological Clerk of Works, Field D will post-date the bund, increased buffer to Stilt Ponds and visitor information

3. Brent geese. We are satisfied that following the further information provided within the Supplementary information on Ecology and Nature Conservation that collectively the three fields will provide suitable levels of mitigation based on the current survey results. However query robustness of survey data, due to management practices of Field E in 2019/2020 winter period. Back up opportunities could include a contribution to the Solent Waders and Brent Goose Strategy. Mitigation to be in place prior to the development of Field E, with clear management and monitoring strategy required with actions and triggers.

4. Water quality. The Supplementary information on Ecology and Nature states within section 3 states that sufficient treatment of run off will be provided to lessen the impact on water quality downstream and into Medmerry. It states that swales and ponds, emergent and submerged aquatic vegetation can help reduce contaminant concentrations in the water and these will be included within the scheme. We are satisfied that along with the Surface Water Drainage Strategy this addresses our concerns on the impact on water quality draining into Medmerry. Further details of the scheme of measures which will be included on this site needs to be included and should be informed by the findings of survey work taking place for water voles and Park Rife modelling.

5. Hedgerow loss and timing of works

6. Sustainability statement. Does not go far enough to minimise resource use and promote sustainable choices

Conditions could be used to secure:

- No increase in units above 308 until capacity created by Southern Water (nutrient neutrality)
- Bat mitigation including updated surveys (based on Appendix C Bat Mitigation Strategy May 2020)
- Water vole mitigation including updated surveys (based on Appendix C Water Vole Mitigation Strategy May 2020 of the Supplementary information document)
- Reptile mitigation including translocation (Appendix C Reptile Mitigation Strategy May 2020 the Supplementary information on Ecology and Nature)
- Badger mitigation
- Invasive species management
- Ecological enhancements beyond requirements for compensatory habitats and mitigation

February 2020

Survey work has determined that the site is functionally linked to the Chichester Harbour SPA and Medmerry and the site provides supporting habitat for Brent Geese. There will be noise and visual disturbance (due to construction) to the Stilt pools at Medmerry. Noise, visual and recreational disturbance (operation) through increased human activity in wider area (including potential dog walkers) will also be an issue.

We have the following concerns on the Habitat Regulations Assessment:

1. There is a lack of sufficient data relating to Brent Geese
2. There is a lack of data relating to recreational disturbance and the increased usage across the site
3. There is a lack of data relating to the impact on Medmerry and over wintering birds during the construction phase
4. There is a lack of robust evidence for the occupancy rates and the contribution required to the Bird Aware Scheme.
5. There is a lack of evidence on the direct impacts of drainage on the site

Based on guidance surrounding the HRA assessment, guidance from Natural England and our own assessment we do not feel that currently the application and information provided meets the

requirements of the appropriate assessment and further details are required to address the above concerns.

Further evidence is required on the following matters:

- Nutrient neutrality. Demonstrate capacity at Sidlesham WwTW
- Water quality, to avoid impacts on Medmerry reserve
- Protected species and habitats (bats, water voles, reptiles, badgers, hedgerows, freshwater habitats)
- Enhancements
- Sustainability

CDC Licensing

December 2020

Providing that the conditions of the Multi-Holiday Site licence are adhered to, then no further objections would be raised by this service area at this time.

December 2019

No objections. A license will be required for the caravans. Consideration must be given to access for emergency services.

CDC Planning Policy

The Chichester Local Plan: Key Policies (CLP) was adopted by the Council on 14th July 2015 and now forms part of the statutory development plan for the parts of the District outside of the South Downs National Park. Planning legislation requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.

The Council has begun work on a Local Plan Review to consider the development needs of the Chichester Plan Area through to 2036. Consultation on a Preferred Approach Local Plan (Regulation 18) took place between December 2018 and February 2019. At this stage, the Local Plan Review is considered to be at an early stage of preparation and thus carries very little weight in the determination of this planning application.

The redevelopment of the existing holiday park to improve accommodation quality and reduce flood risk is supported in principle by the adopted Local Plan and NPPF. However there remain key areas of particular concern including flood risk, ecological impacts, landscape impacts and a lack of evidence of high demand for the number of additional units proposed.

The particular tourism need for specifically an additional 210 units of holiday accommodation has not to date been satisfactorily demonstrated. An Appropriate Assessment is required for the SPAs. The amended plans make minor adjustments that do not address the significant concerns over the impact of the proposal on the character and tranquillity of the coast. The off-site impacts of the proposed flood defences have yet to be properly explained. Currently therefore, the proposal does not meet all the requirements of policies relevant to the principle of the development and an objection is raised on this basis.

No comments were received following consultations to SECAMB (ambulance service) and the fire service in relation to water/flood emergency matters including evacuation.

Third Party Comments

Manhood Peninsula Partnership

There are few matters that apply to the Manhood Peninsula as a whole, and it is hoped these will be taken into consideration. The documents concerned are the GLaM key statement and the Water Management key statement. These are documents on which agreement between MPP partners has already been reached, and shouldn't contradict any formal response you are likely to receive from the statutory consultee planning departments.

Third Party Objections

Sussex Ornithological Society

December 2020

Objection (key headings):

1. Recreational open space. Major objections with any proposals that encourage Holiday Village Visitors (or their dogs) to regard the area above the high tide mark south of the RSPB Reserve as a recreational area. Proposal to donate only £14K to RSPB for signage and fencing to help protect this area over the next 80 years very meagre given the greatly increased risk of disturbance that would have to be managed
2. Brent geese mitigation. SOS continues to believe that field I is too exposed and too small to provide effective mitigation for the loss of Brent Geese foraging on the Holiday Village site. Experience suggests the Pagham/Medmerry flock is reasonably independent of the others in the Solent/Chichester Harbour. The areas surrounding the site are covered in geese scaring devices. We do not accept that the proposal to pay £86K to the Solent Waders and Brent Goose Strategy is in any way suitable as it will not benefit the Pagham/Medmerry flock at all.
3. Bird hide. The SOS believes that this could be damagingly intrusive and create un-necessary disturbance to the birds using the Stilt Pool below.
4. Landscaping. We very much doubt whether any planted screening will grow more than four feet high during its first 10 years and such is the force of the salt laden winter winds at Medmerry that we remain unconvinced that any screening will ever grow much taller, especially close to the sea.

Previous objections remain, namely scale, landscape impact, Stilt Pool impacts, long term management and enhancement commitments, impacts of flood defences on RSPB reserve especially during construction.

June 2020

Objection (key headings):

- 1) The development is too large.
- 2) Caravans will be insensitive intrusions on the landscape, and. salt-laden winter winds may negate any attempts at screening them.
- 3) As part of any planning permission we would like to see a condition limiting the height of any buildings.
- 4) The proposed bund will be unacceptably intrusive.
- 5) Waterways flow into the RSPB Reserve, and there is no detailed plan to ensure pollution does not occur whilst they are being realigned and bunds built.
6. Brent Geese
7. Recreational Disturbance
8. Biodiversity net gain

January 2020

Objection

- 1) Intrusion to Stilt Pools
- 2) Hydrology and construction disruption
- 3) Brent Geese mitigation
- 4) Recreational Disturbance
- 5) Biodiversity net gain

Sustrans and Chichester Cycle Forum (joint representation)

November 2020

Additional objection in response to the Transport and Highways Supplementary Information Note (Nov 20). Drove Road is not safe, there needs to be a separate path for pedestrians, cyclists and wheelchair users. Therefore our objection stands until land is dedicated as a public bridleway, which is separated from motor vehicle and covers the whole length of public footpath 55 within the applicant's ownership from the Earnley Concourse to the sea at the southern end of site.

June 2020

Objection: What is proposed does not take into account the significance of this site for making major improvements to the public cycling network on the Manhood Peninsular. The network is very well set out in the Highways Authority's comments of 5th May. The need to upgrade Drove Road FP55 to a Public Bridleway is absolutely crucial to secure an improved network. Currently Drove Road does not provide safe passage for pedestrians which is the legal requirement for a public footpath. This could be addressed by the applicant by providing a safe and segregated path adjoining the tarmacked surface suitable for all users and designated as a Public Bridleway. It is comical that in para. 2.26 of the new Sustainability Statement the applicant's consultants state that they will encourage walking and cycling for on-site users; however they will be unable to legally cycle off the site as there are no public bridleways giving egress to the site. Our further objections support those of the Highways comments particularly in relation to the provision of a Section 106 agreement to fund the necessary cycle path improvements.

Sustrans

January 2020

The application lacks sufficient detail on how it will support Sustainable transport. Cycle routes and paths across this site and interconnecting routes need to be planned. Clear reference should be made to other local planning applications that contain comments on Sustainable routes and evidence detailed on how it will support / link to the Selsey to West Wittering route and onwards (NCN88) To encourage cycling or walking the site need to be planned in such way that storage and easy access to cycles is achieved. Until there is a clear commitment to support this agenda then application should be rejected.

Chichester and District Cycle Forum

February 2020

The Chichester and District Cycle Forum wish to express their objection to this scheme as it will considerably increase the traffic along the access road to the site and onto Clappers Lane; both of which are important cycle routes linking the Medmerry area with the rest of the Manhood Peninsular. Currently these are quiet rural roads which encourage the use of sustainable transport. The Forum support the objections submitted from Earnley Parish Council, Sustrans and RSPB.

Public comments

76 public letters of objection have been received between December 2019 and January 2021. Extracts covering the key points are set out below under the headings, with new points listed chronologically in order of receipt:

Justification/need and economic impacts

- Insufficient justification for additional units
- Local area over-saturated with mobile homes/static caravans, vacant units available at various sites
- Use of green fields
- Question the rationale for additional development in an at-risk area (flood risk)
- The application makes erroneous claims as to the economic uplift to the local community.
- The existing site has a substantial number of empty units with some owners selling their leases for as little as £1.00
- It is doubtful that with so many caravan parks already in the area providing good holiday facilities, Medmerry Park could compete
- No justification for the extra units
- There are plenty of large caravan sites locally
- Cannot see much economic benefit to the area as Medmerry has in place onsite entertainment, shop, leisure facilities play areas etc. The economic benefit would certainly be to Medmerry's advantage.
- There is the potential of further strain on a local area already with a very high volume of visitors
- Facilities on site, distance to local shops and ability to bring own supplies limits benefits to local economy
- Low numbers of permanent workers as existing and proposed. Seasonal workers at Medmerry, for a few months each year, tend to be students or people of retirement age thereby having little impact on permanent employment opportunities for local people.
- The park could be updated and improved without increasing occupancy
- The local area is over-saturated with mobile homes/static caravans. Many units on the Medmerry site remain vacant and unleased. There are units available at local various sites, Bell Lane, Holden's, Bunn Leisure and Scott's Farm. There is no need for more development.
- Existing refurbished bungalows are better standard than regular caravans in the price range
- Appeal of uncrowded peaceful park (unique) would change with expansion, loss of options for the current niche market that it serves
- Caravans searched for as consumers are unaware of alternatives
- Existing bungalows still standing after 45 years, could make more environmentally friendly, add electric chargers, smart appliances etc.
- Long leases (21 years) recently sold
- Impact of strong winds and salt-laden environment on caravans, would require extensive maintenance
- No mention of waiting lists in Medmerry Park Limited and leaseholders meeting minutes (2019), instead significant revenue reduction from empty bungalows noted

Flood risk and drainage

- Flood report under-estimates the potential, defences are under sized, erosion of shingle bank should be taken into account
- Storm Ciara (Feb 2020) damaged the shingle bank, over washed with spray, land behind flooded
- Existing shingle bank unlikely to provide protection for short term, let alone 20 years. Already breached in the Reserve
- It appears that the proposed enhancements to flood defences will be inadequate and may actually re-distribute flood waters to residential properties in the locality
- Existing drainage problems will get worse with increased hard surfacing
- Proposed flood defences do not appear to take in to account the current review of south coast defences being commissioned by the Environment Agency
- High water table

- It is not at all clear that the proposed changes to the flood defences would be sufficient and that any risks to the local area have been sufficiently mitigated
- Destructive flooding experienced at Bracklesham Caravan & Boat Club in 2012, as well as the surrounding area, including the existing Medmerry Park. There are insufficient proposals in this application to deal with the extreme rainfall levels the area experiences annually.
- The proposed development will impact the surrounding area of land capable of absorbing high volumes of rainfall. This will result in greater volumes of surface water needing to go somewhere. The Earnley rife, would not be able to cope with any additional input, it does not have the capacity or ability to drain away water at a rate that will prevent flooding in the surrounding area.
- Bracklesham Caravan and Boat Park object to this development proceeding until the developers can show exactly what drainage infrastructure they intend to put in place to negate the risk of flooding in the future; not just to our caravan site, but to the surrounding areas of Bracklesham and Earnley
- The existing Medmerry Park is well within the coastline specified in the policy for managed realignment as is the entirety of the flood bunds proposed to protect. The (very costly) Medmerry managed retreat scheme would be significantly and adversely affected by the construction of new flood defences in an area it has been decided should no longer be defended. Pressure on future maintenance and extension as sea levels rise
- The whole of the south Coast continues to be affected by isostatic adjustment from the last ice ages, not to mention climate change.
- More appropriate for park defences to be progressed in combination with the community scheme, would minimise potential issues between the two
- The water table is very high and SUDs simply won't work. The changes to the drainage will affect the stilt ponds and may well detrimentally affect other surrounding areas.
- The site is almost entirely within tidal flood zone 3 (high risk), and the proposed use is considered to be "more vulnerable". The NPPF seeks to direct new development to areas of lowest flood risk. The EA is currently having to do emergency work to prevent the shingle bank immediately south of this site from breaching. A long term management plan for the bank has yet to be determined and there is no guarantee that a 'hold the line' position on this stretch of coast will be affordable or tenable. In these circumstances further expansion of a holiday camp so close to the open coast would be reckless and give a false sense of security to existing residents in the area.
- Displacement of water possibly compromising the safety of permanent residents nearby or nearby habitat areas.
- No further overnight development should be permitted until drainage is proven to be effective on the peninsula.
- Coastal erosion is a big issue

Landscape and visual impact, character, site amenity

- Area of natural beauty and unspoilt
- One of the last undeveloped pieces of the south coast between Brighton and Portsmouth
- Development threatens the wildlife and the tranquillity of the last remaining unspoilt and undeveloped area on the Peninsula
- Existing site relatively unobtrusive, proposed caravans will be an eyesore
- The Medmerry Holiday Park up until now has been a low key, low density site with wooden chalets with lots of green open space, very little tarmac or roadways, native hedges, and does not dominate the surrounding landscape
- The proposed development will be fundamentally damaging to the area on a landscape scale as the openness of the area will make it visible and add to the spread of Bracklesham
- The chalet / bungalows at MPHV are not obtrusive from the north and are concealed by trees and bushes. The new development would resemble Bunn Leisure at Selsey
- Combined impact of Medmerry Park expansion and Bunn Leisure will encircle Medmerry Reserve
- Urban sprawl, filling gap between Bracklesham and Medmerry
- The high density of caravans proposed will completely change the nature and character of the area as it has at Bunn Leisure
- Loss of fields and green habitat

- Over development and the destruction of one of the last remaining undeveloped areas on the South Coast
- Standardised units not adapted to sensitive coastal location
- Increased noise and disturbance
- Light pollution, impact on dark skies and rural character
- Increased environmental damage
- The new layout of the site shows little green space and very densely arranged accommodation. Where some areas have been left as 'green' space, these will intensively used as there is so little space between and around the caravans
- 3 of the proposed areas are currently fields which allows a buffer between the beach, the Medmerry Scheme and the holiday park.
- Impact on openness
- Development of the fields to the North of the existing site would negatively impact the surrounding natural beauty of the Medmerry Nature Reserve
- In winter this is an extremely windswept site which is buffeted by strong salt-laden winds, and as can be seen from the lack of trees and the lowness of hedges in the surrounding areas it will take a considerable time for new plantings to become established enough to provide any effective screening at all
- Layout does not suggest low density arrangement
- Existing chalets could be renovated
- Over two thirds of the site appears to require land raising, of up to 0.8m according to the plan (not 200-400mm which is all the accompanying text claims). This is not a minor change: it will increase the visibility of the accommodation sited on those areas significantly; with negative effects on the general outlook immediately next to a RSPB reserve and important bird migratory halt, the more important because others in the region are under threat.
- What would the prospect be if Phase 2 was not undertaken? Would Field A with its existing buildings be left to decay over time, unmaintained?
- The proposed encroachment into these border areas will destroy the character and tranquil ambience of this special area. Unsightly, urbanisation up to the edge of Medmerry nature reserve and the sea.
- Impact on dark skies area
- Would destroy one of the key places that makes the peninsular special.
- Simply too much in a sensitive area
- Visitors go there to experience special nature and ambience. Unspoilt tranquil area.

Biodiversity

- Unspoilt area of natural beauty and area of scientific interest
- Pools are major part of Medmerry sanctuary
- Local habitat seriously affected
- Increased biodiversity concerns
- Sensitive wildlife and habitats will be destroyed by such development and unlikely to return
- Disrupt the connectivity of habitats between the RSPB Medmerry site and the wider area not only during the build but permanently as a result of the development
- Medmerry Holiday Park is an important location for water voles, and they have been found in all the major ditches on the site. No reference to water voles in the Nov 2019 Environmental Statement. The water vole is an extremely key species for this area with a nationally important population and Medmerry being a key colony site for them from which genetic dispersal is key.
- Layout is very densely arranged with little green space, which would be intensively used. No wide green corridors, wide margins, connecting habitats. Significant habitat loss.
- Impact of works on ditches along access
- Noise and prolonged disruption remain major objections to the proposal given the site's closeness to the Medmerry Managed Realignment Scheme and the RSPB Medmerry Nature Reserve.
- Lack of information about works to Earnley Rife and associated impacts
- Detrimental to local wildlife on Medmerry Nature Reserve, rare species

- Dog walking would be statistically increased by some 60% leading to a major disturbance to wildlife at RSPB Medmerry
- Impact on wide variety of wildlife at Medmerry
- The proposed development areas are currently fields which current leaseholders of MPHV are not allowed to use to walk dogs etc. after October to allow nesting birds safety and security. Building on these fields will totally disrupt the nesting patterns and behaviours of the birds and other wildlife that are currently being protected.
- Environmental impact on the local wildlife would be considerable.
- The abolition of current dog walking fields would inevitably lead to the beach being used
- Field E is closed to everyone for two months each year for Brent goose to use as feeding habitat. Building chalets on this land will destroy this habitat.
- The church is a maternity roost for *Eptesicus serotinus* bats.
- Impact on Black Winged Stilts as well as Brent geese
- After heavy rains sewage has been discharged into the Harbour area on several occasions, highlighted in the recent Surfers Against Sewage 2020 Water Quality Report.
- Fencing and education packs unlikely to be effective
- The encroachment of the caravans nearer to the Stilt ponds will have a major effect on the thousands of birds that stop off on their migrations. The bird hide is no compensation

Access and transport

- Increased noise and disturbance from additional traffic and construction
- The increase in traffic on the lane would be completely unacceptable, especially in the high season
- No provision for additional safety measures to protect pedestrians and other road users
- Mitigation measures in the revised proposal to deal with the increased vehicle movements are wholly inadequate
- Impact on narrow lanes, Earnley Conservation Area and 13th century church
- Contrary to Council's commitment to reduce traffic through Earnley
- Disagree with WSCC conclusions on highway impacts, impacts will be considerable
- No concrete proposals to improve or augment sustainable travel to the site
- Roads leading to site extremely congested especially in summer
- Current road network designed for intermittent local rural traffic
- Traffic surveys should be carried out
- Roads are inadequate and deteriorating
- Poor public/green transport links
- Impact of construction including HGVs
- Pollution impacts from additional congestion, already an issue
- Mitigation measures in the revised proposal to deal with the increased vehicle movements are wholly inadequate. For example, paragraph 6.2.4 states that it is "very likely" that HGVs will have road-friendly suspension when passing Earnley Church; that the "relative" narrowness of Clappers Lane is an advantage as it forces HGVs to slow down.
- All access to the site has to be by car.
- Given the location and density of volume this proposal shows a significant risk for access by emergency vehicles
- Trunk road impacts, already severely congested, problem greatly exacerbated in summer months
- A traffic study should be carried out several times a year, including new developments
- Serious accidents locally in 2020 involving cyclists
- Earnley is a small rural village with no pavements or street lighting and it feels increasingly dangerous walking anywhere locally
- Insufficient improvement suggested for the vast increase in heavy traffic
- Impacts will be intolerable for Earnley residents

Policy

- Conflict with Local Plan policy
- This proposal would mean doubling the current 'brown field' site by encroaching on green fields and it does not meet any of the CDC local plan requirements policy 30 and 31.

