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| Report to          | <b>Planning Committee</b>  |
| Date               | <b>11 July 2011</b>  |
| By                 | <b>Head of Planning</b>  |
| Local Authority    | <b>Chichester District Council</b>   |
| Application Number | <b>11/00102/FULNP</b>  |
| Application        | <b>Change of use from agriculture to polo training pitch, use class D2(e) and associated works to create playing surface</b> |
| Address            | <b>Land at Madams Farm, Kings Drive, Easebourne, Midhurst, West Sussex, GU29 0BH</b>   |
| Purpose of Report  | <b>The application is reported to Committee for decision.</b>  |

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**Recommendation: The Committee is recommended to refuse planning permission for the reasons set out in paragraph 8.1 of this report.**

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## **1. The Proposal and the Site**

- 1.1 The application site forms part of a 238 acre holding, situated between Midhurst and Fernhurst in the South Downs National Park. Madams Farm provides practice polo pitches in connection with the Cowdray Estate. The main group of farm buildings comprises the farmhouse, barns and stabling for polo horses. The farmhouse is Grade II listed. Two practice polo pitches are currently used – one located on sloping land to the east of the main farm buildings and a second to the northwest of the farm. Vehicle access to the site is from King's Drive.
- 1.2 The proposal is for a change of use of agricultural land to polo pitch (class D2 e) and associated works in order to provide a full size practice polo pitch of match standard on level ground. The site covers an area of 6.3 hectares and is currently used as horse grazing. The site is on elevated ground with extensive views across the Downs to the south. A public footpath is located to the west and the A286 to the east.
- 1.3 The proposed polo pitch would require landscaping works, including alterations to existing ground levels and the removal of hedgerows. The site contains remnants of Medieval field boundaries and earthworks, some of which have already been removed, and are the subject of enforcement action.

## **2. Consultations**

- 2.1 The Environment Agency - no objection.
- 2.2 Highways Authority – no objection, subject to conditions. In the event of planning permission being granted, a condition is necessary, requiring visibility splays at the site entrance onto Kings Road to be kept free from construction above 600mm.
- 2.3 West Sussex County Ecologist – no objection, subject to conditions to protect trees and to control where earth moving plant and other materials or equipment will be stored.
- 2.4 Landscape Consultant –the removal of hedgerows and levelling proposed will adversely affect the landscape character

2.5 Archaeology Officer – Madams Farm is identified in West Sussex County Council’s Historic Landscape Characterisation as containing significant elements relating to Medieval Cohesive Assart - fields derived from the general, unplanned clearance of woodland and grouped around a farmstead circa.1066 to 1499 AD. The pattern of fields to the north east appears unchanged on the Easebourne Tithes Award Map (undated but circa 1845) and on all editions of the OS maps and 1:2500 OS maps.

### **3. Representations**

3.1 Easebourne Parish Council – no objection.

### **4. Relevant Planning History**

4.1 EB/11/01661/HDGNP Removal of mixed species of hedgerow consisting mainly of Hawthorn, Holly, Beech and Bramble, approximately 40 metres in length. Refused.

### **5. Planning Policy Context**

5.1 The two statutory purposes of the SDNP designation are:

- To conserve and enhance the natural beauty, wildlife and cultural heritage of their areas; and
- To promote opportunities for the public understanding and enjoyment of the special qualities of their areas

5.2 If there is a conflict between these two purposes, conservation takes precedence. There is also a duty to foster the economic and social wellbeing of the local community in pursuit of these objectives. Government policy relating to National Parks set out in PPS7: Sustainable Development in Rural Areas and Circular 20/10 is that they have the highest status protection in relation to landscape and scenic beauty. Conservation of the natural beauty of the landscape and countryside, must, therefore be given great weight in development control decisions.

5.3 In addition, the following national planning policy documents are relevant to this application:

- PPS5 Planning for the Historic Environment requires the impact of the development on a heritage asset to be understood before development is permitted. In respect of heritage assets with archaeological interest, a desk based assessment or field evaluation is required, in order to identify, evaluate and assess the extent and quality of the heritage asset.

5.4 Applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory development plan in this area is the South East Plan and the Chichester District Local Plan First Review (1999).

5.5 The South East Plan was adopted by the Secretary of State on 6 May 2009 and supersedes RPG9. The Coalition Government’s revocation of the South East Plan in July 2010 has been found to be unlawful so the document currently remains part of the development plan. The intention to revoke it is a material consideration. Relevant policies to this application include:-

- Policy C2 : The South Downs. The policy states that the purposes of the designation should be a material consideration in the making of any planning decision that would affect it.
- Policy CC1: Sustainable Development. States that the physical and natural environment of the south east is conserved and enhanced.

5.6 Chichester District Local Plan First Review (1999). policies relevant to this application are

- Policy RE1 Development in the Rural Area Generally

- Policy RE8 Nature Conservation - Non-designated sites.
- Policy BE3 Archaeology requires a desk based assessment or field evaluation of the archaeological remains and, either, preservation of those remains in situ or appropriate measures for excavation, recording and publication.
- Policy TR6 requires that development does not have an adverse impact on the highway network.

