

Report to	Planning Committee
Date	15 March 2012
By	Director of Planning
Local Authority	Arun District Council
Application Number	LY/21/11
Application	Change of use of land for the siting of a horse ménage, two additional stables and 8 holiday lodges ancillary to an existing equestrian related development
Address	Westland Field, Crossbush, Arundel, West Sussex
Purpose of Report	The application is reported to committee for decision

Recommendation: That planning permission be refused for the reason set out in paragraph 10.1 of this report.

1. Site Description

- 1.1 The application site is located in Crossbush approximately 2.4km south-west of Arundel in West Sussex. Crossbush consists of a small number of residential properties located in a linear format along Crossbush Lane. The site lies outside of any defined settlement boundary.
- 1.2 The application site is accessed directly from Crossbush Lane which meets the A27 0.8km to the west. Crossbush Lane is an unclassified road which formerly served as the main east-west vehicular artery but which now terminates 0.6km to the east of the site where it abuts the A27.
- 1.3 The application site itself lies between the A27 and Crossbush Lane and constitutes a 3.8 ha flat parcel of land sandwiched between Stubbs Copse to the west and Westlands copse to the east, both of which are Ancient Woodland. The access to the site is via a gated entrance in the north-west corner and leads, southwards, to the existing stable block and beyond that to the gas works permitted in 1991. The remainder of the site is subdivided from the stables by fencing and is currently utilised for both the grazing of horses and for equestrian use.
- 1.4 To the immediate north of the site, beyond Crossbush Lane, lies Crossbush Lodge a former gatehouse, now serving as a single dwelling, which is a Grade II listed building.

2. Relevant Planning History

- 2.1 PO/2/96; Continuance of use without compliance with condition 5 of planning permission PO/4/94 to allow the erection/storage of horse jumps; Permitted 3/4/1996
- 2.2 PO/5/95; Retention of tack/storage unit attached to twin stable unit. Field Shelter; Permitted 21/09/1995
- 2.3 PO/4/94; Erection of stable block and twin stable unit; Permitted; 30/11/1994
- 2.4 LY/7/91; Change of use to operational land of a public gas supplier and chain link security fencing; Permitted 16/10/1991

3. Proposal

3.1 The application is to expand the existing stable complex by introducing both further equestrian facilities and tourist accommodation ancillary to the equestrian use.

3.2 The application therefore seeks planning permission for:

- A 20m x 50m horse riding arena to be enclosed by weathered timber boarding and surfaced with wood fibre chippings
- Two adjoining horse stalls with a footprint of 3.7m x 3.7m and height of 3m
- Eight holiday lodges with footprints of 9.2m x 5.7m and a height of 3.6m.
- The existing planting to the north of the site would be strengthened with new planting and additional planting proposed in and around the proposed lodges.
- A new hedgerow, 1.5m in height, is proposed to the south of the riding area to act as landscape screening and would include 2 x 3m timber gates to allow access into the remainder of the field to the south
- The existing access to the site would be increased in width to 4.1m but the access track would otherwise be unaltered.

4. Consultations

4.1 **Highways Agency:** No objection

4.2 **Highways Authority:** No objection subject to a condition

4.3 **Lyminster and Crossbush Parish Council:** Object on the following grounds:

- The land does not currently have planning permission for commercial equestrian use
- The impact upon the character of the site
- Concerns that the proposed screening could not be implemented due to the proximity of water and foul sewerage piping
- Limited access to the existing bridleway network
- Insufficient car parking and lack of consideration for horse boxes and horse lorries
- Increased risk of flooding
- Lack of community benefit
- Insufficient demonstration of local need for the proposal

4.4 **Poling Parish Council:** No objection subject to holiday occupancy condition

4.5 **Southern Water:** No objection subject to a condition

5. Representations

5.1 South Downs Society: No objection subject to holiday occupancy condition and controls on lighting and the provision of hard surfaces

5.2 18 other third-party letters of objection have been received raising the following concerns:

- Landscape impact
- The existing equestrian use is controlled by planning condition and should only be utilised for domestic purposes
- There is not an identified tourism need
- Impact upon the Grade II listed Crossbush Lodge
- Inadequate grazing land for the horses
- Flooding due to surface water run-off
- Highway impact upon Crossbush Lane and the junction with the A27
- Controls are required to restrict the introduction of hard surfacing
- The proximity of the gas sub-station would endanger health

- The proposal is not justified within the open countryside
- Controls are required to restrict lighting of the horse menage
- Inadequate ecology survey
- Lack of access to the existing bridleway network
- Lack of capacity within the sewerage network

6. Planning Policy Context

6.1 The following national policy documents are relevant to this application:

PPS1 Delivering Sustainable Development
 PPS4 Planning for Sustainable Economic Growth
 PPS7 Sustainable Development in Rural Areas
 PPS9 Biodiversity and Geological Conservation
 Good Practice Guide on Planning for Tourism

6.2 The Government published a consultation draft National Planning Policy Framework (NPPF) on 25 July 2011. As it is a consultation draft, and therefore subject to change, it can be given little material weight in consideration of this application.

6.3 Applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory development plan in this area in the South East Plan and the Arun District Local Plan 2003.