- Earnley is proposed to have zero new dwellings, proposal would in practice represent an increase in permanent housing locally
- Conflict with designated countryside policy
- Negatives by far outweighing any benefits to the local area, due to the park's location, infrastructure and other issues

Sustainability

- Loss of fields and green habitat does not fit with Council's Climate Emergency and Green credentials
- Development is in unsustainable location
- No green credentials
- Zero recycling facilities on site
- The damage to the fragile environment would be catastrophic.

Community and amenity impacts

- No examples given of community benefits
- Lack of notification and consultation
- 10 years of disruption
- Privacy loss from pedestrians and traffic
- This will ruin what is a small community in a quintessential little hamlet with the nearest public transport approx. 1.5 miles away.
- This village would be destroyed as it does not have the infrastructure to support or suit the proposed development.
- Doctor Surgery is already oversubscribed, influx of holiday makers will not help the existing elderly population
- No privacy or security, not safe for children
- Significant negative and financial impact on the local community and environment
- Virtually no consideration has been made for outdoor recreational activity that can cater for potentially up to 2000 people based on family of 4 occupation. Existing large and varied facilities, proposed replacements are inadequate. Beach not suitable alternative.
- Programme shows 17 years of disturbance
- Lack of information on timetable for community facility redevelopment
- Proposed recreation fields on the southern edge would be exposed to the wind and cold air, informal space very close to nature reserve
- Reached a saturation point where the peninsula's infrastructure simply can't cope
- Lack of local accountability

Heritage

- Potential to damage the structure of a Grade 2* listed church
- Potential damage to the fabric of this historic building, its graveyard walls and graveyard which sit close to the road
- Serious vibrations or an accident could also result in slippage within the graveyard, including where there have been recent burials

Other matters

- Holiday camp use is entirely hypothetical, refers to different era and use
- Some units are occupied as permanent residences, increased enforcement concerns with more units (including as a result of Covid-19 but prior problem)
- Owners need to honour the lease without disruption or interruption
- Leaseholders not approached or involved pre-planning, no information on MPHV website
- Caravans have a shorter life than the current bungalow and would need regular updating
- Costs of new accommodation would be prohibitive to some occupants
- Existing site in poor condition, no confidence larger area would be better
- Bund should be built urgently to protect the existing park, not wait until additional lodges are built
- Coordination of current local development and construction projects
- Ancient sewage works not capable to service the development, drainage already struggling

- There are some clear benefits to the flood defence to the local area and to the commercial rationalisation of the site allowing it to thrive financially. The alternative is a steady dilapidation. However objections raised over lack of required detail and transparency
- Litter and associated pollution is already an issue
- Impact on amenity enjoyed by existing park leaseholders
- Change of character from quiet chalet park to large caravan site
- Impact on amenities of Marsh Farm Barn and its residents, especially due to expansion to west and south east of property
- Water supply pipe crosses application site
- Increased risk of injury, theft and damage to property
- Increased Covid risk
- Increased dog fouling on beach
- Water pressure on site already very low in peak summer
- Increased population with less space is not sustainable, particularly with infection risks
- Much of the additional material lacks a sound evidential and factual basis. The projected traffic figures lack credibility
- Unexploded ordnance risks. WWII defences never removed from the beach, hazards remain

3. Relevant Planning Policy

The principal policies and neighbourhood plans relevant to the consideration of this application are as follows:

Chichester Local Plan 2014-2029:

- Policy 1 Presumption in Favour of Sustainable Dev
- Policy 3 The Economy and Employment Provision
- Policy 8 Transport and Accessibility
- Policy 9 Development and Infrastructure
- Policy 22 Integrated Cstl Zone Mgt for Manhood Pen
- Policy 30 Built Tourist and Leisure Development
- Policy 31 Caravan and Camping Sites
- Policy 39 Transport, Accessibility and Parking
- Policy 40 Carbon Reduction Policy
- Policy 42 Flood Risk
- Policy 44 Development around the Coast
- Policy 45 Development in the Countryside
- Policy 46 Alt, COU and/or Re-use of Extg Bldings in the Countryside
- Policy 47 Heritage
- Policy 48 Natural Environment
- Policy 49 Biodiversity
- Policy 50 Dev and Dist of Birds in CC and Lgst Hbr
- Policy 51 Dev and Dist of Birds in Pagham Hbr
- Policy 52 Green Infrastructure

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 Earnley at this time.

Emerging policy

Chichester Local Plan Review Preferred Approach 2016 - 2035 (December 2018)

Chichester District Council adopted the Chichester Local Plan: Key Policies 2014- 2029 on 14 July 2015. The Council is currently reviewing and updating its Local Plan as required by Regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012, to provide up to date planning policies which are consistent with the National Planning Policy Framework (NPPF) 2019. The

Council consulted on the Local Plan Review 2016-2035 Preferred Approach (LPR) document between December 2018 and February 2019 under Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012. Following consideration of all responses to the consultation period, the Council anticipates that the Submission Local Plan will be published for consultation under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 in Spring 2021, and that following this the Plan will be submitted to the Secretary of State for Independent Examination. It is currently anticipated that after following all necessary procedures the new Local Plan will be adopted during 2022.

National Planning Policy Framework

Government planning policy now comprises the revised National Planning Policy Framework (NPPF 2019), which took effect from 19 February 2019. Paragraph 11 of the revised Framework states that plans and decisions should apply a presumption in favour of sustainable development, and for decision-taking this means:

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

Consideration should also be given to the following sections: Sections 2 (achieving sustainable development), 4 (decision-making), 6 (strong competitive economy), 9 (sustainable transport), 14 (climate change, flooding), 15 (natural environment), 16 (heritage)

The NPPF is supported by Planning Practice Guidance. Relevant paragraphs from the following principal sections have been taken into account, in addition to procedural advice: 4 (Environmental Impact Assessment), 6 (Climate change), 7 (Flood risk (including sequential and exception tests)), 8 (Natural environment), 18a (Historic environment), 21a (Use of planning conditions), 23b (Planning obligations), 31 (Light pollution), 34 (Water supply, waste water and water quality), 42 (Travel Plans, Transport Assessments and Statements), 65 (Appropriate Assessment)

Other Local Policy and Guidance

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

Surface Water and Foul Drainage SPD
Planning Obligations and Affordable Housing SPD

Other material policy considerations including supporting evidence documents are referred to by consultees and in the assessment below.

4. Planning Considerations

The main issues arising from this proposal are:

- i. Principle including tourism need
- ii. Flood risk
- iii. Ecology
- iv. Landscape and Visual
- v. Access and Transport
- vi. Heritage

- vii. Sustainability
- viii. Foul drainage
- ix. Replacement buildings - outline

i. Principle

The application seeks to provide an enhanced and expanded tourist facility in a desirable coastal location. The visitor economy is a significant employment sector in Chichester District, particularly in the City and Manhood Peninsula areas. The Local Plan (through its vision, objectives and policies) recognises the value of tourism to the economy and seeks to encourage longer stays in the district and extending the tourist season. The coast and its natural habitats are a strong attraction for visitors and this brings economic, health and wellbeing benefits. The Economic Development Officer's comments provide further details on the economic factors and the applicant sets out their analysis across various submitted documents. CLP Policy 3 supports and promotes a high quality tourism economy, policies 30 and 31 set out the detailed criteria. Emerging policies S8 and DM13 and 14 continue this approach. The principle of improving the quality of tourism accommodation is strongly supported in local policy. This is underpinned by strong support for economic growth in the NPPF, particularly section 6.

There are two key considerations for the provision of tourist accommodation in principle: need and impact. Demonstrating the need for the particular quantum and type of accommodation is a local policy requirement. Consideration of the impact is relevant to both local and national policy. In general terms, paragraph 83 (c) of the NPPF encourages the enabling of "sustainable rural tourism and leisure developments which respect the character of the countryside". Matters of recreational pressure, tranquillity, character and amenity are key considerations in the Chichester Local Plan for rural sites. Additional site specific constraints for the application site include flood risk and drainage, ecology, heritage and transport impacts. These will be dealt with section by section below.

Tourism need

Evidencing that the proposal would meet a demonstrable need is a key requirement of CLP policy 31, which applies to chalets, cabins and static caravans. Demonstrating need is necessary for all static caravan and chalet sites, to show the proposal would not lead to significant excess of supply over demand (para 16.31). Applications for intensification/alteration of existing sites "should provide evidence of high demand" (para 16.34/Appendix E). E.7 expects regard to be had to qualitative and quantitative analysis of existing facilities, demonstration of "high demand" on existing sites and "justification" for new sites. The requirement to meet a demonstrable need is continued in the emerging Local Plan (DM14, App C).

The proposal has two elements, the alternative provision of the existing number of units (308no.) and subsequently, the expansion of the park by a further 210 units. The existing provision comprises of bungalows on long leases arranged in blocks, many of which date from the 1970s. Their use is restricted by condition to holiday only. The proposal is for individual static caravans or lodges arranged in a more contemporary manner which, unlike the existing site, would be licensable as a tourism facility.

It is clear that the existing accommodation requires upgrading to meet the expectations of consumers in the 21st century and the trend is for a "home from home" arrangement of individual units with some communal leisure facilities, rather than a diversified holiday camp format. This is supported in principle, however this change of provision and the scale of development proposed means that it is necessary for the applicant to make a robust case for the need for the total of 518 static/lodge accommodation units in tourism terms.

The applicant has submitted various documents that seek to address this issue, including an appraisal of existing holiday park sites and tourism need and economic impact assessment

(original submission Nov 19) and a supplementary report (Nov 2020). While there is some evidence to suggest there is a market for higher quality accommodation in a coastal location, and the latest trends (influenced more recently by Brexit and Covid-19) identify increased interest in UK self-catered holidays, the quantum of development appears to be primarily driven not by evidence of need and demand but by finance and the amount of available land. While it is clear from the evidence that individual caravans and lodges would likely be more appealing to the current market than the existing clustered bungalow arrangement, officers are unconvinced that the total number of units and the lodge/static split has been designed to meet a particular outstanding need for this amount of accommodation in this area, at this time.

The applicant relies primarily on existing bungalow occupancy (newer leases expire up to 2038, others have already been held for around 20 years) to predict high demand for the alternative accommodation in a different configuration. This may be the case however it was expected that an established holiday park would submit some evidence of specific market research, survey results, waiting lists, enquiry statistics or similar specific to the site and local area to show confidence that there is current market demand for at least 518 lodges/statics here, in addition to the supply available in other similar facilities nearby. It is important that additional provision on one site does not undermine another but should complement it. Third party comments received refer positively to an existing programme of refurbishment, and the particular qualities that make this site attractive other others in the local area that provide the more standard caravan/lodge accommodation. Diversity of the tourism offer is material to the assessment of need, as holiday makers have different expectations and budgets to be catered for.

The Nov 2020 update includes some data from web enquiries at the site, and generic data for caravan accommodation and pitch vacancy rates. While instructive that there is demand per se for the proposed product type, this is not considered to be sufficient to justify the scale of development proposed. The interest needs to be quantified to explain and directly justify the numbers proposed. What has been submitted falls short of the LPA's expectations under LP policy. To be clear the dispute is not with the need to improve the quality of accommodation generally (this is agreed and would be beneficial, particularly where this would reduce flood risk) but due to the lack of sufficient justification that there is high demand and need for the extra 210 units in combination with the alternative 308 units, to total 518 holiday caravans and lodges at Medmerry Park.

The uncharacteristically long phasing programme exacerbates these concerns. Firstly, the phase 2 expansion has been clarified to be independent from the phase 1 redevelopment. It is accepted this threshold is influenced by the flood risk issues, but this is not considered to be determinative in terms of need and associated provision. The assessment to date has identified that phase 1 could be flood resilient for around 50 years; the requirement to build the bund is only engaged at the point the Park would expand. Secondly, phase 2 is currently programmed to commence approximately a decade from now, and confirmed to commence only if commercial conditions (including need) at the time justifies the expansion. This will be influenced significantly by the cost of the associated works that engage once more than 308 units are provided on site; it is not known at what number the scheme would become viable from this point. These matters are considered to undermine the case made by the applicant of the actual local tourism need for expansion to the extent proposed. For an application for significant tourist expansion to be acceptable under current policy the LPA needs to be confident that there is sufficient tourism need now and would continue for the near future. The continued uncertainty against the policy requirements suggests phase 2 ought to be considered separately at a future date, and only once sufficient need for the duration is able to be demonstrated.

The importance of this matter is intensified on this site as a result of the highly sensitive environmental considerations that apply. This will be discussed in detail below and is of particular relevance to the planning balance.

Officers disagree that the fallback position would be a holiday camp style offer, as there is no evidence to suggest this would be attractive to the market and clearly the site has evolved away

from this model in use terms while continuing to use the older layout. Indeed the applicant (in the PDAS) sets out many reasons why this would not be viable or appropriate. In more realistic terms, the fallback would be in the short term the continuation of the site as existing, potentially with more shorter term lets, and in the medium term once existing leases expired, the replacement of existing permanent accommodation with new mobile/pre-fabricated units and associated site improvements. Given the separation of phases 1 and 2 there is no reason to expect that site improvements without expansion could not be a reasonable approach in the short to medium term. As identified below there are fundamental issues with full scale expansion however there is considered to be some scope to make use (potentially on a temporary basis if not permanent) of the least environmentally sensitive areas of land outside the existing developed area, to facilitate site upgrade works and associated re-use of the existing core area (Field A).

To conclude on this issue, the principle of upgrading existing accommodation and providing additional tourist accommodation is supported, however there is insufficient quantitative evidence to directly justify the expansion to the extent of 210 units, and for the total provision of 518 holiday caravans and lodges at this site. The proposal therefore fails to meet the first requirement of CLP policy 31.

ii. Flood Risk

The site is predominantly located within Flood Zones 2 and 3 as existing, and identified as vulnerable to increased flood risk as a result of climate change. The majority of the site is at >1/200 tidal risk by 2070 (equivalent to flood zone 3) and the remainder and surrounding land at the highest risk by 2115. Flood risk is therefore a critical issue for this site and proposal.

The PPG identifies that holiday caravan accommodation is within the "more vulnerable" category. The characteristics of the site are closer to that of a permanent development (highly vulnerable) than a transient touring-type holiday site however although the existing accommodation includes permanent buildings, occupancy without an alternative place of permanent residence is prohibited by condition. The proposed development comprises caravan and lodge structures and a stricter 10 month season with full closure instead of restricting only overnight stays in January and February. Consultees confirm that the "more vulnerable" category is appropriate.

There are two key phases of this project. Phase 1 is effectively the relocation of existing accommodation into areas of lower flood risk. This is a sequential approach on site which uses the higher areas of land to reduce the flood risks experienced by Park users on this established holiday site (see below for sequential test analysis). This "betterment" is supported by the LPA and its flood risk consultees in principle. The betterment is considered sufficient to reduce risk as a stand-alone project, for the lifetime of holiday caravan accommodation (considered to be 50 years) and the details take climate change into account. Taking advice of the relevant consultees, it is considered appropriate to secure final details by condition (some information on levels etc. has been provided in order to agree the principle and some parameters) and the site would continue to be subject to critical conditions restricting occupancy and a comprehensive flood warning and evacuation plan with an inbuilt monitoring and review process. This aspect of the proposal is considered to meet planning policy flood risk requirements set out in CLP policy 42 and NPPF section 14, supported by the PPG.

The more critical part of the assessment primarily relates to Phase 2 (expansion) as this element would increase the number of people "at risk". The principle of additional caravan and lodge development in flood zone 3 (as existing or as a result of climate change) depends on the outcome of a sequential and exception test process (NPPF para 158) and would only then be acceptable subject to a specific flood warning and evacuation plan. The initial ST and ET undertaken by the LPA (info up to June 2020 - outcome = fail) was revised following receipt of further information dated November 2020 (including Supplementary Planning Report Flood Risk v2 9 Nov 20). The ST and ET have been undertaken in accordance with the requirements of the NPPF and advice in the PPG.

Sequential Test

1. Alternative sites. Officers are satisfied that, having considered the existing use of the site and other locations, that there are no reasonably available sequentially preferable sites for the expansion of the existing tourism offer at Medmerry Park in flood risk terms. Due to shared facilities it would not be practical to split the site. The existing provision carries significant weight in the sequential test process. There are concerns (see Need section above) about whether there is an outstanding need for 210 additional caravans and lodges. All available alternatives for increased tourist provision with similar characteristics to this site appear to also be in areas of flood risk. On balance therefore it is agreed that there are no sequentially preferable sites in flood risk terms.

2. On-site sequential process. The proposals prioritise use of the least vulnerable land in the first instance and subsequently would reduce flood risk prior to development of the remaining elements.

Result: The proposal passes the Sequential Test.

Exception Test

1. Wider sustainability benefits to the community that outweigh flood risk. Opportunities to reduce flood risk overall taken.

This element relates to phase 2, as this would introduce more people (more units) into an area of flood risk vulnerability. Testing the proposal against relevant LP Sustainability Appraisal criteria and relevant LP policies there are some concerns, some positives and some queries.

The main positives submitted by the applicant are the economic benefits of expanded tourism provision and minimising flood risk to the site over the longer term (with the bund, at least to 2115). However the extent of the economic benefits is questioned as identified above. Some of the need position raised by the applicant is currently unsubstantiated in the view of the LPA. Unless the need is robustly evidenced, additional provision here could reduce benefits provided by alternative sites. Employment numbers would increase but remain relatively low compared to existing arrangements. On-site facilities and access difficulties limit the opportunities for local businesses to benefit from additional tourist activity. Local construction economic benefits would be limited to the engineering works aspects.

There are opportunities (although nothing confirmed) to contribute to reducing flood risk to existing communities that are already highly vulnerable, through extending the proposed bund at a future date. This could be a significant benefit. The EA and CDC Coastal and Drainage Engineer are satisfied that, although at present there is no scheme proposed, this development would in no way impede any chances of a future scheme coming forward. Any scheme to protect existing dwellings in the future will also need to consider the Medmerry stretch carefully, with holiday caravan development being considered differently to permanent accommodation.

The EA has considered the proposal in detail and is satisfied that the flood risk to existing communities would not be exacerbated by the development. Yet, the degree of actual flood risk benefit (if at all) has not been identified or secured at this stage. It appears that the benefit comes about from the opportunity to make use of the proposed Park bund (in part) to potentially make a community defence scheme more viable. This would be beneficial of course, although again is timing dependent as it is possible that due to defence costs the applicant may delay an expansion and associated works in order to benefit from defences that form part of a community programme that may pre-date the Park's expansion. In that case the Park bund may well not proceed as currently proposed or the defences would require re-design and further testing at that stage. In any event the Drainage Engineer has identified that Park defences in some form would likely be required for long-term protection.

When the application seeks the quantum of 518 units, the LPA has to be confident that the planning merits of that many units and associated works would be or could be made acceptable at the time of decision, notwithstanding any phasing proposals. In an environment so influenced by natural processes and with so many potential future deviations, it is very difficult to be confident in the outcome and therefore the type and extent of benefits that may result.

Weighing against the benefits is the harm identified below to European Habitats and species for which appropriate mitigation and compensation has not been possible to secure, and the landscape and visual impact of the significant expansion and associated activity. These are negatives of substantial weight. Additionally, it is considered that at this time, sufficient opportunities have not been taken to contribute to improving the important network of public access routes in the locality or to achieve sufficiently high standards on site for minimising resource use and maximising environmentally sensitive development and activity (particularly so given the long build programme and Climate Emergency status). Many of the benefits for surface water drainage and opportunities for ecological enhancement, and reducing the flood risk on site, do fall within the remit of phase 1 or reasonably could do so (i.e. works to upgrade the Park Rife, ecological enhancement to the south of the site, additional planting). Furthermore, there remains some uncertainty about the implementation of phase 2, without which (or if there is notable delay to the programme) the associated benefits would either not come forward at all or could be reduced.