## 6. Planning Assessment

### Impact on the character and appearance of the SDNP

- 6.1 The application site is located to the northeast of Madam's Farm, within an area of the National Park identified as containing historic field boundaries. The Chichester District Archaeologist identifies the remnants of these field boundaries as Medieval Cohesive Assart - fields derived from the general, unplanned clearance of woodland, and grouped around a farmstead dating from the period 1066 to 1499 AD. The field boundaries are recorded on OS maps from 1841 but circumstantial evidence suggests they date from much earlier and relate to the original clearance of the Weald for (mainly pastoral) agriculture in the Middle Ages. The existing field boundary pattern is therefore of a potentially high value to the landscape character of the National Park.
- 6.2 National planning policy (PPS5) requires the identification and assessment of the significance of a heritage asset to be recorded and evaluated. No assessment of the historic significance of the landscape or field evaluation of the remnants of the historic field pattern has been undertaken, contrary to national planning guidance (PPS5) and policy BE3 of Chichester District Local Plan.
- 6.3 The proposed landscaping works would require alterations to existing grounds levels and the removal of sections of hedgerow, which form part of this historic pattern of field boundaries. The submitted sections illustrate alterations to ground levels of up to 3.1 metres in the southwest corner and the removal of a section of hedgerow, 40 metres in length. An east-west section of hedgerow and earthworks, 150 metres in length, has already been removed and is subject to enforcement action, requiring it to be replanted should planning permission be refused.
- 6.4 National planning policy (PPS7) seeks to encourage and to support equine related development and recognises the importance of such activities to the local rural economy. Polo forms an important element of the rural economy in West Sussex. It is recognised that the facilities at Madams Farm support the local economy and the proposal would provide improved facilities for private polo practice. The landscaping works would have limited visual impact from public vantage points. The site is well screened from the A286 to the east. A public footpath is located on the far western boundary of Madams Farm in a ditch, below ground level. The site cannot be seen from this public vantage point. The existing practice pitches are incorporated into the pattern of field boundaries. By contrast, the proposed new pitch would disrupt the remnants of the Medieval field boundary pattern, requiring further sections of hedgerow to be removed and alterations to natural, undulating ground levels, with a manicured, flat playing surface. It is considered that the proposal would therefore be in conflict with the primary purpose of the national park designation, that of preserving and enhancing the natural beauty and cultural heritage of the National Park.
- 6.5 Although the applicant has offered to reinstate hedgerows elsewhere across Madams Farm in order to compensate for the loss, the potential harm to the cultural heritage of the landscape through the erosion of the historic pattern of field boundaries would outweigh any mitigation. As such, the proposal would not safeguard the cultural heritage of the National Park, contrary to the primary objective of its designation.

### Traffic and Transport

- 6.6 The site is accessed from King's Drive via an unmade, single track lane. No commercial polo matches take place at Madams Farm and the farm is used as an in-house training facility for private practice games. Training is seasonal with the peak period between May and August. On average 2-3 practice matches are played per week.
- 6.7 The existing practice pitches are not of full match standard. Therefore, in order to participate in full practice matches, polo ponies are transported off site, resulting in approximately 3-4 lorry movements per day (fewer out of season). The proposal would generate a similar level of traffic movements with visiting players coming to the site. The Highways Authority raises no objection on highway safety grounds and is satisfied that the roads can safely accommodate the level of traffic movements, subject to conditions to ensure that visibility splays at the entrance onto King's Drive remain unobstructed above 600mm.

### Impact on Biodiversity

- 6.8 Trees to the east of the site are registered as ancient woodland within a Site of Nature Conservation Interest (SNCI). The proposed works would have no direct impact on the SNCI or ancient woodland; however, the County Ecologist has requested that trees adjacent to the eastern boundary are protected before the commencement of any development or preparatory works on site.

### Impact on Residential Amenity

- 6.9 There are no residential dwellings in proximity to the application site. As such, the proposal would have no impact on residential amenity.

### Flooding

- 6.10 A flood risk assessment is submitted with the application, as the site area exceeds 1ha. The site is located in Flood Zone 1, where there is low risk of flooding amounting to less than 1 in 1000 in any year. The Environment Agency raises no objection to the proposal on flood risk grounds.

## **7. Conclusion and Reasons for Recommendations**

- 7.1 Although the proposed full size practice polo pitch would provide improved training facilities to support an established equine business within the National Park, it would not preserve or enhance the cultural heritage of the landscape. The proposal is therefore in conflict with the primary purpose of the National Park designation and is contrary to national policy objectives set out in PPS7, policy C2 of the South East Plan and policy xx of the Chichester District Local Plan. Moreover, no assessment of the historic significance of the heritage asset has been undertaken, contrary to national planning policy (PPS5).

## **8. Recommendations**

- 8.1 It is recommended that Planning permission be refused for the following reasons:
1. The proposed change of use from agriculture land to polo training pitch and associated works would fail to preserve or enhance the special landscape character and cultural heritage of the South Downs National Park contrary to national planning policy set out in PPS7 and policy C2 of the South East Plan.
  2. No information has been submitted to demonstrate the historic significance of the heritage asset. As such, the proposal is contrary to policy HE.6 of PPS5.

## **9. Crime and Disorder Implications**

- 9.1 It is considered that the proposal does not raise any crime and disorder implications.

## **10. Human Rights Implications**

- 10.1 This planning application has been considered in light of statute and case law and any interference with an individual's human rights is considered to be proportionate to the aims sought to be realised.

### **JIM REDWOOD Head of Planning**

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| Appendices       | Location Map                           |
| SDNPA Consultees | Monitoring Officer & Senior Solicitor. |

#### Background Documents

Observations of Easebourne Parish Council

Highways Authority comments

Environment Agency comments

WSCC ecologist comments

Landscape consultant comments

Archaeology officer comments

PPS7

PPS5

Circular 20/10

Chichester District Local Plan (First Review) 1999

South East Plan 2009