2. Development safe for its lifetime, without increasing flood risk elsewhere and, where possible, reduce flood risk overall.

Various measures are proposed to meet the safe for lifetime requirement, including physical defences, site drainage works, raised ground and floor levels, warning systems, holiday occupancy only and a closure period over Jan-Feb (more details below). The EA and Drainage engineers are satisfied with the proposals and that management and maintenance details can be secured by condition and therefore would be acceptable. The consultees are also satisfied as far as they can be at this stage that the proposal would not increase flood risk elsewhere and the proposals would reduce the flood risk on site (further assessment below).

The reduction of flood risk overall is in part dependent on the matters raised under part 1 above. There is a material difference between not making an existing situation worse and securing meaningful improvements for reduction of risk, in relation to off-site impacts. This proposal currently appears to fall into the first category.

Result: Due to substantial concerns on the matters of ecology and landscape impact, and economic and implementation queries, officers are not sufficiently confident that the proposal passes part 1 of the exception test on wider sustainability benefits. Furthermore, there is uncertainty over whether the scheme would reduce flood risk overall (off-site). Consequently, the proposal fails the exception test.

Flood risk and water management

Tidal flood risk

There are a number of critical elements proposed to reduce flood risk and make the site more flood resilient. In phase 1, this involves increasing ground levels up to 0.8m in places, ensuring finished floor levels are above the 2115 levels including climate change, and securing a robust flood warning and evacuation strategy (FWES). The Emergency Planning Officer is satisfied with the FWES, which would need to be kept under regular review and updated, in response to changing predictions, on-site events and to ensure it is reliable during the phased construction works. Clear conditions restricting occupancy to 10 months and holiday only are fundamental to this strategy. It is recognised that phase 1 could proceed independently in flood risk terms due to the betterment approach; it does not rely on the bund in the short to medium term.

The bund is an integral part of the long term strategy to reduce flood risk from tidal sources. Extensive negotiations took place during the pre-application and application assessment stages with the Environment Agency. This included a detailed review of the evidence, data inputs and modelling outcomes and resulted in a series of changes and additional information submitted for formal assessment and consultation. The bund details were refined to the extent that the EA can be satisfied with the principle and provisional details, and the LPA were able to make a decision given that the bund forms part of the detailed element of the planning application. However, the final details would still be subject to further detailed review and updated modelling prior to construction (in approximately 8 years' time). Implementation may well by this stage be dependent on a community scheme. A robust and reliable strategy for the construction, management and maintenance of this bund and the associated drainage is a critical part of this in principle acceptance. The EA has recommended a condition. The LPA suggest that obligations may be appropriate in this case due to the severity of the implications of inadequate action and the necessity for the management and maintenance to be in place and regularly reviewed in perpetuity.

Putting aside the issues with the Exception Test, the application has reached the stage whereby the tidal flood risk impacts on site themselves, have been made acceptable (subject to conditions and obligations) under the terms of LP policy 42 and the associated SPD, NPPF and PPG sections. The implications of this solution on other considerations are considered in more detail below.

Surface water flood risk

The site is at risk of fluvial flooding from the Earnley Rife and Park Rife in addition to coastal flooding. The site also has high groundwater risk as identified by WSCC.

The proposal includes works to both rifes and other on-site works to create a more natural environment for fluvial flows. As set out in the May 2020 Flood Risk appendix, the provisional design for the Park Rife would include minimising the extent of culverts, widening channels, and creating ponds and flood storage areas. Where culverts are required (i.e. under access routes and through the bund), these are 'oversized' and/or 'daylighted'. Measures are proposed within the Park Rife system to avoid water backflow from the Earnley Rife, or any tidal sources in the event of inundation. In principle measures such as these are acceptable, with the details capable of being secured by condition. An appropriate climate change allowance would be required. The more natural approach would likely bring benefits in terms of infiltration (where possible with high groundwater), evaporation and would provide habitat enhancement, in addition to creating a pleasant green and blue infrastructure environment for park users. Contamination/pollution control measures can and should also be incorporated into the final designs. A coordinated approach would be required for the watercourses with ecological advice, especially in relation to water voles on which the EA has recommended specific conditions. Conditions and obligations can also be used to secure suitable site-specific management and maintenance arrangements, obligations on maintenance and management are preferred due to the long implementation programme and the critical nature of the drainage in this location. The details for the Earnley Rife works are not currently provided, as they would be dependent in part on the final details of the bund (EA recommended condition for bund details) as the two would interact.

The surface and groundwater aspects of the proposal are considered to be acceptable and in compliance with relevant requirements set out in CLP policy 42, the Surface Water and Foul Drainage SPD and section 14 of the NPPF.

Coastal strategy

With reference to policies 22 and 44, the site falls within remit of the Pagham to East Head Coastal Defence Strategy and the North Solent Shoreline Management Plan (2010). The latter advises a

position of "Hold the Line" for the Bracklesham frontage (Unit 5a02) and "Managed Re-alignment" along the shoreline including the more recently constructed Reserve and the land in front of Medmerry Park (5a01). Medmerry Park is currently protected from tidal inundation by the shingle bank along the beach frontage. This bank, along with the groynes along the beach, are showing signs of deterioration and regularly breaches. Third party comments refer to tidal flooding in 2020 and a more significant event in 2012. The Defence strategy, Management Plan and both the EA's and applicant's modelling takes future overtopping risks and rollback into account by predicting risks as if the bank is no longer in place. This approach is supported by the Council's Drainage Engineer.

The applicant submits that the new bund developed as part of the Park expansion, set back from the existing bank and Rife, could form part of a longer term defence strategy which would reduce flood risk vulnerability for Bracklesham as well as its primary purpose to protect the holiday park. This is one potential option (an alternative suggestion at pre-app involved a wetland area using Field E where caravans are now proposed). For the most part Phase 1 would result in a notable roll back of accommodation within the core of the site. The position of the bund for phase 2 would allow some additional space for managed realignment in place of the existing shingle bank if required.

The Council's Senior Drainage Engineer has identified that caravans and mobile homes have to be flood resilient or protected in any event, as they count differently to permanent accommodation when considering government funded coastal defence schemes. This supports the applicant's case that it is important to protect the site in the first instance. The position that the Medmerry Park defences could contribute to wider protection is also recognised by the engineer and the EA although this is an indication of one potential option at this stage only. The EA is satisfied that the defences proposed to protect the park would not put the existing community at increased risk.

Occupancy limitations

The EA is firm in its recommendation that it would be necessary to restrict occupancy over winter in light of flood risk vulnerability, notwithstanding the proposals to reduce risk, as there would still be residual risk. Currently the Park is closed for overnight occupancy between 6 January and 1 March. The latest proposals would involve full closure during this time. This would be in addition to the stipulation that the site was used for holiday purposes only, with occupants providing a permanent address to the Park operator/management company. These restrictions would be secured by condition and are essential to comply with part 2 of the Exception Test. The Emergency Planning Officer is satisfied, on the basis that the Flood Warning and Evacuation Strategy (Nov 19) is implemented and exercised. Compliance with this and appropriate review and updates can be conditioned.

To conclude on the matter of flood risk and associated considerations, the proposal complies sufficiently with the relevant coastal strategies and management plans, and the proposed surface water drainage strategy is considered acceptable in principle (details subject to condition). However due to the fundamental issues raised on other aspects, the proposal does not comply with all the necessary criteria under CLP policy 44 (development around the coast) or 42 (flood risk and water management) or section 14 of the NPPF.

iii. Ecology

European Habitats and species

The site is located immediately adjacent to the Medmerry Reserve, and its associated stilt pools, a compensatory SAC habitat (NPPF 176) and functionally linked SPA habitat, and the Bracklesham Bay SSSI (NPPF 175 (b)) which was identified as in 'unfavourable - recovering' condition at its last review (2012). The site itself has been identified to include land used by Brent Geese, therefore is functionally linked to the Chichester and Langstone Harbour and Pagham Harbour SPAs and

Ramsar sites. The site falls within the Zone of Influence of both the Chichester and Langstone Harbours and Pagham Harbours SPA and Ramsar sites. The proposed development has been assessed twice under the Conservation of Habitats and Species Regulations 2017 (Habitat Regulations) which has concluded that the project would have an Adverse Effect on the Integrity of Habitats sites, even with mitigation.

The significant negative ecological impacts would occur across both phases, with the loss of Field E to holiday use in phase 1 followed by the expansion into Field D and the intensification of activity and recreational pressures generated by the significantly increased population as a result of phase 2.

There are a number of key related European ecological sensitivities affecting this site. For clarity, for impacts on Medmerry Reserve and functionally linked land the LPA are considering the species (birds) under the Pagham/Chichester and Langstone SPA/Ramsar qualifying species criteria. In terms of habitat itself, the Solent Maritime SAC specifications are used due to the Reserve and associated land being functionally linked to the harbours in terms of species but not the habitat itself. The Reserve has been designed to compensate for the Solent SAC losses and impacts and doesn't yet have its own separate designation and qualifying criteria.

The separate HRA Appropriate Assessment (most recent Jan 2021) sets out the details. A summary of the key sensitivities, mitigation proposals and concerns is included below. The advice of Natural England, the Council's Environmental Co-Ordinator and the RSPB has been key in assessing these impacts.

1. Loss of Brent Geese functional habitat (Field E). This is proposed to be replaced by alternative habitat Field I all year and Fields F and G in winter months. This would be monitored and actions taken under the auspices of an adaptive management plan, with a backup arrangement (S106) of payment (proportional to activity) to the Solent Waders and Brent Geese Strategy (SWBGS) for off-site mitigation. Concerns:

(i) Considerable uncertainty exists about the extent of mitigation required, due to the very limited survey data available

(ii) Doubts about the suitability of Field I as Brent goose habitat have been raised by the RSPB and the Sussex Ornithological Society, principally its size / openness and its more exposed coastal location compared to Field E

(iii) The site in Field I is also at the bottom end of the range of sizes of site likely to be required as mitigation so the mitigation there cannot be regarded as a precautionary amount.

(iv) The use of Fields F and G in addition. These fields are also proposed as recreational disturbance mitigation - a use which may conflict with their use as goose grazing / roosting

(v) The fields will be closed in January and February (when the whole site is shut), but this is only part of the over-wintering season.

(vi) The location and details of any off-site mitigation site are not known at this stage, so the effectiveness of a payment (although informed by the SWBGS methodology) is uncertain. In addition Natural England has advised (22/12/20) that the current adaptive management strategy "does not contain clear triggers for action", and that a specific local project needs to be identified and linked to this payment in order to give the certainty required by case law on the Habitats Regulations.

2. Recreational disturbance on the Pagham Harbour SPA, Medmerry Reserve and functionally linked habitats and species including the highly sensitive beach frontage and Stilt Pools. The proposed mitigation includes payments under Policy 51, site management including use of/closure of identified fields, funding for beach access protection and educational resources.

(i) Payment to the adopted Joint Scheme of Mitigation (Pagham Harbour) with its generalised education and warden approach will mitigate to an extent, but the scheme was not designed to mitigate such proximal impacts where daily use of the Reserve is highly likely

(ii) The effectiveness of use of Fields F and G has to be offset against the loss of current access / recreational land around the site as this is developed, combined with the increased population generated by the site expansion

(iii) Dual use of Fields F and G and the closure of these fields for wildlife in Nov-Feb, with the lack of alternative on-site recreational opportunities, will likely increase pressures on sensitive land and bird activity off-site during the most critical period.

(iv) The use and suitability of the beach access management payment has not been agreed with the RSPB and its suitability for the provision of mitigation over the lifetime of the development is uncertain

(v) The programme of payments and level of charge under the SPD has not been agreed, with the applicant seeking year by year agreement to amounts and the LPA seeking the full 10/12ths due to proximity and likely impacts. The LPA's position is that the full sum (10/12ths) is justified bearing in mind the site would be easily accessible for 10 months, accommodation standards including energy efficiency would be improved (making the site more attractive off-season) and alternative recreation options are limited, especially during the winter when Fields F and G would be closed. There is the need for certainty that the payments would be front loaded for mitigation to be in place prior to disturbance. Any reduced sum would need to be based on longer term trends to provide sufficient certainty, and only then if enough robust evidence was available to establish a reliable pattern of occupancy would the LPA consider the possibility of a reduction. This payment would engage at 309+ units, which could be 10 years away. This also raises issues over setting an appropriate sum in the first instance.

The LPA has therefore concluded that with mitigation, the plan or project would have an Adverse Effect on the Integrity of the European protected sites and therefore the development should be refused under Regulation 63 of the Conservation of Habitats and Species Regulations 2017. NPPF para 177 confirms that in this circumstance the presumption in favour of sustainable development does not apply. Significant harm to biodiversity cannot be avoided or adequately mitigated, therefore the proposal fails to meet the requirements under regulation 63 of the Conservation of Habitats and Species Regulations 2017, policies 49, 50, 51 and 52 of the Chichester Local Plan: Key Policies 2014-2029 and paragraphs 175 and 177 of the National Planning Policy Framework. The proposal does not meet the requirement of 'imperative reasons of overriding public interest' under Regulation 64 of the Conservation of Habitats and Species Regulations 2017.

The above issues are also pertinent to the considerations of the impact of the proposal on the Bracklesham Bay SSSI, which intersects with the southern end of the site directly, and would be indirectly affected by the development being in very close proximity. The SSSI was last assessed to be in an unfavourable condition, albeit recovering (2012). The rough unimproved grassland is identified as of particular importance to bird populations, along with the shingle banks, reed beds, ditches and intertidal habitats. This nationally protected habitat site would likely be adversely affected by the proposed expansion and associated activity, which includes the provision of a bund across the Earnley Rife, works to the rife, more intensive activity on and around the SSSI area, and a greater degree of management of immediately adjacent land to facilitate recreation. NPPF paragraph 175 (b) applies. Some enhancement is proposed, however it is considered that the benefits in this case do not "clearly outweigh" the harm.

Protected species and habitats

Surveys have identified the site is host to various protected species and habitats - bats, reptiles, badgers, water voles and nesting birds - with associated hedgerows. The ES didn't go far enough on these matters. The Supplementary Information on Ecology and Nature (May 2020) includes outline mitigation strategies for all of the above (Appendix C).

Water voles have been identified as a key species on this site, due to the ditch network. Construction and land raising/movement proposed as part of this development could have an unacceptable effect on the ecological value of the linear waterbodies (ditches/rifes) at this site. These provide habitat for a wide range of biodiversity including protected species, as well as a

wildlife corridor to adjacent habitat. The EA has additionally reviewed the proposals in this regard. The applicant has provided detailed proposals regarding future surveys, protection measures and mitigation to reduce impacts to water voles on site. Generally the LPA require surveys and mitigation to be agreed prior to determination for protected species however, given the staggered approach to development dependent on economics, and also the long time frames involved for the various construction elements these documents will require updating over time. In order to meet requirements under the Wildlife and Countryside Act and planning policies, the EA has therefore recommended a condition to secure these details, without which they would object to the proposal because it cannot be guaranteed that the development will not result in significant harm to water voles and their habitat.

For bats, the proposed mitigation is considered to be suitable. It includes the requirement to undertake further pre-development surveys and updates to the mitigation made accordingly. This would be undertaken prior to any works, then again before works commence on the communal buildings in Field A. Retained hedgerows are to be protected during works, and site lighting would need to be controlled and managed to minimise interference. No new lighting is proposed along Earnley Rife

For reptiles, Field F is proposed as a translocation site. It is proposed that these habitats would be managed as part of the LEMP. Updated badger surveys would be required prior to works commencing (one year) due to the potential for badgers to use the site. Avoiding vegetation clearance and works to the exterior of buildings within the nesting and breeding seasons forms the core of the mitigation strategy for nesting birds.

The proposal would result in the loss of approximately 360m of hedgerow within the north east and west of Field A and north west of Field D. Hedgerows on site are important for wildlife connectivity and are identified for protection within the mitigation strategies for particular species including bats. A long development programme is also planned. It is therefore critical that should permission be granted, new planting is scheduled to be installed at the earliest possible opportunity, well in advance of the loss of the identified hedges (part of phase 2) to allow the new areas to establish as much as possible to retain connectivity and ecological value. The documents also identify a strategy for the management of invasive species following the discovery on site of Japanese Knotweed which is considered acceptable.

Biodiversity enhancement is a key consideration of local and national policy. While opinion varies over the extent of biodiversity gain for protected species and habitats on site (beyond required mitigation), the redevelopment would deliver a range of opportunities to enhance the ecological value of this site and associated habitats and connectivity. The May 20 report indicates 25%-40% gain overall. The EA has suggested a condition to secure a detailed Landscape and Ecological Management Plan including management and maintenance responsibilities and schedules to this aim. Some aspects feature in the ES and supplementary Ecology and Nature documents.

These matters are capable of being conditioned. On the matter of protected species and habitats, the proposal is considered to comply with CLP policy 49 and paragraphs 170-175 of the NPPF.

iv. Landscape and visual impacts

The site is located within a stretch of relatively undeveloped coastline, an unusual feature in the district and wider area as recognised in the National Character Assessment (NCA 126 South Coast Plain) and consultation responses. The western part of the site falls within the Almodington-Bracklesham Coastal Plan, area 143 (sub area LCA SC1) of the Landscape Capacity Study (2019). This recent study identifies many of the key sensitivities recorded by prior studies as recognised in the ES, including the West Sussex Landscape Management Guidelines (2006) which pre-date the Medmerry Realignment.

There is a strong sense of openness and exposure, with panoramic views across the countryside to the coastal grasslands, foreshore and seascape beyond. It is a dynamic environment, with constantly changing weather, light and tidal conditions. During winter time especially, on the beach frontage and around the Reserve the noise of the sea, the wildlife and the wind dominate. Vegetation is typically scant and low growing, with areas of wind sculpted scrub and some trees. It is an area of high ecological and landscape importance. There are deep drainage ditches and tidal lagoons, and areas of natural grassland. The shingle beach and bank are showing signs of deterioration. Near the coast in particular, there is a marked contrast between this zone and the urban area of Bracklesham/Wittering adjacent; the relative lack of development and activity beyond the harsh urban edge, and the dominance of the natural environment are important features in this regard.

Policy 48 sets a high bar, requiring "no adverse impact on the openness of the views in and around the coast, designated environmental areas...the tranquil and rural character of the area" Furthermore, "the individual identity of settlements, actual or perceived, is maintained and the integrity of predominantly open and undeveloped land between settlements is not undermined". This is supported by the recommendations in the LCA for this land parcel. Para 170 of the NPPF states decisions "should contribute to and enhance the natural and local environment by maintaining the character of the undeveloped coast".

Policy 44 expects "the development provides recreational opportunities that do not adversely affect the character, environment and appearance of the coast" (criterion 2) and "there are measures for mitigation of any detrimental effects including where appropriate the improvement of existing landscapes relating to the proposal" (criterion 4). The Medmerry Realignment is identified as a key aspect of Green Infrastructure in Policy 52, which sets a number of relevant criteria to this assessment.

The existing Park is relatively discrete from the north behind an uncharacteristic evergreen and mixed species boundary, with the site only becoming apparent close to the white gated entrance. For the most part from the north it currently sits modestly within a landscape where the eye is instead drawn to the abrupt contrast between the exposed urban edge of Bracklesham and the open expanse of the natural coastal plain. From the east and south however, the irregular cluster of bungalows and the barns and containers to the east are prominent and visually invasive. For the most part, there is little or no natural screening. The white/cream/blue/beige structures with black and grey angled roofs, and the substantial bulky leisure buildings in particular increase the presence of the site and its associated activity. There is a sense of conflict between built and natural that is exacerbated by the experience of the site from elevated viewpoints along the Medmerry Realignment bund to the east and the shingle bank to the south. The lack of separation to the Stilt Pools means that the Park accommodation dominates and detracts from the setting of this important natural feature and habitat area. The wildness of the grasslands between the beach and the rife provide a buffer to some extent. It is these open green areas and the views they create that are characteristic of the area and the LCA identifies their importance in the recommendations. They also have significant ecological value as identified above.

The key issues and concerns relating to the landscape and visual impact of the proposal are as follows:

- The scale of the proposal, including the spread of structures and activity in almost all directions. The resultant impacts on openness and character and the loss of separation to Bracklesham, the Medmerry Realignment, the Stilt Pools and the beach/SSSI
- The increase in population resulting from the significant increase in scale, and resultant impact on the tranquillity of the environment
- The impact of the flood defence works
- The reliance on planting for mitigation and the doubts over both the effectiveness and the appropriateness of this in this open coastal plain
- Phasing and interim impacts

Scale and spread

The LCA identifies the existing site as "remote", whereas the ES erroneously interprets that the same study notes the site is experienced as part of the edge of Bracklesham (p19). The landscape and visual impacts and public experiences of the Park vary greatly depending on the viewpoint as identified above. While the north viewpoint is important, it is the views from the east and south that are the most sensitive to change. Due to public rights of way and the characteristics of the area, the site is experienced almost in the round.

While the re-provision of the existing units on higher ground would offer benefits in terms of reducing the flood risk to occupants, the relocation of these units into the rural area significantly increases the developed area of the site in three directions and would have a materially detrimental landscape and visual impact. In landscape and visual terms, the most harmful expansion would be the use of Field D and the southern half of Field E for holiday units.

Expansion into Field D to the south east would bring development and activity unacceptably close to the edge of the Stilt Pools which are highly sensitive as discussed in the Ecology section and already affected in landscape terms by the established development that pre-dated their formation. The pools are very much a natural wild feature in landscape terms which would be compromised by Park expansion in this direction. The ES identifies the importance of the separation between the Park and the RSPB site (page 28) yet this appears to have had limited effect on the proposal detail. Instead of seeking a net improvement, the proposal relies on the construction of the bund to maintain visual separation while expanding the holiday accommodation into the existing buffer area. Use of Field D has been repeatedly identified by the Landscape Adviser to the LPA as the most harmful. A strong objection has been raised to development taking place and holiday units being located in this field that has not been addressed by the minor reduction in numbers in this field and the softer edge proposed in the revised plans. This relationship is further discussed below.

Development within Field E would be relatively indistinguishable from the north, as unlike the majority of the site, the north west corner and entrance area benefits from some mature planting and the eye is instead drawn to the exposed edge of Bracklesham. From the south and south east however, Field E is much more sensitive in landscape and visual terms. This field currently functions as a natural buffer between the holiday park and Bracklesham. It has been recorded as being used by Brent Geese (see Ecology section). Development of Field E conflicts with the aims of criteria 5 of Policy 48 to maintain the integrity of open and undeveloped land.

The majority of Field C is sensitive from public rights of way to the north east, and southeast/south including from the elevated position on the Medmerry Bund. The northern section is sensitive for its proximity to Marsh Farm Barns. The proposed use of this field has intensified over the course of the application to the detriment of the landscape, neighbour amenity and experience of right of way users; an impact that will not be sufficiently mitigated by the proposed boundary planting. A material reduction in number of units in this field would be required particularly within the northern and north eastern parts, to seek to mitigate this.

Expansion into Field B to the north, beyond the established planted edge and the existing Park entrance, would make the site more visually intrusive, although it is accepted that once planting was successfully established (more likely here due to shelter from existing vegetation) and a reasonable buffer retained to Marsh Farm Barns, the impacts of this element would be reduced and unlikely to be an overriding concern in landscape terms. A reduction in unit numbers would be required to achieve this, particularly on the Marsh Farm Barn boundary where units are currently proposed up to the edge on the indicative plans, which again compromises the amenities of the neighbours.

The ES deals with the sensitivity of each parcel individually however the cumulative impact is of high importance to this assessment. The later November dated Landscape and Visual Impact

Assessment supplement (p10) recognises that the development "due to its scale will inevitably yield some adverse impacts in the short term, even with mitigation". Officers consider these impacts will be significant adverse and will continue in the longer term.

The development frontage to the beach (a SSSI and publicly accessible viewpoint) would be significantly broadened. Fields F, G H and I in this area have been identified to be particularly sensitive in landscape terms (ES page 29). Although no caravans or lodges are proposed directly in these fields, there is concern about activity impacts and effects on character, discussed further below. The footpath through the site would be enclosed by development and the engagement with the site from the Medmerry footpath will be greatly heightened due to the loss of intervening space and natural environment. Viewers from public rights of the way would experience a development edge that stretched from Bracklesham to the edge of the Reserve. Footpath users have long exposure to the impacts.

While the sensitive redevelopment of the existing built area has been supported in principle from the outset, the provision of close to 200 units in Field A (including the most sensitive southern end) in phase 2, combined with the expansion areas that form part of phase 1, would significantly increase the amount of activity and built form within this highly sensitive area. This would materially detract from the distinctive local landscape character, cause adverse impacts on the openness of the area and be detrimental to the tranquil and rural character of the area in conflict with CLP policy 48.

Furthermore, there is a risk that phase 2 would not proceed or its implementation may be delayed. There is currently insufficient information to consider interim impacts, especially in relation to the treatment of Field A. Partial site clearance would for example, generate significant landscape harm, especially in the southern part of Field A. Instead there are opportunities to improve the landscape, drainage and ecology value of Field A in any event as part of phase 1, by undertaking the works to green and blue areas currently planned for phase 2. The areas identified for further caravans on the indicative plan could then be easily left as managed grassland and amenity/sports space for the intervening period.

To conclude on this particular matter, there are concerns about the landscape impact of phase 1 (the southern end of Field E, the eastern part of Field B and the north and eastern parts of Field C in particular) which would only be potentially resolved by decreasing the scale of development and increasing landscaping and amenity areas. There are substantial objections to development of Field D in phase 2 in principle, and queries about the impacts generated in the interim period within Field A. There are no objections to the redevelopment of the northern part of Field A which is the most discrete parcel in landscape terms.

Population increase and impact on tranquillity

Those that visit the Reserve, beach and rights of way in the vicinity expect a natural peaceful environment where nature dominates over human activity. The higher viewpoints afforded by the Realignment bund and shingle bank increase awareness of adjacent development and activity and reduces the effectiveness of low level planting and other visual distractions used for mitigation purposes. This cumulative impact of development and activity and the adverse impact on tranquillity identified as a result of Phase 1 would be compounded in later years by the redevelopment of the central part of the site under phase 2.

The prioritising of the more meaningful areas of recreational space outside the bund and main development area, instead of being integrated within the layout, puts unreasonable pressure on the buffer areas that are intended to be dual purpose with ecological mitigation and enhancement (see Ecology section for concerns on this matter). In landscape and amenity terms, there are two issues: impacts from the outside, and quality and function of space for users.

The indicative layout encourages activity on the site's sensitive edges from where there is a strong visual and experiential relationship to the natural spaces that are particularly sensitive to change. This also detracts from the amenities experienced within the site, where the rows of uniform units suggested on the indicative plan would undermine the wild undeveloped character of the landscape. This does not suggest that the structures themselves ought to be spread out further, but that there is too much development proposed for the sensitive environment in which this site sits.

For the most part, 'open space' within the site would be more accurately considered as landscaping or forms part of the SUDS scheme and appears to have limited functionality for genuine recreational use. Much of the land is on the periphery of the layout. For example, the "picnic" area in Field E is blocked from the accommodation by a hedge on the landscape concept plan affording poor natural surveillance and limited access and functionality. Licensing conditions require a minimum of 10% of the total area for children's games and/or recreational purposes, of such dimensions to facilitate ball games. The Recreational Open Space Plan (Nov 20) provides more detail on the intended landscaping and function of the green spaces although doesn't quantify the spaces shown. The majority of the spaces are intended for quiet recreation and landscape setting, or form part of SUDs areas or land dedicated or shared with wildlife. 10% of the site would be 3ha. Officers are not confident that there is sufficient informal play space for children and young people which could facilitate informal ball or other space-hungry games, in areas that are well overlooked and related to the accommodation, and without compromising the other functions. In all, this proposal intensifies the use of the site while providing substantially less land in the applicant's control than currently exists, for recreational purposes. This is more significant when the surrounding land is highly ecologically sensitive and adjacent fields are outside the applicant's control and cropped.

The numerical density is lower than existing due to the separation of each unit however visually the site will appear more developed. The numbers proposed allow for very little flexibility in the final layout.

The increased numbers would bring more people, vehicles, lighting, noise and movement. A significant adverse effect from an increase in traffic and development of Field E is recognised in the ES (pages 39, 46) without mitigation, however little is proposed by the applicant in the way of mitigation for the traffic and associated activity generated in an area where tranquillity is important to its character and value. Experiential impacts are not considered in the ES when addressing operational effects.

The impact of the additional vehicular transport on tranquillity is raised in a number of third party comments and identified in Earnley Parish Council's comments, including the latest which questions the LHA's response on additional traffic movements. This increases the importance of mitigation being secured through the CMP, CEMP and site management conditions, and the requirement to deliver a green travel plan and upgrades to public rights of way, to offer attractive alternatives to private car use.

Noise and lighting are of concern in terms of landscape and visual impacts, and also for the impact on ecology. The site is in a dark skies area. These can to some extent be managed and mitigated by conditions, including the recommendations to maintain a dark corridor along the Earnley Rife. The position of the primary recreational areas on the periphery of the site and the positioning of caravans up to the periphery (generally narrow buffers) compromises the ability to minimise and contain noise and light. The location of built leisure facilities within the site's core and the proposals to refurbish and re-develop these is positive as it brings a number of opportunities to minimise noise through efficient building construction and sensitive management (i.e. limiting noise output from music sources and using energy efficient plant). Despite this however the overall effect of the expanded site will have a detrimental impact on the tranquillity and rural character of the site and surroundings.

To summarise on this particular issue, the expansion in particular would have a detrimental effect on tranquillity as conditions and obligations can only mitigate to some extent.

Impact of flood defence works

The engineering requirements to seek to secure the future of the site and minimise its flood risk vulnerability have been refined during the application in response to concerns that they were insufficiently detailed and unsympathetic to the rural location. It has been necessary to detail the bund and associated works to enable its effectiveness to be robustly tested to draw conclusions on the principle of development in flood risk terms as discussed above. However the bund is not proposed to be installed until Phase 2, which is estimated by the applicant to take place in approximately 10 years' time (subject to various caveats). The bund varies in height and appearance, being more robust in the southern part of the site. The drainage sections (drainage plans) show a combination of bunding of various profiles and walls, in some cases a bund with a wall above. The combined height would be typically up to 5mOD but up to approximately 6mOD.

It has also been confirmed (Nov 20 Flood risk supplementary info) that land raising to the extent of up to 0.8m would be required in Fields E and C (phase 1) and 0.4m in Field B, in addition to the requirement to set minimum finished floor levels with appropriate freeboard. In Fields B, E and C (phase 1) and Field D (phase 2) the min FFL would be 4.6m OD. The current ground levels in the lowest part of Fields B, E and C are under 3mOD, in Field D, ground levels are close to 2m OD. In phase 2 (Field A) the FFL is min 3.5m OD with a minimum ground level of 2.3m OD. The land raising and bunding and walling are considered to represent a material impact in landscape and visual terms which would detrimentally increase the presence of the development in the landscape, especially so for the most vulnerable areas to flood risk are also the most sensitive in landscape terms.

The Environment Agency requires that the final bund design and construction is subject to condition and this would be assessed against flood risk data and modelling applicable at the time. It is anticipated that a proposal to protect Bracklesham may have been progressed by this stage and could be delivered in tandem. The implementation timetable will likely depend on costs at the time and the demand for sufficient additional accommodation units at the time to make the expansion viable. These factors could each or cumulatively materially change the scheme. It is therefore appropriate to consider various scenarios including the landscape and visual impacts of the proposal without the bund (i.e. phase 1 expansion into Fields E, B and C with associated land raising, and demolition in Field A- see above under 'scale') and to be mindful that the bund could be different to what is currently proposed when considering landscape and visual impacts of the development as "completed".

It is accepted that the bund is necessary for long term protection of the Park. While the applicant seeks to capitalise on the opportunities a bund brings for visually containing development, officers consider that too much weight is placed on the presence of the bund in terms of seeking to maximise the developable area on site in the most sensitive fields. Officer and consultee visits and the submissions from Earnley Parish Council confirm that the visualisations of the site from near the Stilt Pools in particular would not be fully representative, due to the availability of a higher viewpoint, and doubts about the effectiveness of planting. This and the notable level increases and freeboard requirements combine to support the opinion that development would be harmful in Field D in particular, notwithstanding the bund.

The seaward face of the southern end of the bund would have some similarities to the existing shingle bank but more angular, following the irregular internal site boundaries. It is not known how the interaction between the bund and Rife and ditch network, public rights of way or access routes within the site would work. The indicative landscape concept plan shows the bund crossing these features and the cross sections details don't specify. The impact of the bund and related engineering works on existing planting around site boundaries is also unknown at this stage. These aspects are important, although could be detailed and managed by condition.

In summary on this issue, the proposed flood defence and relief works would, on balance, have a detrimental impact on the landscape and visual impact of the proposals which would not be satisfactorily alleviated by planting.

Planting

The applicant claims "the proposed planting will play an important part in ameliorating views towards the development from the west, south and east". Officers and the Landscape Adviser do not share the applicant's confidence on this matter. It is recognised that enhanced planting in this area in general has been recommended by a number of landscape studies. Low walling and earth mounds are also considered to be effective in offering some wind protection and some of the planting is proposed behind the bund in part for this reason.

The scale of development proposed here however is so extensive and visually intrusive and existing planting so poor, that there are real concerns that mitigation sufficient to minimise impacts to an acceptable level taking all other aspects into account will be inappropriate and/or ineffective. Furthermore, any planting in the southern part of the site prior to the bund would not benefit from the wind protection of the bank and associated walling, which will reduce its potential effectiveness and longevity. The applicant's acceptance to plant prior to the installation of the lodges in Fields B and C for example (LVIA supplement Nov 20) is welcomed however in the absence of any existing planting on these boundaries, it is unlikely that new specimens will make a material difference for a number of years and for the more exposed Field C it may only provide low level softening.

Various landscape assessments including the ES (section 8.5.2) recognise the challenges faced and the impact the harsh coastal environment has on planting. The ES initially states it uses assumptions of planting growth and maturity with trees reaching up to 9m, amenity planting 5m and hedgerows 5m after 10 years. This is considered to be unrealistic in such an exposed and harsh coastal environment as demonstrated by the existing poor quality and sporadic planting. The visualisations subsequently provided rely on planting maturing to soften and filter views of the Park as expanded which officers consider present a more positive picture than would be the case in reality. The Landscape Adviser's latest comments (Dec 20) deal with this issue.

The LPA and Landscape Adviser have little confidence new planting would be able to achieve the applicant's desired effect even after a number of years' growth. A 6 year initial management plan has been presented, however with such a long phased implementation strategy and a highly sensitive location this is unacceptably short. The Landscape Adviser has recommended a 25 year plan. It therefore has to be considered that up to 518 lodges and caravans with associated development and activity will be materially more intrusive in the landscape than is suggested in the application. High visual intrusion from caravan development is already identified as a key threat to the area (LCA) and the open edge of Bracklesham and the exposed southern and south eastern edges of the application site are existing examples of the harm caused.

The site and internal field boundaries are irregularly and unusually shaped. Regimented planting defining such, and informal open areas maintained instead for amenity purposes will be out of character in this natural landscape. With licensing conditions in mind, if hedgerow planting is ineffective, fencing may be required (see conditions of licensing confirmed Dec 20) which, depending on detail, may be very visually intrusive.

Furthermore, while the visualisations and submissions suggest a muted colour palette the planning process cannot require the final appearance of the units to be as illustrated (it could be suggested only) as they would be temporary structures for which permission is only required through planning for the use of land.

In terms of overall effect on local landscape character, the ES considers the impacts would range from minor adverse to moderate adverse, with adverse effects recognised with mitigation. The ES

identifies that there would be major adverse effects during the prolonged construction period from most public rights of way and key viewpoints, a point on which officers agree. On operational effects, the ES concludes that the impacts are predominantly likely to be minor beneficial. Officers find the impacts to be more significant and harmful, as explained above. The LPA notes that the beneficial impacts are considered to be minor and this is only after the bund has been installed (screening of views) which in itself is accepted in the ES to be an incongruous element (p41-2). The contrary views of Earnley Parish Council in this regard, particularly with reference to the viewpoint heights, are of relevance here. Planting to soften the views of the existing development could also be undertaken although its absence on such a long established site again raises doubt as to the effectiveness of the mitigation the applicant is relying on to mitigate the harm that would be caused by the proposal.

In summary on landscape and visual impact as a whole, the proposed expansion and intensification would significantly undermine the open and rural character of a part of the coastal plain and beach frontage that is bookended by the settlement hubs of East Wittering/Bracklesham and Selsey. The expansion to the south east would be particularly harmful for its proximity to the Medmerry Reserve and its Stilt Pools and the south west and south for the intensification of activity, change of character and unacceptably close relationship to the Bracklesham Bay SSSI. The impacts are exacerbated by the elevated public viewpoints where interaction with the site is experienced at length from the local network of public rights of way, and the impacts on tranquillity that would result from the increase in activity and visual disturbance. The impacts would not sufficiently be mitigated by the proposed landscaping including the flood relief bund (phase 2) and planting strategy, the effectiveness of the latter would be materially compromised in key areas by the exposed coastal location. This would be in conflict with policies 31, 44, 45, 47 and 48 of the Chichester District Local Plan: Key Policies 2014-2029 and paragraphs 83(c), 168, 170 and 180 of the National Planning Policy Framework.

Revisions and further information during the assessment have been tested but have not resolved the issues. Substantial reductions in numbers and the exclusion of development from the most sensitive areas would be necessary to make a material difference. No such commitment has been thus forthcoming on this.

v. Access and transport

This is a significant issue from the public and Parish Council consultation. Concerns are raised with regard to construction impacts for the project as a whole and the operational effects of the expanded tourist provision. The issues are raised in relation to access from the A27 in addition to more localised considerations.

Local road impacts

Access to the site passes through the narrow lanes of Earnley village past the Grade II* church and along a private road (Drove Lane). Heritage matters will be considered below. Drove Lane is also a public footpath, it is the location of one of the Medmerry Reserve's car parks and access to the public bridleway route around the Reserve, and it forms part of the wider proposals to improve green links across the Manhood Peninsula (MPP GLaM, see below). The local area has been subject to increased development pressures in the last few years and transport is a critical local issue. Access from Selsey and avoiding central Bracklesham would result in use of narrow rural lanes (some sunken) with ditches, limited visibility and few passing places. The proposal has a long site works and construction programme and would require access by a large number of HGVs and low loaders. Local Plan policies 8, 9 and 39 apply, enhanced by section 9 of the NPPF.

WSCC Highways officers have raised no objections to the proposal, considering that a robust construction management plan would be sufficient to manage access for construction purposes, and the operational impacts on the local network would not be severe under the terms of the NPPF.

Further comments were sought following receipt of the Bellamy Roberts report commissioned by Earnley Parish Council submitted in December 2020. Bellamy Roberts "do not believe that the applicant's methodology does give a robust assessment of the increase in traffic likely to be generated by the development proposal" (para 4.1) and consequently identified a higher predicted impact of 41AM peak and 83PM peak 2 way trips, of which 25AM and 52PM trips would be new to the network (1,048-1,316 potential vehicle movements for a Saturday in August compared with 834 for a Saturday in June). This compares with the applicant's estimates (using data from June 2018) that the development would generate a maximum of 26AM and 52AM peak movements (648 daily), of which 12AM and 22PM (263 daily) would be new. The construction phase would see up to 15 HGV movements per day with an average of 5. WSCC accept that the use of the site and therefore the transport impacts would vary seasonally. The further WSCC comments confirm that these alternative figures and associated conclusion does not change the position previously expressed by the Local Highways Authority of no objection subject to construction management and travel plan conditions. The potential for more traffic than has been anticipated by the applicant gives more weight to concerns about impacts on tranquillity as identified by Earnley PC (see landscape and visual impact section above), and concerns raised by other local Parish Councils about transport impacts. The LPA considers there would be detrimental impacts on local roads however these would not be to the extent that they would exceed the high bar of "severe" required by the NPPF to justify refusal on transport grounds. A robust CMP would be an essential part of minimising traffic impacts through construction. It is considered that further consideration should be given to the option to deliver/remove some materials by sea (as part of the CMP) as was achieved in construction of the Realignment adjacent.

A green travel plan would also be necessary to be secured by condition. Some progress has been made on the scope of this during the course of the application, although as identified by the Environment Officer and WSCC Highways and Rights of Way, more would be needed in this regard to meet expectations. The objectives of the green travel plan would fall within the realms of landscape and visual impact as well as transport and sustainability – see landscape and visual impact tranquillity section above. A key element would be commitments to improving the quality of Drove Lane as a public right of way to prioritise and improve safety for pedestrians and related local public right of way enhancements (see below). Additional measures would be expected to include providing secure cycle storage on site, promoting bike to work schemes with staff, supporting and encouraging bike hire schemes from site and securing electric charging points on holiday units suitable for a range of electric transport modes. These could be secured by condition.

Trunk road impacts

Highways England recognises that the expansion would generate additional traffic on the trunk road network which is already under extreme stress. HE therefore requires a contribution to mitigation for the additional loading as informed by the Planning Obligations and Affordable Housing SPD. The applicant will be required to make a contribution of £91,487.00 (indexed) towards the future approved improvements to the Chichester Bypass, or such other schemes of similar or better effect. The applicants sought to agree a reduced sum, however HE do not accept their reasoning for a reduced contribution of £41,169 and consider that £91,487 is a fair and equitable contribution for this site's likely impacts on the A27 Chichester Bypass. A further response following receipt of the Bellamy Roberts report recognises that predictions can vary but confirms that the requested £91,487 remains necessary and an appropriate amount to mitigate for the increased use. This would need to be secured via a S278 agreement, the requirement for which would be secured for planning purposes in a S106 agreement, in order to comply with LP policies 8 and 9 and the SPD, and to avoid a severe impact on the network under section 9 of the NPPF. Due to the applicant's counter claims on the required sum, the LPA is not currently confident that the necessary obligation could be secured.

Amenity impacts

Further comments from Earnley Parish Council (Jan 2021) identify that they remain concerned about the environmental effect of the additional traffic in the rural lanes, Conservation Area (see below under Heritage) and Drove Lane, a designated footpath. This links to the assessment on landscape and visual impact above and WSCC Right of Way's comments, and efforts to secure more sustainable modes of travel, more attractive connections to local facilities (economic impacts) and easy access to alternative recreational space and routes (ecology impacts). This would be particularly important and improvements justified for the expansion part (phase 2) of the proposal which would result in a large number of additional occupants on site (210 units).

Public Rights of Way

Preliminary discussions have taken place with the applicant about providing a safer and more attractive environment for public rights of way users along the part of Drove Lane under their control, however it is understood that the width of the land in their ownership is such that a separate path or widening would be impractical and unachievable. This has yet to be tested in detail. It may be possible to provide an alternative pedestrian route along the inner edge of the field boundary on adjacent land that could be used in summer months when the access road is likely to be at its busiest. There may be scope for a route across the field westwards towards Bracklesham, including a suitable crossing point over the Rife, as a more direct route and safer alternative to using Drove Lane and Clappers Lane. Part of this link is identified in the GLaM route (see below). There is scope to improve the quality of the existing route along Drove Lane, to prioritise pedestrians and sustainable access for Park users. This could take the form of surfacing and signage enhancements for example. A suitable scheme is capable of being secured by condition, with details to be agreed with the LPA in partnership with WSCC. There are also considered to meet the requirements of direct or Grampian conditions (for those works using the applicant's land) or obligations, and to comply with Local Plan policies and related objectives including LP policies 22 (5), 44 (5) and LP 52. It is noted that the location plan does not include Drove Lane in blue but the other documents do therefore it is taken that the applicant does have control over the southern part.

Off-site, the Green Links across the Manhood (GLaM) project includes a number of relevant local objectives. The existing route and connection between Bracklesham, Earnley and Medmerry Reserve (part of Route 4) lies to the north of the applicant's land. There are indicative proposals for route enhancements in the applicant's supporting information (May 2020) but no commitments to date. A contribution towards the implementation of this project, particularly Route 4, is considered to be justified, as it would be directly related to the proposed expansion of the holiday park and would benefit Park occupants by improving the safety and amenity of their route to nearby services and facilities, and would offer better opportunities for additional recreation to the north of the Reserve. Due to the fundamental concerns on the application, these opportunities have not to date been explored but would be appropriate to secure under a S106 agreement if permission was granted, to comply with policy including LP policy 44 (5) and LP 52.

There is additional justification to secure improved or additional routes due to the construction impacts, specifically the use of Drove Lane and Clappers Lane by heavy and long vehicles for a prolonged period.

Insufficient information is currently available to test the direct impacts of the works on proposals for the South Coast Path that would cross the beach frontage of the site. Indirect impacts (user experience) from these routes falls within the landscape and visual impact section.

To conclude on this issue, the proposed redevelopment and expansion would have negative impacts on the local and wider area in transport terms, both during construction and operation. A cumulative impact may also occur due to local growth and development within close proximity. However, these impacts have been confirmed by the statutory consultee (the LHA) as not severe

on the local road network, and the statutory consultee for the trunk roads is satisfied that severe impacts would be appropriately addressed through mitigation (funding to be secured through legal agreement). Conditions could be used to encourage more sustainable local travel choices once occupants are on site to reduce reliance on private cars for local journeys. A robust construction management plan can also be secured by condition, including setting out how the access requirements and impacts would change in each phase, and committing to all reasonable measures to minimise negative impacts. While the impact on local roads (with appropriate conditions in place) is considered not to be detrimental to the extent that it would be "severe" and therefore justify refusal on this basis (NPPF para 109), the absence of agreement through a S106 on the appropriate necessary sum to mitigate severe impacts on the trunk road network means a refusal reason will be recommended on this issue. Securing appropriate improvements to public rights of way would also require obligations (off-site – not secured due to lack of S106) and conditions (on-site) to make the development acceptable under LP policies 39, 44 and 52.

vi. Heritage

Linked to the above transport assessment and the tranquillity considerations under landscape and visual impact is the effect of the proposal on the Earnley Conservation Area and Grade II* listed church. The Council's Principal Conservation and Design Officer has expressed no concerns on the impacts of the proposed redevelopment and expansion on the Conservation Area, which lies to the north of the site. As identified in the Landscape and Visual Impact section above, impacts of the site itself from the north will be relatively limited and despite expansion into Field B there remains good separation between the site and the Conservation Area, such that there will be no material impact, the proposal would conserve the setting. This relationship was material to the considerations of alternative sites under the sequential test. There will however be some negative impacts on the environment of the Conservation Area and setting of the Church as a result of increased traffic, particularly during the long phased construction periods. The local concerns on this issue are noted, nevertheless it is considered that sufficient controls exist through planning conditions to minimise detrimental impacts sufficiently to avoid an objection, including the CMP, green travel plan and Drove Lane footpath/use improvements. The construction impact, although extended/phased, would be temporary. No concerns are raised by the specialist officer, or Environmental Protection, on the matter of vibration or pollution. The CMP would need to be robust, and it is recommended that a combination of measures including banksmen, education, signage, physical barriers, monitoring and good engagement with relevant parties would reasonably need to form part of the CMP to appropriately protect the Church. In these circumstances it is considered that the proposal sufficiently complies with LP policy 47, section 16 of the NPPF and the requirements under the Planning Listed Buildings and Conservation Areas Act.

The coastal plain has good archaeological potential, and the extent and nature of finds from the Medmerry Reserve project have demonstrated this. The application includes a Desk Based Assessment and section in the ES on archaeology. The Council's Archaeology Officer is satisfied that the potential impact on below-ground archaeological deposits would be best mitigated through a staged process of phased and adaptive investigations in advance of construction. This can be properly secured by condition, in order to comply with section 16 of the NPPF and LP policy 47.

vii. Sustainability

This consideration has increased in prominence as a result of the declaration of the Climate Emergency by the District Council and for permanent developments the Council is expecting higher standards than the baseline in the CLP. A proportional approach is fair in this case, and there are various opportunities for the site to reduce its environmental impact through redevelopment. The most recent sustainability statement identifies some pledges, which, if other matters were acceptable, would be drilled down further and secured by condition. It is acknowledged that once the impacts of construction are put to one side (the CMP would be used to minimise impacts there) the redevelopment would result in a site that is significantly more future

proof and less resource intensive. Improved surface water drainage, on-site ecological enhancement, more planting, climate change resistant infrastructure, electric charging, more recycling, green travel plans, reduced water use and on-site renewable energy generation would all make a positive difference. These would need to be secured by condition under any approval, to enable compliance with Policy 40 and its successor documents.

viii. Foul drainage

The site currently drains northwards to the Sidlesham Wastewater Treatment Plant. The Supplementary Ecology and Nature submissions (May 20) provide additional information to that within the ES on this matter. The proposed increase in flows as a result of the development is estimated to be 9.72l/s, the majority of which would result from the expansion proposals in phase 2. To manage this additional flow, it is proposed to construct a pumping station in the south west corner of the main car park. Capacity in the network would need to be secured directly with Southern Water as the statutory undertaker on this service. It is considered appropriate to include a condition on any planning permission that would prohibit more than 308 units to be occupied until the necessary additional capacity was delivered by Southern Water, in order to avoid detrimental impacts on the Pagham Harbour SPA and Marine Conservation Zone (MCZ). With this secured, the proposal would comply with CLP policy 9.

It is also recognised that while phase 1 retains the same number of units, these are likely to be larger. Reducing water usage within these units would be an important consideration in terms of managing foul water impacts, especially in light of increasing concerns about local capacity and nutrient impacts in this area, which discharges into the highly sensitive Pagham Harbour (SPA) and MCZ as identified in consultation responses (including NE and Environmental Strategy) and local representations. This would need to be secured as part of sustainability requirements (condition) but should be practical given the use of new units, more efficient than the existing bungalows. Controlling pollution and contamination entering the surface water and groundwater environment will also be important to protect the Harbour and associated habitats, and would be expected to be appropriately managed through surface water drainage details, again finalised by condition. On this basis, the proposal would comply with relevant aspects of CLP policies 40, 42 and 48 and section 15 of the NPPF.

ix. Replacement buildings - outline

The replacement of the community/facilities buildings on site is included in outline form. Details are limited at this stage. The PDAS identifies an outline footprint and reference to building(s), followed later by reference to a clubhouse, pub/restaurant and swimming pool. A simple hatched area is shown on the plans. It is proposed that the development is single storey although no formal indicative elevations or parameter details have been provided in this regard. Indeed the visualisations appear to show the bulky dark green leisure building retained and altered, in contrast to the plans which show this demolished. An indicative floor plan is proposed (sketch 2) which shows retention and refurbishment complemented by extensions to house a gym, pool, enlarged toilet/changing and plant areas. According to the plans, the bulky entertainment/leisure building (the Pink Flamingo) would be demolished, which would be positive due to the detrimental impact of this structure on the landscape and visual impact of the site as existing (as the visualisations show).

The proposed timetable for the implementation of such works is indicative and identified to be dependent on commercial conditions. Due to the fundamental issues above this aspect of the proposal has not been considered in detail at this stage, however further information and assessment would have been sought for reasons of clarity if the proposal was intended for approval. In terms of broad principle, replacement smaller community facilities (single storey) are supported and their location within the core of the site making use of existing structures is acceptable, and compliant with LP policy 46.

Other matters

The impact of the proposal on the amenities of neighbours to the north east is discussed under the landscape and visual impact section.

Matters such as the control of external lighting could be secured by condition. Details of the community facilities (including the construction and operation of the swimming pool, noise associated with the pub/restaurant, elevational and sustainability details) would be secured through the Reserved Matters element.

Planning balance and conclusions

The site is an established holiday park within an area at risk of existing and future flooding. The site is also in need of refurbishment in order to improve visitor experience and enhance the contribution the site makes to the local economy. Measures to reduce risk and improve flood resilience and to upgrade the site to improve the quality of accommodation and visitor experience are strongly supported in principle. Other benefits identified as integral to the proposal include improved surface water drainage using more sustainable methods, ecological enhancements for protected species, and opportunities for more extensive planting.

However weighing against these benefits are the detrimental impacts the proposed development would have on European sites, species and habitats and landscape and visual impact. The failure of the Appropriate Assessment justifies refusal in its own right under regulation 63 of the Conservation of Habitats and Species Regulations 2017. In these circumstances the presumption in favour of sustainable development does not apply (NPPF para 177). Furthermore, unacceptable impacts on habitats, species and landscape character and amenity contribute materially to the failure of the proposal under the Exception Test, another matter that is alone sufficient to refuse an application (NPPF para 161).

The assessment has identified that there would be substantial harm to European Habitats and species for which appropriate mitigation and compensation has not been possible to secure, and the landscape and visual impact of the significant expansion and associated activity would be unacceptable in this environmentally sensitive rural coastal location. In terms of planning balance, these are matters that carry substantial weight.

Concerns about the multi-stage implementation and long phasing process add weight to the objections. The Local Planning Authority does not have sufficient confidence that there is a demonstrable current tourism need for the expansion to the extent of an additional 210 holiday caravans in this location in addition to the redevelopment (of the 308 units), which undermines the weight that can be given to the benefits.

At an early stage, the applicant committed to working with key consultees to seek to address the matters of detail raised during this assessment, however the fundamental objections remain, along with concerns expressed on many of these matters of detail. The S106 has not been progressed due to the above issues.

As a consequence of the failure of the Appropriate Assessment and Exception Test, the detrimental landscape and visual impact, lack of demonstrable need for the expansion in tourism terms, and, as a result of the above, the absence of a completed S106 legal agreement to appropriately secure necessary mitigation for the impacts of development, the application is recommended for refusal.

5. Recommendation

Officers Recommendation is to REFUSE for the following reasons:-

1) The site is located immediately adjacent to the Medmerry Reserve, a compensatory habitat for the Solent Maritime SAC (NPPF 176(c)) and its associated Stilt Pools, and the Bracklesham Bay SSSI (NPPF 175 (b)). The site also lies within the Zones of Influence for both Chichester and Langstone Harbours and Pagham Harbour SPAs and Ramsar sites. The site in part comprises land used by Brent geese that is functionally linked habitat for qualifying species for the SPAs and Ramsar sites. The detailed assessments under the Conservation of Habitats and Species Regulations 2017 have identified the proposal would have an Adverse Effect on the Integrity of multiple European protected sites and associated ecology alone and in combination. The assessment confirms that significant harm to biodiversity cannot be avoided or adequately mitigated, therefore the proposal fails to meet the requirements under regulation 63 of the Conservation of Habitats and Species Regulations 2017, policies 49, 50, 51 and 52 of the Chichester Local Plan: Key Policies 2014-2029 and paragraphs 175 and 177 of the National Planning Policy Framework. The proposal does not meet the requirement of 'imperative reasons of overriding public interest' under Regulation 64 of the Conservation of Habitats and Species Regulations 2017.

2) The proposed expansion of the holiday park (phase 2) would result in a significant number of additional people occupying an area of high flood risk with risks predicted to increase due to climate change. The Local Planning Authority is not satisfied that sufficient wider sustainability benefits to the community could be reasonably secured and relied upon to outweigh the flood risk as required by the Exception Test in line with the National Planning Policy Framework and supported by Planning Practice Guidance.

3) The proposed redevelopment, expansion and intensification would significantly undermine the open and rural character of a part of the coastal plain and beach frontage that is bookended by the settlement hubs of East Wittering/Bracklesham and Selsey. The expansion to the south east would be particularly harmful for its proximity to the Medmerry Reserve and its Stilt Pools and the south west and south for the intensification of activity, change of character and unacceptably close relationship to the Bracklesham Bay SSSI. The impacts are exacerbated by the elevated public viewpoints where interaction with the site is experienced at length from the local network of public rights of way, and the impacts on tranquillity and amenity that would result from the increase in activity and visual disturbance. The impacts would not sufficiently be mitigated by the proposed landscaping including the flood relief bund (phase 2) and planting strategy, the effectiveness of the latter would be materially compromised in key areas by the exposed coastal location. The proposal therefore fails to comply with policies 31, 44, 45, 47 and 48 of the Chichester District Local Plan: Key Policies 2014-2029 and paragraphs 83(c), 168, 170 and 180 of the National Planning Policy Framework.

4) The Local Planning Authority is not satisfied that there is sufficient evidence of a demonstrable particular tourism need to increase the number of holiday accommodation units in this location by 210 to 518 in addition to the first phase of re-provision, combined with the change to the accommodation type. This concern is compounded by the long phasing intended for the expansion element of the proposal, which is submitted as being independent from the first phase. In the absence of sufficient certainty of the tourism need to justify the particular numbers proposed, the proposal fails to meet the requirements of Policy 31 (with Appendix E) of the Chichester Local Plan: Key Policies 2014-2029. As a consequence, the benefits of the proposal in the planning balance, including economic and community benefits, cannot be justified or relied on to the extent submitted. The benefits therefore carry less weight against matters of significance especially in relation to the negative environmental effects identified.

5) No appropriate provisions under the terms of Section 106 of the Town and Country Planning Act 1990 (as amended) have been secured for the necessary mitigation for the additional vehicle movements on the trunk road network, necessary appropriate mitigation for recreational and associated disturbance on the Pagham Harbour and Chichester and Langstone Harbours SPAs and Ramsar sites, Bracklesham Bay SSSI and the Medmerry

Reserve Compensatory Habitat, or necessary suitable mitigation, compensation or appropriate management in perpetuity for the loss of functionally linked land to European Habitats sites and impacts on qualifying species. Necessary obligations in relation to public rights of way, long-term management of recreational space, SUDS features and structural landscaping, phasing details and appropriate flood defence bund maintenance and management in perpetuity are also outstanding at the time of decision. The proposal therefore fails to meet the requirements under policies 8, 9, 22, 44, 49, 50, 51 and 52 of the Chichester Local Plan: Key Policies 2014-2029, the Planning Obligations and Affordable Housing Supplementary Planning Document, sections 9 and 15 of the National Planning Policy Framework, and the Conservation of Habitats and Species Regulations 2017.

INFORMATIVES

1) The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and discussing those with the Applicant. However, it has not been possible to resolve them. The Local Planning Authority is willing to provide pre-application advice in respect of any future application for a revised development.

2) The Local Planning Authority has taken account of the content of the Medmerry Park Improvement Project Environmental Statement (including information for Habitat Regulations Assessment) by ABPmer, dated November 2019, and subsequent updated and additional information supplied in May 2020 and November 2020.

3) The decision has been made in accordance with the following formal plans, supported by the documentation and further information on the file:

ES01 Existing site plan

LP01 Location plan

IN01 Landscape Inset (for purposes of confirming the siting of the outline area only)

SOR012484 01 Topographical details site survey

0032/RD-330 Main buildings existing plans and elevations

CP02 REV A Phase 1 indicative layout

CP01 REV R Landscape concept

D1850-SK300 REV A Cross sections sheet 1

D1850-SK301 REV A Cross sections sheet 2

D1850-SK302 REV A Cross sections sheet 3

PH01 Landscape phasing plan

RP01 Recreational open space plan

SE02 REV A Landscape sections

SE03 REV A Landscape sections

SE04 Landscape sections

D1850-SK100 REV A - D1850-SK116 REV A Flood Management Plans General Layout (17no plans)

**Appendix 2: Decision Notice January 2021
(E/19/02840/FULEIA)**

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

Agent :

Mr David Middleton
Savills (UK) Limited
16 Grosvenor Court
Foregate Street Chester
CH1 1HN

Applicant Details :

Medmerry Park Limited
Medmerry Park
Earnley
Chichester PO20 7JP

In pursuance of their powers under the abovementioned Act and Orders, the Council hereby notify you that they **REFUSE** the following development, that is to say:

Hybrid planning application - Full application for the redevelopment of Medmerry Park to provide 518 static holiday caravans and lodges in lieu of 308 holiday bungalows and associated works including drainage, landscaping, habitat enhancement areas, access roads, footpaths and a comprehensive flood defence scheme including bund. Outline planning application for the part demolition of the existing facility buildings and erection of replacement facility buildings together with extension/refurbishment of existing facility buildings (with all matters reserved except for access).

Medmerry Park Stoney Lane Earnley Chichester West Sussex PO20 7JP

as shown on plans and application no. E/19/02840/FULEIA submitted to the Council on 17 December 2019.

The reason for the Council's decision to refuse to permit the above development are:

- 1) The site is located immediately adjacent to the Medmerry Reserve, a compensatory habitat for the Solent Maritime SAC (NPPF 176(c)) and its associated Stilt Pools, and the Bracklesham Bay SSSI (NPPF 175 (b)). The site also lies within the Zones of Influence for both Chichester and Langstone Harbours and Pagham Harbour SPAs and Ramsar sites. The site in part comprises land used by Brent geese that is functionally linked habitat for qualifying species for the SPAs and Ramsar sites. The detailed assessments under the Conservation of Habitats and Species Regulations 2017 have identified the proposal would have an Adverse Effect on the Integrity of multiple European protected sites and associated ecology alone and in combination. The assessment confirms that significant harm to biodiversity cannot be avoided or adequately mitigated, therefore the proposal fails to meet the requirements under regulation 63 of the Conservation of Habitats and Species Regulations 2017, policies 49, 50, 51 and 52 of the Chichester Local Plan: Key Policies 2014-2029 and paragraphs 175 and 177 of the National Planning Policy Framework. The proposal does not meet the requirement of 'imperative reasons of overriding public interest' under Regulation 64 of the Conservation of Habitats and Species Regulations 2017.

- 2) The proposed expansion of the holiday park (phase 2) would result in a significant number of additional people occupying an area of high flood risk with risks predicted to increase due to climate change. The Local Planning Authority is not satisfied that sufficient wider sustainability benefits to the community could be reasonably secured and relied upon to outweigh the flood risk as required by the Exception Test in line with the National Planning Policy Framework and supported by Planning Practice Guidance.
- 3) The proposed redevelopment, expansion and intensification would significantly undermine the open and rural character of a part of the coastal plain and beach frontage that is bookended by the settlement hubs of East Wittering/Bracklesham and Selsey. The expansion to the south east would be particularly harmful for its proximity to the Medmerry Reserve and its Stilt Pools and the south west and south for the intensification of activity, change of character and unacceptably close relationship to the Bracklesham Bay SSSI. The impacts are exacerbated by the elevated public viewpoints where interaction with the site is experienced at length from the local network of public rights of way, and the impacts on tranquillity and amenity that would result from the increase in activity and visual disturbance. The impacts would not sufficiently be mitigated by the proposed landscaping including the flood relief bund (phase 2) and planting strategy, the effectiveness of the latter would be materially compromised in key areas by the exposed coastal location. The proposal therefore fails to comply with policies 31, 44, 45, 47 and 48 of the Chichester District Local Plan: Key Policies 2014-2029 and paragraphs 83(c), 168, 170 and 180 of the National Planning Policy Framework.
- 4) The Local Planning Authority is not satisfied that there is sufficient evidence of a demonstrable particular tourism need to increase the number of holiday accommodation units in this location by 210 to 518 in addition to the first phase of re-provision, combined with the change to the accommodation type. This concern is compounded by the long phasing intended for the expansion element of the proposal, which is submitted as being independent from the first phase. In the absence of sufficient certainty of the tourism need to justify the particular numbers proposed, the proposal fails to meet the requirements of Policy 31 (with Appendix E) of the Chichester Local Plan: Key Policies 2014-2029. As a consequence, the benefits of the proposal in the planning balance, including economic and community benefits, cannot be justified or relied on to the extent submitted. The benefits therefore carry less weight against matters of significance especially in relation to the negative environmental effects identified.
- 5) No appropriate provisions under the terms of Section 106 of the Town and Country Planning Act 1990 (as amended) have been secured for the necessary mitigation for the additional vehicle movements on the trunk road network, necessary appropriate mitigation for recreational and associated disturbance on the Pagham Harbour and Chichester and Langstone Harbours SPAs and Ramsar sites, Bracklesham Bay SSSI and the Medmerry Reserve Compensatory Habitat, or necessary suitable mitigation, compensation or appropriate management in perpetuity for the loss of functionally linked land to European Habitats sites and impacts on qualifying species. Necessary obligations in relation to public rights of way, long-term management of recreational space, SUDS features and structural landscaping, phasing details and appropriate flood defence bund maintenance and management in perpetuity are also outstanding at the time of decision. The proposal therefore fails to meet the requirements under policies 8, 9, 22, 44, 49, 50, 51 and 52 of the Chichester Local Plan: Key Policies 2014-2029, the Planning Obligations and Affordable Housing Supplementary Planning Document, sections 9 and 15 of the National Planning Policy Framework, and the Conservation of Habitats and Species Regulations 2017.

INFORMATIVES

- 1) The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and discussing those with the Applicant. However, it has not been possible to resolve them. The Local Planning Authority is willing to provide pre-application advice in respect of any future application for a revised development.
- 2) The Local Planning Authority has taken account of the content of the Medmerry Park Improvement Project Environmental Statement (including information for Habitat Regulations Assessment) by ABPmer, dated November 2019, and subsequent updated and additional information supplied in May 2020 and November 2020.
- 3) The decision has been made in accordance with the following formal plans, supported by the documentation and further information on the file:

ES01 Existing site plan

LP01 Location plan

IN01 Landscape Inset (for purposes of confirming the siting of the outline area only)

SOR012484 01 Topographical details site survey

0032/RD-330 Main buildings existing plans and elevations

CP02 REV A Phase 1 indicative layout

CP01 REV R Landscape concept

D1850-SK300 REV A Cross sections sheet 1

D1850-SK301 REV A Cross sections sheet 2

D1850-SK302 REV A Cross sections sheet 3

PH01 Landscape phasing plan

RP01 Recreational open space plan

SE02 REV A Landscape sections

SE03 REV A Landscape sections

SE04 Landscape sections

D1850-SK100 REV A - D1850-SK116 REV A Flood Management Plans General Layout (17no plans)

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

Date : 26 January 2021

Signed: 

Andrew Frost
Director of Planning and the Environment
Chichester District Council

NOTES
Town and Country Planning Act 1990
The Town and Country Planning (Environmental Impact Assessment)
Regulations 2017

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

1. If the applicant is aggrieved by the decision of the District Planning Authority to refuse permission for the development, or is aggrieved by a condition imposed on a planning permission, he may appeal to the Secretary of State in accordance with Section 78 of the Town and Country Planning Act 1990 within six months from the date of notice or determination giving rise to the appeal. (All appeals must be made on a form which is obtainable online <https://www.gov.uk/appeal-planning-inspectorate> or from The Planning Inspectorate, Room 3/04A Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN. <https://www.gov.uk/planning-inspectorate>. Email – environment.appeals@pins.gsi.gov.uk Telephone – 0303 444 5584. One copy of the appeal form must be submitted to the Director of Planning and the Environment, Chichester District Council, East Pallant House, Chichester, West Sussex PO19 1TY).For more information: <https://www.gov.uk/appeal-planning-decision>

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

2. If permission to develop land is refused or granted subject to conditions, whether by the District Planning Authority or by the Secretary of State, and the owner of the land claims that the land has become incapable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Council of the County District in which the land is situated a purchase notice requiring that Council to purchase his interest in the land in accordance with the provisions of Part V of the Town and Country Planning Act 1990.
3. In certain circumstances a claim may be made against the District Planning Authority for compensation where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in the Town and Country Planning Act 1990.
4. By Section 195 of the Town and Country Planning Act 1990 where an application is made to a District Planning Authority for a Certificate of Lawful Use or Development and is refused in part, the applicant may by notice under this sub-section appeal to the Secretary of State and on any such appeal the Secretary of State shall:
 - (a) if and so far as he is satisfied that the Authority's refusal is not well-founded, grant to the appellant a Certificate of Lawful Use or Development accordingly or, as the case may be, modify the certificate granted by the Authority on the application, and:
 - (b) if and so far as he is satisfied that the Authority's refusal is well-founded, dismiss the appeal.

**Appendix 3: Pre-Application Written Response
(22/00285/PRELM) dated September 2022**

Laister Planning
FAO Nayan Gandhi
Oddfellows Hall,
Ground Floor,
London Road,
Chipping Norton,
OX7 5AR

Case Officer: Joanne Prichard
Email: jprichard@chichester.gov.uk
DD: 01243 521043

Our Ref: 22/00285/PRELM

13 September 2022

BY EMAIL ONLY - nayan@laister.co.uk

Dear Mr Gandhi,

Reference: 22/00285/PRELM

Site address: Medmerry Park, Stoney Lane, Earnley, Chichester, West Sussex PO20 7JP

Proposal: Redevelopment of Medmerry Park Holiday Village for holiday chalets, various ancillary facilities, including restaurants/bars/cafes, indoor/outdoor recreation and leisure facilities, health spa, and associated operational/central services/maintenance facilities, infrastructure, landscaping and land regrading works.

I write with regards to your client's pre-application enquiry relating to the above site. This letter follows the round table meeting on 12 May 2022 and accompanied site visit on 25 May 2022. Apologies for the delay in issuing this formal response. As previously discussed, this has been due to competing work pressures. However, I am now in the position to provide formal comments.

Background

The Site and Surroundings

The application site is a 33.15ha existing and well-established holiday park within the parish of Earnley, close to Bracklesham and the Witterings. The holiday park is currently positioned close to the beach at East Wittering/Bracklesham Bay. The site is not located within a designated landscape. It is surrounded by fields as well as a series of 'silt ponds' to the south-east, which form part of the Medmerry Compensatory Habitat which is functionally linked to the Chichester Harbour Special Protection Area (SPA). The site is also within proximity to Pagham Harbour SPA and Bracklesham Barn SSSI.

The site itself currently comprises 308 holiday homes, most of which are owned on long leases, with others being used as short-term holiday lets. A small proportion of the units have been refurbished to allow for the continuation of the holiday lets, but many of the units are dated, weathered, and tired looking. On the site visit I was shown an example of an uninhabitable unit which had a roof leak, damp problems, and a broken access door. The site also includes a facilities area which includes a pub/restaurant and a children's play area. This area has been refurbished.

Planning History

A planning application (19/02840/FULEIA) was submitted to the Local Planning Authority in 2019 for the redevelopment of the site with 518 static holiday caravans and lodges to replace the existing 308 holiday bungalows, along with associated works relating to drainage, landscape, access,

habitats enhancement and flood defence. This formed the 'full' element of the hybrid application, with outline permission also sought for the extension and refurbishment of the existing facility building and the erection of new additional facility buildings. The proposed development would have covered almost the entire area within the land ownership in holiday units.

The application was refused in January 2021 on five grounds, summarised as follows:

1. Adverse Effect on the Integrity of multiple European protected sites and associated ecology
2. Increased numbers of people occupying an area at high risk of flooding
3. Significant undermining of the open and rural character of the area
4. Insufficient evidence to demonstrate a particular tourism need to justify the proposals
5. No s106 agreement to secure the necessary mitigation required (due to being refused)

Current Proposals

The site is under new ownership since the 2019 application and the new applicant proposes an alternative scheme for the site. The revised scheme does not propose to increase the overall number of units within the holiday park but comprises the replacement and relocation of the existing 308 holiday units, within the northern parts of Fields A and E and all of fields B and C. This differs from the refused application in that it proposes that existing units within the southern part of field A closest to the beach and associated protected sites and flooding source would be removed/relocated. In addition, the previously proposed development of field E would be reduced to the northern section only and would omit development from field D to the south-east of the site entirely. This effectively results in the removal of development from approximately the southern third of the developable area proposed under the previous application.

Key Considerations

The key considerations for this proposal relate to overcoming the reasons for refusal of the previous application. As such, detailed advice is set out below in relation to the principle of development; ecology and Habitat Regulations; landscape; and drainage and flooding.

Principle of Development

Policy 3 of the Chichester Local Plan 2014-2029 (CLP) encourages tourism development and policies 30 and 31 set out the detailed criteria.

Policy 30 deals with Built Tourist and Leisure Development. It states that proposals for tourism and leisure development, including tourist accommodation, will be granted where it can be demonstrated all the following criteria have been considered:

1. It is sensitively designed to maintain the tranquillity and character of the area;
2. Is located so as to minimise impact on the natural and historic environment, including that of visitors or users of the facility, particularly avoiding increasing recreational pressures on Chichester Harbour AONB and Pagham Harbour and other designated sites;
3. It provides a high quality attraction or accommodation; and
4. Encourages an extended tourist season.

The site falls outside of a settlement boundary under policy 2 of the CLP and therefore the second part of policy 30 applies which states that in the countryside planning permission will be granted for new tourism buildings where the above and following criteria have been met:

1. Be of a scale appropriate to the location and demonstrate they require a rural location and cannot be accommodated elsewhere, or the proposal is associated with the expansion of an existing facility; and
2. Support the objectives of rural regeneration/diversification.

This demonstrates the in-principle support given to the development and improvement of tourist facilities in the district by the CLP. The detailed criteria on design quality, character, landscape, impact on designated sites are matters discussed below and ones which must be met in order to achieve compliance with Policy 30. Likewise, the applicant will need to explore and provide evidence on encouraging an extended tourist season and supporting the objectives of rural regeneration and diversification to fully comply. There is currently no evidence provided on the latter two criteria. In addition to policy 30, the supporting text at paragraph 16.27 sets out that proposals should fully assess the potential to re-use existing buildings and extend current businesses, in preference to new build. If there are no alternative sites or buildings, new sensitively designed tourism buildings may be permitted. As such, details of how the re-use of the existing buildings has been considered should be submitted as part of any future planning application.

Policy 31 is also relevant, which deals with Caravan and Camping Sites. It states that proposals for alterations to existing caravan/chalet 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.

This again supports the provision of static caravan/chalet style holiday accommodation in the District in principle, subject to detailed criteria to be explored below. However, criterion 1 and the need to provide evidence of need for the proposed use and location is key to establishing the principle of development.

Under the 2019 application, the principle of upgrading existing stock to improve the site and the experience for visitors as well as moving towards a tourism (short term lets) other than a holiday camp (owners) model was acceptable in principle. However, it was considered to be insufficient evidence to demonstrate the sufficient demand to justify the proposed expansion of another 210 units.

However, the revised proposals submitted under this pre-application enquiry seeks to maintain the same overall number of units at 308, albeit in a different layout, unit design and operational model. This means that the requirement under policy 31 to demonstrate tourism need is no longer required, with the focus more towards the need for redevelopment/enhancements. As such, it remains the case that the proposed upgrading and improvement of the existing stock can be supported by officers in principle, subject to the other detailed considerations as set out later in this report. The ability to support the principle of development is also supported by the Council's Planning Policy and Economic Development officers, as demonstrated in their consultation responses (enclosed). In particular, the economic development officer supports the betterment of tourism opportunities in this area due to the beneficial impact on the local economy.

It should be noted that permission for caravans and chalet sites will usually be subject to a condition restricting the type of occupation to holiday use in order to retain the tourist accommodation and

ensure it is not used for permanent residential use. The period of occupation will be dependent on flood risk and the degree of protection considered desirable in order to avoid disturbance to sensitive sites of ecological value or to protect the tranquillity and character of the countryside.

Flood Risk

The pre-application submission states that the proposals would involve moving development into areas of lowest flood, in line with sequential test. This would be partially achieved by raising the land, which has the potential to make some of the new chalets passively resistant to significant flood risk. The principle of moving chalets into areas of lower flood risk was supported under the 2019 application and could be seen as a betterment. Under this pre-application enquiry, the Council's Drainage Engineer states that as per the NPPF the Council must allocate new development sequentially (areas at lowest risk). The proposal to replace the existing number of accommodation units in areas at lower risk is something they have no objection to in principle and would in fact support.

Based on Environment Agency (EA) Flood Risk Mapping for Planning at the time of writing this report, the proposed would only result in the units proposed for Field B and the north-eastern strip of Field C into Flood Zone 1 amounting to approximately 45 units. This means that approximately 268 units would remain within Flood Zones 2 and 3. In accordance with the NPPF and policy 42 of the CLP, a sequential test is required as part of the Flood Risk Assessment to clearly set out what work has been undertaken in selecting the parts of the site that have been chosen for redevelopment and what alternatives have been considered. Please be aware that as of 25 August, the National Planning Practice Guidance was updated, requiring all types of flooding to be taken into account and for a sequential test to be undertaken if there is a high risk of flooding of any type. This may include areas within Flood Zone 1.

As the site is immediately adjacent to the coast, the southern area of the site is predominantly at risk from flooding, but it is also under significant pressure from erosion. Notwithstanding the proposal to remove existing units from the southern end of field A and relocate them further from the coastline, the Drainage Engineer states that they would still expect the applicant to model any flood risk in the absence of the beach (undefended) when determining appropriate levels for the site.

Please note that as significant areas of the site fall within flood zones 2 and 3 (significant risk) the EA would be consulted as part of any future planning application to provide a detailed response with respect to the acceptability of the proposal based on the risk. CDC drainage officer also raises matters for consideration in terms of fluvial flood water storage and advised that this would also be a matter for the EA to comment on under any future planning application. The applicant is advised to seek advice from EA at the earliest opportunity.

In terms of surface water, there is limited detail at this stage. However, the Drainage Engineer states that the surface water drainage scheme design should follow the hierarchy of preference as set out in Approved Document H of the Building Regulations and the SuDS Manual produced by CIRIA. Therefore, the potential for on-site infiltration should be investigated and backed up by winter groundwater monitoring and winter percolation testing. The results of such investigations will be needed to inform the design of any infiltration structures, or alternatively be presented as evidence as to why on-site infiltration has not been deemed viable for this development.

If following site investigations, it is concluded that on-site infiltration is viable, infiltration should then be utilised to the maximum extent that is practical (where it is safe and acceptable to do so). Any soakage structures should not be constructed lower than the peak groundwater level. Wherever possible, roads, driveways, parking spaces, paths and patios should be of permeable construction.

If on-site infiltration is not possible, drainage via a restricted discharge to a suitable local watercourse may be acceptable. (Any discharge should be restricted to greenfield run-off rates, with a minimum rate of 2l/s).

Landscape

Reason for refusal 3 centred around the harm to the open and rural character of the area under policy 31 along with policies 44, 45 47 and 48 of the CLP. As discussed during our recent meetings, the Council does not currently employ a landscape officer and so under the 2019 application, advice was sought externally. The landscape advice for the previous scheme was provided by Hampshire County Council. The advice set out in this pre-application report will cover landscape insofar as the revised proposals have considered and implemented the comments and recommendations of the previous landscape advice. However, there has been no expert landscape input at this pre-application stage and rather is the comment of planning officers. As part of any future planning application, the Council would again seek expert landscape advice.

Under the 2019 application, the overall view was that the growth of the holiday park would have an effect of changing the landscape of the Manhood peninsula, reducing long open views, and replacing fields with development. The considerations for landscape were broadly divided into the impacts of different fields, or parts of fields. The fields are allocated letters as per the enclosed plan. The main areas of concern were the development of accommodation in southern parts of field E and all of field D, as well as the use of field G for recreation purposes. The advice of the landscape adviser is enclosed for further reading.

Whilst we welcome the removal of development in the locations which were identified as harmful to the open and rural character of the area, there are matters which officers have initial concerns about with the revised proposals.

Firstly, the development to the western side of the site, namely the northern part of field E would bring the development of the site close to the existing caravan site at Bracklesham to the west of the site. This could be perceived as coalescence between the holiday park and the neighbouring village of Bracklesham. Under the 2019 application the landscape adviser made the same point, stating that "the close proximity of Field E to the edge of Bracklesham, specifically to the edge of the Bracklesham Caravan and Boat Club has the potential to make this development appear to coalesce with Bracklesham and form a continuous urban development along the coast. This is a rare undeveloped part of the Coastline and should be valued as such." When visiting the site myself, the gap between the two sites was visible when viewed from the beach directly to the south of the gap. However, expert advice is needed to understand how this would be viewed from the ground when development is erected and from different viewpoints.

Secondly, the development of field B was identified as potentially harmful to the landscape character of the area under the 2019 application. The landscape adviser states that the proposed development of field B would intrude into the flat open landscape and will need to be well screened, as this will have an impact on the landscape character and long views across the area. It would be preferable not to develop this field, but it is accepted that in the long-term mitigation planting will help it blend into the landscape.

The pre-application proposals include the development of this field with the field boundaries being reinforced to screen the development from the open countryside beyond. At present, the existing northern boundary of the holiday park is very well established and provides good quality screening to the extent that little development can be seen behind it when driving along Drove Lane towards the entrance to the Holiday Park. This is in part due to the eye being drawn to the existing caravan

park at Bracklesham and the roofline of existing residential development beyond. That said, the impact of developing beyond the existing northern boundary of the holiday park would need careful consideration in terms of the impact on the open and rural character as it has the potential to be far more visible within the landscape than the existing northern edge of the park. Again, this is something that will require expert advice at planning application stage.

An element of the proposals which differs from the 2019 application is the proposed raising of land to reduce the risk of flooding. Whilst this is supported in principle in relation to flood risk, the impact of the raised levels needs to be fully assessed in landscape terms. At the time of writing, the Council does not have the expertise to provide advice on this at pre-application stage. Instead, you are advised that this is something that will be sought from the appointed landscape expert at planning application stage.

The previous landscape adviser also noted that the design and internal layout of the proposals would have an impact on character and should avoid "suburban streets" with uniform lines of buildings/accommodation units. This will be explored further in the design section of this report.

Habitat Regulations and other ecology considerations

The application site is heavily constrained by its proximity to European and other protected sites including the Chichester Harbour SPA, Pagham Harbour SPA, Bracklesham Bay SSSI and the Medmerry Compensatory Habitat.

As part of any future planning application, the applicant will need to provide us with all the details necessary to undertake a Habitats Regulation Assessment (HRA). This will involve the Council undertaking an Appropriate Assessment (AA) as the competent authority in consultation with Natural England (NE).

As part of this pre-application enquiry, the Council's Environment Officer has been consulted. They state that, as per their previous comments made for the application 19/02840/FULEIA, they still have serious concerns regarding the loss of the existing buffer between the holiday units and the Silt Ponds, the loss of Brent geese feeding habitat and the insufficient consideration of the recreational disturbance issues. These HRA issues along with the other HRA issues including Over Wintering Birds, Nesting Birds, will need to be addresses as part of any future application. It is advised that you review the comments of the Environment officer as well as NE made under application 19/02840/FULEIA. However, any future application will be assessed in line with the most up-to-date policy, guidance and legislation which could be subject to change since the 2019 application comments.

There are also constraints in terms of protected species and important habitats. Though details for protected species mitigation and surveys have been summarised in the Biodiversity Technical Note, full details including all survey data will need to be included within any subsequent planning application. Whilst the Environment Officer notes that a lot of survey work has been previously undertaken on this site, the applicant should be aware that we are only able to accept survey data following NE guidelines which is a maximum of two years old on the date the planning application is made. Any surveys older than this will need to be updated. These include surveys for bats, badgers, nesting birds, water voles, reptiles, invasive species, and hedgerows.

The surveys will also need to assess the green infrastructure across the site and ensure that this is retained and enhanced as part of the scheme. We require that enhancements to improve biodiversity across the site are incorporated into any future planning application and these should be discussed within the ecological surveys and shown within the landscaping plans.

The site sits in both the recreational disturbance buffer zones for both Chichester Harbour SPA and Pagham Harbour SPAs. Policies 50 and 51 of the CLP set out how new residential development in the Local Plan area has an in-combination effect on the protected bird species of these protected sites. This is due to recreational disturbance whereby a growing population in the area increases use of the coastline and harbour for recreation – e.g. walking, dog walking, boating and other water sports. This is usually mitigated via a financial contribution.

In this context, 'dwelling' includes net new dwellings to be used as holiday accommodation. However, as the proposal does not seek to increase the number of units proposed at the site (unlikely the previous proposal), there is not net increase that required mitigation payments to be made.

Other matters

Other matters to be discussed which do not directly relate to covering the previous reasons for refusal but are nonetheless important material considerations for any future planning application are set out below:

Design

During the pre-application meetings, it was made clear that you sought some feedback on the design proposals put forward. At this stage the primary focus of the advice has been on the principle and environmental matters to be established if the redevelopment of the site is going to be able to be afforded any support. However, consultation with the Council's Conservation and Design Officer has been undertaken to give high level comments of the proposed design and appearance of the proposals at this early stage, as shown below:

“The proposals are successful in trying to insert more variety into the built form. This will be an improvement on the current situation. There are several types of chalets proposed which could give a more interesting and varied visual outlook across the site.

The use of thematic areas is less successful. Whilst the influences on the Wetlands and Orchard types are clear and coherent, the beach type development is the least successful of the three partly due to its relatively contrived character. The use of coloured elevations is bound to age quite quickly, especially if rendered. Whilst it is clear that this approach is probably quite acceptable in holiday park terms, the focus of the design should be shifted towards building types arranged in a way that makes sense in the landscape and relate well to their surroundings. The Wetland and Orchard building types are the most successful and it is clear that thought has been given to the use of suitable materials and forms. The variety of building types could be arranged more coherently with a focus on the planting, wide streets and water features being complimented by appropriate and contextual chalet types. The use of timber weatherboarding, contemporary detailing and zinc standing seam roof types is encouraged. Some variety in roof forms across the longer stretches of chalets would also be beneficial.

It is likely that a simple redesign along the lines of the above comments would yield a successful scheme that could be fully supported in design terms.”

In addition to these comments, it should be noted that the previous landscape adviser made comment about the layout of the scheme to ensure that the scheme wouldn't harm the character of the area. It was their view that the 'attractiveness' of the accommodation lies not just in the individual appearance of the buildings, but also in their layout and spacing. It was advised that the

use of 'suburban streets' with uniform lines of tightly packed units would have a negative effect on the landscape character where this can be seen or perceived from the wider landscape. The revised proposals are more open in layout generally but detailed consideration needs to be given to how the layout of each area will be perceived within the landscape.

It is also noted from a planning perspective that the initial layouts and design appear to give more consideration to amenity space, privacy, and overall quality of the environment for people occupying the holiday units. If the application is to be submitted in full rather than in outline, further details should be included in the planning application including elevations, floorplans, plot sizes and layouts and sections/streetscenes as necessary.

Facilities and recreation space

The improvement of the facilities on the site is welcomed in principle. However, it is noted that the new recreation space is proposed within the southern part of field A. Consideration needs to be given to the implications of this on both the wider landscape and on ecology. In terms of the former, the Council will seek advice from the appointed landscape advisor. On the latter, it is noted that the applicant believes this part of the site is not directly used by overwintering or nesting birds. However, there is potential for indirect impact on neighbouring fields/sites which needs to be given due consideration.

Economic Development

It is recognised that the redevelopment of the holiday park could have economic benefits through increased tourism and job opportunities. It would be helpful for full details of the expected benefits to be set out in any future planning application to help officers assess this as part of the overall planning balance. It is noted that the Council's Economic Development team are supportive of the proposals.

Traffic and highways

Given the scale of the proposals, WSCC Highways recommend a formal pre-application discussion with them directly via [Pre-application advice for roads and transport - West Sussex County Council](#). Notwithstanding this, the below commentary can be provided at this stage.

Under the previous application, WSCC Highways did not object to the proposals. Given that the revised proposals would not result in an increase in unit numbers, the impact of the proposals on the local highways network is likely to be less than previously considered. Nonetheless, full details in should be provided as part of the planning application. WSCC recommend the following is provided:

- A site location plan scale (1:1250) with site boundary indicated
- Schedule of existing uses including planning history with reference numbers
- Description, including site layout plans, of the proposed development and schedule of uses
- Summary of reasons supporting the site access/highways works proposals, including plan (scale 1:250 or similar) with achievable visibility splays indicated
- A 'Transport Statement', including location plan of key services, availability of sustainable modes of transport and existing/future vehicular generation
- Reference to supporting national, regional, and local planning documents and policies
- Parking strategy, including provision of parking for all modes of transport

- Relevant data collected to date
- Proposed trip rates supported with TRICS outputs and site selection methodology

It should also be noted that the landscape adviser on the 2019 application considered that additional traffic through the Conservation Area of Earnley could have a negative impact on the tranquillity of the village. This is something that we know is a sensitive issue locally and so should be considered as part of any future planning application.

Environmental Protection

The Council's Environmental Protection team were consulted as part of this pre-application request. A summary of their comments is provided below with full details set out within the enclosed consultation comments.

i) Noise

Any future planning application will need to demonstrate that any neighbouring sensitive receptors shall not be adversely impacted as a result of the development. The noise sources could be from general site activities, traffic movements or external mechanical plant. Likewise, it shall have to be demonstrated that the proposed development site shall not be significantly adversely impacted by any neighbouring noise sources, for example the industrial units to the east of the proposed development.

ii) Contaminated Land

Due to the scale of the proposed development and the agricultural setting, consideration of contaminated land needs to be given. It is recommended that an initial site assessment was conducted and submitted as part of any application.

iii) Lighting

Any potentially disturbing light spill, on to neighbouring sensitive receptors needs to be identified as part of any future application.

iv) Air Quality

You are advised to give consideration to the Institute of Air Quality Management "Land-Use Planning and Development Control: Planning for Air Quality" document (Jan 2017). If the criteria for an air quality assessment is met, one will need to be provided. Even if it is determined that there shall be a modest increase in road traffic as a result of the proposed development measures should be provided that will mitigate and minimise any detriment in terms of air quality. Such measures would be the submission of a Travel Plan for approval and adequate provision of electric vehicle charge points.

v) Ventilation

In relation to the proposed restaurant/bar/café facilities, appropriate cooking extraction equipment shall have to be approved to protect amenity around the site. This could be secured via condition as necessary.

Archaeology

An updated desk-based assessment should be provided with any future application. The Councils' Archaeology Officer states that the potential impact of the proposal on below-ground deposits of interest would be best mitigated through a staged process of phased and adaptive investigations in advance of construction. This can be secured via condition.

Sustainability

Due to the requirements within Local Plan Policy 40: Sustainable Construction and Design, we require that a sustainability statement is submitted for this proposal. The statement will need to demonstrate how the requirements of policy 40 will be met. This includes how the site will:

- Protect and enhance the environment
- Achieve a maximum consumption of 110l of water per day per person
- Complies with building for life standards or equivalent replacement
- Sustainable design including the use of re-used or recycled materials
- Minimise energy consumption through renewable resources
- Adapt to climate change
- Historic and built environment protected and enhanced
- Improvements to biodiversity and green infrastructure
- Maintain tranquillity and local character
- Provision of electric vehicle charging points

The applicants should be aware that the updated Building Regulations have now been published. We will be expecting to see an improvement of 30% on Building Regulations for applications to meet the requirements of Policy 40.

Environmental Impact Assessment (EIA)

The previous application was considered to be EIA development under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. Whilst the proposed development under this pre-application enquiry is significantly reduced, we would still advise that a screening opinion is sought to understand whether any future application would also be considered EIA development. I understand that this is something you are planning to submit to us in due course.

Local List

When preparing and submitted any future planning application, please note the local list of requirement plans and documents to be submitted: [Planning application forms and guidance notes: Chichester District Council](#).

Conclusion

It is considered that the proposals could be supportable in principle. However, there are significant considerations that must be fully assessed and agreed for any future planning application to be successful. The key issues relate to the previous reasons for refusal on landscape, habitat regulations and flood risk.

This advice is given by an officer of the Council and is not necessarily binding on the Council for any future planning application you may submit. You should note that the proposal has not been given any third party publicity and as such the views of all statutory consultees have not been sought.

I trust this information is helpful but if you require any clarification, please do not hesitate to contact me.

Yours sincerely,

Joanne Prichard

Joanne Prichard

Senior Planning Officer (Development Management: Business and Majors)

Encs.

Decision notice 19/02840/FULEIA

Field map

Pre-app consultation responses

Previous Environmental Officer comments.

Previous Landscape adviser comments

**Appendix 4: Photographs from Conditions Survey
December 2021**

Photographs from some the condemned chalets December 2021



**Appendix 5: Relevant policies in the adopted
Chichester Local Plan: Key Policies (2014 – 2029)**

Relevant policies in the adopted Chichester Local Plan (2014 – 2029)

The adopted Development Plan for the Chichester area is the Chichester Local Plan: Key Policies (2014 – 2029) (hereafter referred to as the CLP) (adopted on 14 July 2015), the CDC Site Allocation Development Plan Document and all made neighbourhood plans.

The CLP contains policies used for development management in the Chichester area. The following policies within the CLP are of relevance to this application:

- Policy 1 Presumption in Favour of Sustainable Development
- Policy 3 The Economy and Employment Provision
- Policy 8 Transport and Accessibility
- Policy 9 Development and Infrastructure Provision
- Policy 22 Integrated Coastal Zone Management for the Manhood Peninsula
- Policy 30 Built Tourist and Leisure Development
- Policy 31 Caravan and Camping Sites
- Policy 39 Transport, Accessibility and Parking
- Policy 40 Sustainable Design and Construction
- Policy 42 Flood Risk and Water Management
- Policy 44 Development around the Coast
- Policy 45 Development in the Countryside
- Policy 46 Alterations, Change of Use and/or Re-use of Existing Buildings 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
- Policy 51 Development and Disturbance of Birds in Pagham Harbour Special Protection Area
- Policy 52 Green Infrastructure

Policy 1 Presumption in Favour of Sustainable Development

When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

Planning applications that accord with the policies in this Local Plan (and, where relevant, with policies in neighbourhood plans) will be approved, unless material considerations indicate otherwise.

Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise – taking into account whether:

1. Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or
2. Specific policies in that Framework indicate that development should be restricted.

Policy 3 The Economy and Employment Provision

Sustainable growth of the local economy will be supported through the provision of a flexible supply of employment land and premises to meet the varying needs of different economic sectors. This will comprise:



- Planning to provide a wider range of local employment opportunities and bring forward new business premises on allocated and identified employment sites;
- Protecting and enhancing existing employment sites and premises to meet the needs of modern business (see Policies 11 and 26);
- Protecting and promoting Chichester city as the main focus, and the Settlement Hubs as other locations for retail, office, leisure and cultural activities (see Policies 10 and 27);
- Supporting and promoting a high quality tourism economy (see Policy 30);
- Planning to accommodate the development needs of key local employment sectors, including the horticultural industry (see Policy 32);
- Planning to provide a wider range of local employment opportunities in the rural parts of the Plan area; and
- Supporting and facilitating proposals and initiatives which contribute to implementing
- the priorities identified in the Economic Development Strategy for Chichester District.

Existing undeveloped employment allocations for Business Use Classes (B1-B8) uses are shown on the Policies Map. In addition, to meet identified requirements during the Plan period, around 25 hectares of new employment land suitable for Business Use Classes (B1-B8) uses will be brought forward. This will comprise around 5 hectares office space and around 20 hectares of industrial/warehousing space. Additional employment land will be allocated in the Site Allocation DPD.

In addition to these allocations, small-scale employment development or live/work units, including extensions to existing sites in rural areas, may be identified in neighbourhood plans or permitted in appropriate circumstances where commercial demand exists.

Policy 8 Transport and Accessibility

The Council will work with West Sussex County Council, other transport and service providers and developers to improve accessibility to key services and facilities and to provide an improved and better integrated transport network.

This will include:

- Ensuring that new development is well located and designed to minimise the need for travel, encourages the use of sustainable modes of travel as an alternative to the private car, and provides or contributes towards necessary transport infrastructure, including through travel plans;
- Working with relevant providers to improve accessibility to key services and facilities and to ensure that new facilities are readily accessible by sustainable modes of travel; and
- Planning to achieve timely delivery of transport infrastructure needed to support new housing, employment and other development identified in this Plan.

Integrated transport measures will be developed to mitigate the impact of planned development on the highways network, promote more sustainable travel patterns and encourage increased use of sustainable modes of travel, such as public transport, cycling and walking. This will include:

- A coordinated package of improvements to junctions on the A27 Chichester Bypass, that will increase road capacity, reduce traffic congestion, improve safety, and improve access to Chichester city from surrounding areas;
- Targeted investment to improve local transport infrastructure, focusing on delivery of improved and better integrated bus and train services, and improved pedestrian and cycling networks; and
- Measures to promote behavioural change in travel choices, such as easy-to-use journey planning tools, skills training and promotional activities. Travel plans will be developed as a means of coordinating these measures.

Funding from the Community Infrastructure Levy (CIL) will be used to help deliver these transport measures, supplemented by other available sources where available. New development may also be required to deliver or



contribute towards specific transport improvements directly related to the development (see Policy 7). Planned transport measures will involve consultation with all interested parties, including local residents and businesses.

Policy 9 Development and Infrastructure Provision

The Council will work with partners, neighbouring councils, infrastructure providers and stakeholders to ensure that new physical, economic, social, environmental and green infrastructure is provided to support the development identified in the Local Plan.

Development and infrastructure provision will be coordinated to ensure that growth is supported by the timely provision of adequate infrastructure, facilities and services. The Infrastructure Delivery Plan will be used to identify the timing, type and number of infrastructure requirements to support the objectives and policies of the Plan as well as the main funding mechanisms and lead agencies responsible for their delivery.

All development will be required to meet all the following criteria:

1. Make effective use of existing infrastructure, facilities and services, including opportunities for co-location and multi-functional use of facilities;
2. Provide or fund new infrastructure, facilities or services required, both on and off-site, as a consequence of the proposal;
3. Safeguard the requirements of infrastructure providers, including but not limited to: telecommunications equipment (particularly high speed broadband), electricity power lines, high pressure gas mains, educational facilities, health facilities, and aquifer protection areas;
4. Facilitate accessibility to facilities and services by a range of transport modes; and
5. Where appropriate:
 - Phase development to coordinate with the delivery of necessary infrastructure, facilities and services;
 - Mitigate the impact of the development on existing infrastructure, facilities or services;
 - Fund or contribute to improvements to increase the effectiveness and efficiency of infrastructure, facilities or services; and
 - Provide for the future maintenance of infrastructure, facilities or services provided as a result of the development.

Decisions on the provision of infrastructure should be based on a whole life costs approach.

Policy 22 Integrated Coastal Zone Management for the Manhood Peninsula

The Council will prepare plans, strategies, projects and other measures, in partnership with other organisations and local communities, to ensure that the Manhood Peninsula is planned for in a coordinated and integrated manner, whilst recognising the individual needs of the communities within the area.

Proposals and initiatives will be supported that promote the following general objectives:

1. Facilitate the economic, environmental and social well-being of the area;
2. Address proposals for the coastline and coastal communities set out in Coastal Defence Strategies and Shoreline Management Plans;
3. Contribute to greater safeguarding of property from flooding or erosion and/or enable the area and pattern of development to adapt to change, including the relocation of current settlement areas, and vulnerable facilities and infrastructure that might be directly affected by the consequences of climate change;
4. Provide resources to improve the process of harbour and coastal management, incorporating and integrating social, recreational, economic, physical and environmental issues and actions;
5. Improve infrastructure to support sustainable modes of transport, especially cycle ways, bridleways and footpaths, including the National Coastal Footpath; and
6. Provide the means of supporting regeneration on the Manhood Peninsula.

All development proposals must take account of relevant Surface Water Management Plans, Catchment Flood Management Plans and related flood defence plans and strategies. Financial contributions may be required from

development on sites where measures to address flood risk or to improve the environmental quality of watercourses have been identified by these plans and strategies.

Policy 30 Built Tourist and Leisure Development

Proposals for tourism and leisure development, including tourist accommodation, will be granted where it can be demonstrated all the following criteria have been considered:

1. It is sensitively designed to maintain the tranquillity and character of the area;
2. Is located so as to minimise impact on the natural and historic environment, including that of visitors or users of the facility, particularly avoiding increasing recreational pressures on Chichester Harbour AONB and Pagham Harbour and other designated sites;
3. It provides a high-quality attraction or accommodation; and
4. Encourages an extended tourist season.

In the countryside planning permission will be granted for new tourism buildings including bed and breakfast, self catering and hotel facilities where the above and following criteria have been met:

1. Be of a scale appropriate to the location and demonstrate they require a rural location and cannot be accommodated elsewhere, or the proposal is associated with the expansion of an existing facility; and
2. Support the objectives of rural regeneration/diversification.

Proposals involving the loss of tourist or leisure development, including holiday accommodation, will only be granted where there is no proven demand for the facility and it can no longer make a positive contribution to the economy.

Policy 31 Caravan and Camping Sites

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.

Where planning permission for caravans and chalet sites is granted a condition restricting the type of occupation to holiday use will be used in order to retain the tourist accommodation and ensure it is not used for permanent residential use. The period of occupation will be dependent on:

1. Whether the accommodation is within an area at risk of flooding, as defined by the Environment Agency;
2. The degree of protection considered desirable in order to avoid disturbance to sensitive sites of ecological value or to protect the tranquillity and character of the countryside, Chichester Harbour Area of Outstanding Natural Beauty and the setting of the National Park, Pagham Harbour and the undeveloped coast; and
3. The importance of securing the removal of touring units during the winter period where their permanent presence would be harmful to the landscape.

In the interests of maintaining an adequate supply of touring caravan pitches, proposals for a change of use to static caravan pitches should be accompanied by an assessment of supply and demand.

Proposals for the use of parts of existing caravan sites for winter storage of touring caravans and other forms of touring units will be granted provided that the proposal does not increase the impact of the use of the sites on the landscape or character of the surrounding area.



Policy 39 Transport, Accessibility and Parking

Planning permission will be granted for development where it can be demonstrated that all the following criteria have been considered:

1. All development provides for the access and transport demands they create, through provision of necessary improvements to transport networks, services and facilities, either directly by the developer or indirectly in the form of financial contributions;
2. Development is located and designed to minimise additional traffic generation and movement, and should not create or add to problems of safety, congestion, air pollution, or other damage to the environment;
3. The proposal has safe and adequate means of access and internal circulation/turning arrangements for all modes of transport relevant to the proposal;
4. The proposal encourages development that can be accessed by sustainable modes of transport, in part, through the creation of links between new development and existing pedestrian, cycle and public transport networks;
5. The proposal provides for safe, easy and direct movement for those with mobility difficulties;
6. The proposal does not create residual cumulative impacts which are severe; and
7. Proposals provide for high quality linkage direct from the development to the broadband network.

Developments with significant transport impacts must submit a Transport Assessment in accordance with the NPPF, and a Travel Plan including defined targets, implementation, funding, and monitoring regime.

Where development is likely to have an impact on an Air Quality Management Area, an air quality assessment will be required.

The level of car parking provision should be in accordance with current West Sussex County Council guidance. This, together with residential parking and the level of cycle parking, will be assessed on a flexible site by site basis depending on the provision of public transport and access to local facilities.

Policy 40 Sustainable Design and Construction

For all new dwellings or for new non-domestic buildings, evidence will be required by the developer to demonstrate that all of the following criteria have been considered (proportionate to the scale of development):

1. How the proposal aims to protect and enhance the environment, both built and natural. Where this is not possible, how any harm will be mitigated;
 2. The proposal achieves a minimum of 110 litres per person per day including external water use;
 3. New development complies with Building for Life Standards or equivalent replacement national minimum standards, whichever are higher by ensuring it is accessible to all, flexible towards future adaptation in response to changing life needs, easily accessible to facilities and services; and takes into account the need for on-site waste reduction and recycling;
 4. Where appropriate, the proposals apply sound sustainable design, good environmental practices, sustainable building techniques and technology, including the use of materials that reduce the embodied carbon of construction and the use of re-used or recycled materials;
 5. Energy consumption will be minimised and the amount of energy supplied from renewable resources will be maximised to meet the remaining requirement, including the use of energy efficient passive solar design principles where possible;
 6. The proposals include measures to adapt to climate change, such as the provision of green infrastructure, sustainable urban drainage systems, suitable shading of pedestrian routes and open spaces and drought resistant planting/landscaping;
 7. The historic and built environment, open space, and landscape character will be protected and enhanced;
 8. The natural environment and biodiversity will be protected and/or where appropriate provision will be made for improvements to biodiversity areas and green infrastructure;
 9. The development is appropriate and sympathetic in terms of scale, height, appearance, form, siting and layout and is sensitively designed to maintain the tranquillity and local character and identity of the area; and
-

10. The reduction of the impacts associated with traffic or pollution (including air, water, noise and light pollution) will be achieved, including but not limited to the promotion of car clubs and facilities for charging electric vehicles.

Policy 42 Flood Risk and Water Management

Flood and erosion risk will be taken into account at all stages in the planning process to avoid inappropriate development in areas at current or future risk, and to direct development away from areas of highest risk.

Development in areas at risk of flooding as identified by the Environment Agency flood risk maps will be granted where all the following criteria are met:

1. The proposal meets the sequential and exception test (where required) in relation to the National Planning Policy Framework;
2. A site-specific flood risk assessment demonstrates that the development will be safe, including the access and egress, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall;
3. The proposal incorporates specific requirements of the site, and protection, resilience and resistance measures appropriate to the character and biodiversity of the area;
4. Development would not result/exacerbate coastal squeeze of any European sites or prevent managed realignment that may be required to ensure no adverse effect on European sites as a result of coastal squeeze;
5. The scheme identifies adaptation and mitigation measures;
6. Appropriate flood warning and evacuation plans are in place; and
7. New site drainage systems are designed taking account of events which exceed the normal design standard i.e. consideration of flood flow routing and utilising temporary storage areas.

All development will be required to ensure that, as a minimum, there is no net increase in surface water run-off. Priority should be given to incorporating Sustainable Drainage Systems (SuDS) to manage surface water drainage, unless it is proven that SuDS are not appropriate. Where SuDS are provided arrangements must be put in place for their whole life management and maintenance.

In locations where strategic flood defence or adaptation measures are necessary within the site itself, proposals will be required to demonstrate how measures have been incorporated as an intrinsic part of the scheme in a manner which meets the requirements to manage flood risk.

All development proposals must take account of relevant Surface Water Management Plans, South East River Basin Management Plan and Catchment Flood Management Plans and related flood defence plans and strategies. Financial contributions may be required from development on sites where measures to address flood risk or to improve the environmental quality of watercourses have been identified by these plans and strategies and in accordance with the overall objective of the Water Framework Directive.

The reports prepared as part of the criteria above must demonstrate that the development is safe and will not increase flood risk elsewhere; will reduce overall flood risk and take into account contingency allowances, addressing climate change as set out in the NPPF Technical Guidance and the relevant Shoreline Management Plans and Coastal Defence Strategy.

Policy 44 Development around the Coast

Planning permission will be granted for development in the coastal area, outside of Settlement Boundaries, where it can be demonstrated that all the following criteria have been considered:

1. There are no harmful effects on or net loss of nature conservation or areas of geological importance within the Chichester and Pagham Harbours and Medmerry Realignment;
 2. The development provides recreational opportunities that do not adversely affect the character, environment and appearance of the coast and Chichester Harbour Area of Outstanding Natural Beauty;
 3. Regard has been shown to the high quality and inclusive design of new buildings in coastal locations in accordance with other relevant design and historic environment policies;
-

4. There are measures for mitigation of any detrimental effects including where appropriate the improvement of existing landscapes relating to the proposal;
5. Where appropriate, opportunities have been taken to upgrade existing footpaths and cyclepaths, enhance and protect the National Coastal Footpath and ensure that public access is retained and provided to connect existing paths along the waterfront;
6. The development would result in improvements to or redistribution of moorings, marine berths or launch on demand facilities (dry berths) in the harbours; and
7. The development would not be detrimental to infrastructure for, and quality of, water-based recreation, or be detrimental to the safety of navigation.

The Council will seek to safeguard a minimum of a 15 metre strip of land immediately behind the landward edge of the existing or proposed sea defence or coast protection works to facilitate access for plant and materials used in connection with their maintenance or repair.

The Council will seek to safeguard a minimum of a 25 metre strip of land, measured from the landward edge of the existing or proposed sea defence or coast protection works in harsh marine environment areas in order to prevent storm damage to buildings. Planning permission will be granted for a replacement dwelling unless there is past evidence that the existing or demolished property has been damaged as a result of the harsh marine environment. Repeat applications for replacement dwellings will be refused unless the applicant can demonstrate no future harm.

Policy 45 Development in the Countryside

Within the countryside, outside Settlement Boundaries, development will be granted where it requires a countryside location and meets the essential, small scale, and local need which cannot be met within or immediately adjacent to existing settlements.

Planning permission will be granted for sustainable development in the countryside where it can be demonstrated that all the following criteria have been met:

1. The proposal is well related to an existing farmstead or group of buildings, or located close to an established settlement;
2. The proposal is complementary to and does not prejudice any viable agricultural operations on a farm and other existing viable uses; and
3. Proposals requiring a countryside setting, for example agricultural buildings, ensure that their scale, siting, design and materials would have minimal impact on the landscape and rural character of the area.

Applications for retail development in the countryside will be considered where it has been demonstrated that the appropriate sequential and/or impact assessments have been undertaken. Local/small scale farm shops will be permitted provided they sell goods that have predominantly been produced on the farm.

Policy 46 Alterations, Change of Use and/or Re-use of Existing Buildings in the Countryside

Proposals for the conversion or reuse of a building in the countryside, outside Settlement Boundaries, will be granted where it can be demonstrated that all the following criteria have been met:

1. The building is structurally sound and is capable of conversion for employment uses without the need for significant extension, alteration or rebuilding;
2. It has been demonstrated that economic uses, including live/work units, have been considered before residential and are unviable;
3. The proposal is complementary to and does not prejudice any viable agricultural operations on a farm and other existing viable uses;
4. The form, bulk and general design of the building is in keeping with its surroundings and the proposal and any associated development will not harm its landscape character and setting;



5. For residential, including holiday use, the proposal would involve the re-use of a traditional building of architectural or historic merit; and
6. The proposal will not damage the fabric or character of any traditional building or the historic character and significance of the farmstead and in the case of a Heritage Asset, whether designated or not, the proposal will not damage the architectural, archaeological or historic interest of the asset or its setting.

Development/conversions that would create new isolated homes in the countryside will be avoided unless there are special circumstances as outlined in Government guidance. Where appropriate a condition restricting further alterations or rebuilding including extensions may be applied.

Policy 47 Heritage and Design

The Local Planning Authority will continue to conserve and enhance the historic environment through the preparation of conservation area character appraisals and management plans and other strategies, and new development which recognises, respects and enhances the local distinctiveness and character of the area, landscape and heritage assets will be supported. Planning permission will be granted where it can be demonstrated that all the following criteria have been met and supporting guidance followed:

1. The proposal conserves and enhances the special interest and settings of designated and non-designated heritage assets including:
 - Monuments, sites and areas of archaeological potential or importance;
 - Listed buildings including buildings or structures forming part of the curtilage of the listed building; - Buildings of local importance, including locally listed and positive buildings;
 - Historic buildings or structures/features of local distinctiveness and character; - Conservation Areas; and
 - Historic Parks or Gardens, both registered or of local importance and historic landscapes.
2. Development respects distinctive local character and sensitively contributes to creating places of a high architectural and built quality;
3. Development respects existing designed or natural landscapes; and
4. The individual identity of settlements is maintained, and the integrity of predominantly open and undeveloped character of the area, including the openness of the views in and around Chichester and Pagham Harbours, towards the city, the Cathedral, local landmarks and the South Downs National Park, is not undermined.

Policy 48 Natural Environment

Planning permission will be granted where it can be demonstrated that all the following criteria have been met:

1. There is no adverse impact on:
 - The openness of the views in and around the coast, designated environmental areas and the setting of the South Downs National Park; and
 - The tranquil and rural character of the area.
2. Development recognises distinctive local landscape character and sensitively contributes to its setting and quality;
3. Proposals respect and enhance the landscape character of the surrounding area and site, and public amenity through detailed design;
4. Development of poorer quality agricultural land has been fully considered in preference to best and most versatile land; and
5. The individual identity of settlements, actual or perceived, is maintained and the integrity of predominantly open and undeveloped land between settlements is not undermined.

Policy 49 Biodiversity

Planning permission will be granted for development where it can be demonstrated that all the following criteria have been met:



1. The biodiversity value of the site is safeguarded;
2. Demonstrable harm to habitats or species which are protected or which are of importance to biodiversity is avoided or mitigated;
3. The proposal has incorporated features that enhance biodiversity as part of good design and sustainable development;
4. The proposal protects, manages and enhances the District's network of ecology, biodiversity and geological sites, including the international, national and local designated sites (statutory and non-statutory), priority habitats, wildlife corridors and stepping stones that connect them;
5. Any individual or cumulative adverse impacts on sites are avoided;
6. The benefits of development outweigh any adverse impact on the biodiversity on the site. Exceptions will only be made where no reasonable alternatives are available; and planning conditions and/or planning obligations may be imposed to mitigate or compensate for the harmful effects of the development.

Policy 50 Development and Disturbance of Birds in Chichester and Langstone Harbours Special Protection Areas

It is Natural England's advice that all net increases in residential development within the 5.6km 'Zone of Influence' are likely to have a significant effect on the Chichester and Langstone Harbours SPA either alone or in-combination with other developments and will need to be subject to the provisions of Regulation 61 of the Conservation of Habitats and Species Regulations 2010. In the absence of appropriate avoidance and/or mitigation measures that will enable the planning authority to ascertain that the development would not adversely affect the integrity of the SPA, planning permission will not be granted because the tests for derogations in Regulation 62 are unlikely to be met. Furthermore, such development would not have the benefit of the presumption in favour of sustainable development in the National Planning Policy Framework.

Net increases in residential development, which incorporates appropriate avoidance/mitigation measures, which would avoid any likelihood of a significant effect on the SPA, will not require an 'appropriate assessment'.

Appropriate avoidance/mitigation measures will comprise:

- a) A contribution in accordance with the joint mitigation strategy outlined in Phase III of the Solent Disturbance and Mitigation Project; or
- b) A developer provided package of measures associated with the proposed development designed to avoid any significant effect on the SPA; or
- c) A combination of measures in (a) and (b) above.

Avoidance/mitigation measures will need to be phased with development and shall be maintained in perpetuity. All mitigation measures in (a), (b) and (c) above must be agreed to be appropriate by Natural England. They should also have regard to the Chichester Harbour AONB Management Plan.

The provisions of this policy do not exclude the possibility that some residential schemes either within or outside the Zone of Influence might require further assessment under the Habitats Regulations. For example, large schemes, schemes proposing bespoke avoidance/mitigation measures, or schemes proposing an alternative approach to the protection of the SPAs. Such schemes will be assessed on their own merits, and subject to advice from Natural England.

Policy 51 Development and Disturbance of Birds in Pagham Harbour Special Protection Area

Net increases in residential development within the 3.5km 'Zone of Influence' are likely to have a significant effect on the Pagham Harbour SPA either alone or in-combination with other developments and will need to be subject to the provisions of Regulation 61 of the Conservation of Habitats and Species Regulations 2010. In the absence of appropriate avoidance and/or mitigation measures that will enable the planning authority to ascertain that the development would not adversely affect the integrity of the SPA, planning permission will not be granted because the tests for derogations in Regulation 62 are unlikely to be met. Furthermore, such development would not have the benefit of the presumption in favour of sustainable development in the National Planning Policy Framework.



Net increases in residential development, which incorporates appropriate avoidance/mitigation measures, which would avoid any likelihood of a significant effect on the SPA, will not require 'appropriate assessment'. Appropriate avoidance/mitigation measures will comprise:

- a) A contribution towards the appropriate management of the Pagham Harbour Local Nature Reserve in accordance with the LNR Management Plan; or
- b) A developer provided package of measures associated with the proposed development designed to avoid any significant effect on the SPA; or
- c) A combination of measures in (a) and (b) above.

Avoidance/mitigation measures will need to be phased with development and shall be maintained in perpetuity. All mitigation measures in (a), (b) and (c) above must be agreed to be appropriate by Natural England in consultation with owners and managers of the land within the SPA.

The provisions of this policy do not exclude the possibility that some residential schemes either within or outside the Zone of Influence might require further assessment under the Habitats Regulations. For example, large schemes, schemes proposing bespoke avoidance/mitigation measures, or schemes proposing an alternative approach to the protection of the SPAs. Such schemes will be assessed on their own merits, and subject to advice from Natural England.

Policy 52 Green Infrastructure

Development will be expected to contribute towards the provision of additional green infrastructure and protect and enhance existing green infrastructure.

Planning permission will be granted where it can be demonstrated that all the following criteria have been met:

1. The proposals maintain and where appropriate contribute to the network of green infrastructure i.e. public and private playing fields, recreational open spaces, parklands, allotments and water environments;
2. The proposals contribute to improving the health and well-being of the local and wider community;
3. Where appropriate, the proposals incorporate either improvements to existing green infrastructure or the restoration, enhancement or creation of additional provision/areas;
4. Where appropriate, the proposals incorporate either improvements to existing ecology and biodiversity or the restoration, enhancement or creation of additional habitat and habitat networks;
5. Where appropriate, the proposals incorporate either improvements to existing trees, woodland, landscape features and hedges or the restoration, enhancement or creation of additional provision/areas;
6. Where appropriate, the proposals create new green infrastructure either through on site provision or financial contributions. Where on-site provision is not possible financial contributions will be required and be negotiated on a site by site basis; and
7. The proposals do not lead to the dissection of the linear network of cycleways, public rights of way, bridleways and ecological corridors such as ancient woodlands, hedgerows, ditches and water environments.

Such provision will be required in accordance with adopted policies and strategies relating to green infrastructure and biodiversity network provision. Development that will harm the green infrastructure network will only be granted if it can incorporate measures that avoid the harm arising or sufficiently mitigate its effects.



**Appendix 6: Relevant policies in the emerging
Chichester Local Plan 2021-2039**

Relevant policies in the emerging Development Plan – The Chichester Local Plan 2021–2039.

CDC are currently preparing their emerging Development Plan - The Chichester Local Plan 2021-2039. CDC previously consulted on the Local Plan Review 2016-2035 Preferred Approach (LPR) document between December 2018 and February 2019 under Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

Following consideration of all responses to the consultation period, the Council recently consulted on the Chichester Local Plan 2021 - 2039: Proposed Submission under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). This consultation ran from February 2023 until 17 March 2023.

All comments will then be passed to the Secretary of State for Independent Examination. The draft policies within the emerging Chichester Local Plan (Regulation 19) of relevance are as follows although the weight to attach to these policies will increase during the plan preparation process and following the examination:

- Policy S1 Spatial Development Strategy
- Policy NE2 Natural Landscape
- Policy NE3 Landscape Gaps between settlements
- Policy NE4 Strategic Wildlife Corridors
- Policy NE5 Biodiversity and Biodiversity Net Gain
- Policy NE6 Chichester’s Internationally and Nationally Designated Habitats
- Policy NE7 Development and Disturbance of Birds in Chichester and Langstone Harbours, Pagham Harbour, Solent and Dorset Coast Special Protection Areas and Medmerry Compensatory Habitat
- Policy NE8 Trees, Hedgerows and Woodlands
- Policy NE10 Development in the Countryside
- Policy NE11 The Coast
- Policy NE12 Development around the Coast
- Policy NE13 Policy NE13 Chichester Harbour Area of Outstanding Natural Beauty
- Policy NE14 Integrated Coastal Zone Management for the Manhood Peninsula
- Policy NE15 Flood Risk and Water Management
- Policy NE16 Water Management and Water Quality
- Policy NE20 Pollution
- Policy NE21 Lighting
- Policy NE22 Air Quality
- Policy NE23 Noise
- Policy NE24 Contaminated Land
- Policy P1 Design Principles
- Policy P2 Local Character and Distinctiveness
- Policy P4 Layout and Access
- Policy P5 Spaces and Landscaping
- Policy P8 Materials and Detailing
- Policy P9 The Historic Environment
- Policy P10 Listed Buildings
- Policy P11 Conservation Areas
- Policy P14 Green Infrastructure
- Policy E8 Built Tourist and Leisure Development
- Policy E9 Caravan and Camping Sites
- Policy T2 Transport and Development
- Policy T3 Active Travel - Walking and Cycling Provision
- Policy T4 Parking Provision



laister

PARTNERS IN PLANNING

01608 238282

info@laister.co.uk | laister.co.uk

Laister Planning Ltd, Oddfellows Hall, Ground Floor, London Road
Chipping Norton, Oxfordshire OX7 5AR