6.4 The South East Plan was adopted by the Secretary of State on 6th May 2009. The Coalition Government's revocation of the Plan in July 2010 has been found to be unlawful so the Plan remains part of the development plan at this time but the intention to revoke could be a material consideration. Under the Localism Act 2011, the Government may by order revoke all or part of the Regional Spatial Strategies. Presently, no such order has been made, and as such the South East Plan still forms part of the development plan and is a material consideration in decision making. The following policies are relevant to this application:

C2 The South Downs
 CC1 Sustainable development
 CC6 Sustainable Communities and Character of the Environment

6.5 The following 'saved' policies in the Arun District Local Plan 2003 are relevant to this application:

GEN2 Built-up Area Boundary
 GEN3 Protection of the Countryside
 GEN7 The Form of New Development
 GEN29 Nature Conservation Across the District
 DEV5 Horse Related Development
 DEV39 New Touring Caravan and Camping Sites Outside the Built-Up Area

7. National Park Purposes

7.1 The two statutory purposes of the SDNP designation are:

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

If there is a conflict between these two purposes, conservation takes precedence. There is also a duty to foster the economic and social well being of the local community in pursuit of these purposes. 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 of 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.

8. Planning Assessment

- 8.1 The site lies outside of any defined settlement boundary where new development should be resisted unless it is considered to be necessary, not harmful and cannot be sited elsewhere. The site only currently has a minor domestic equestrian use and the proposal would seek to significantly expand this use. The proposed use, due to its scale, is not considered essential to the rural economy and, therefore, would not be supported in principle and is considered to constitute an unacceptable use harmful to the character of the open countryside and South Downs National Park.
- 8.2 The proposal is located within an area characterised by the Integrated Landscape Character Assessment as “Woodland, including ornamental plantations associated with landscape parks at Michelgrove and Angmering together with game coverts, is interlocked with straight-sided, open arable fields linked by hedgerows”. Whilst the proposal is not extensively visible from the wider landscape it would introduce a significant amount of development to the site altering the established landscape character pattern of agricultural fields interspersed with woodland. Therefore, it is considered that the holiday lodges and associated equestrian and domestic paraphernalia would significantly and unacceptably alter the character of the site. This would not be adequately mitigated by the introduction of additional screening which would itself, due to its contrived positioning within the open field, harmfully alter the character of the site. As such, the proposal would result in an unacceptable harm to the character of both the open countryside and the South Downs National Park.
- 8.3 The second purpose of the National Park is to “promote opportunities for public enjoyment and understanding of the special qualities of the National Park”. As such, the economic and tourism benefits of the scheme should be afforded significant weight. However, the weight would only become overriding if it did not compromise the first purpose which seeks to “conserve and enhance the natural beauty, wildlife and cultural heritage of the National Park”. Therefore, whilst the economic and tourism benefits are acknowledged the proposal would result in harm to the character of the National Park and has not adequately demonstrated that the need for equine tourism is not already being met within the locality. As such, the benefits are not considered to outweigh the harm identified above and do not carry an overriding weight.
- 8.4 The site is predominantly accessed via the junction of the A27 and Crossbush lane and the proposal would intensify the use of the junction and the use of Crossbush Lane and the access into the site. However, the number of vehicle movements generated by the proposal, above and beyond the existing approved use, would be low. Furthermore, the proposal would only seek to provide one on-site parking space per lodge and has made no provision for horse boxes or horse lorries. However, the site is not constrained in size and adequate parking could be provided on the previously-developed western element of the site without a significant landscape impact. Neither issue is considered overriding.
- 8.5 To the north of the application site is Crossbush Lodge which is Grade II listed. The proposal would have an impact upon Crossbush Lodge by altering its setting through introducing more vegetation to its south, constructing eight lodges within 50m and through intensifying the use of the site. However, Crossbush Lodge is predominantly viewed from Crossbush lane to its the south and, as such, will not be ‘read’ against the application site but rather against the woodland behind it to the north. As such, the proposal is not considered to have a significant detrimental impact upon the setting of Crossbush Lodge.
- 8.6 The proposal is also sited between two areas of Ancient Woodland which help define the character of the area. Whilst the proposal will alter the character of the area it is not considered, due to its scale, that it would have a specific unacceptable impact upon the respective woodlands.
- 8.7 Third-party representations have been received highlighting issues regarding ecology and flooding. Whilst both issues are considered pertinent to the assessment of the application neither is considered insurmountable by condition.

9. Conclusion

- 9.1 The proposal is considered to be in conflict with policies restricting inappropriate development within the open countryside and would result in harm to the character of the South Downs National Park. As such, the proposal is recommended for refusal.

10. Recommendation

- 10.1 It is recommended that planning permission be refused for the following reasons:
- (i). The proposed development, by reason of its location outside any settlement boundary, lack of association with an established tourist facility and the introduction of associated equestrian and domestic paraphernalia, would be harmful to the character of the countryside and the landscape character of the South Downs National Park contrary to Saved Policies DEV5, DEV39 and GEN3 of the Arun District Local Plan 2003 and the aims and intentions of PPS7 (Para 39 (i)) and the Good Practice Guide on Planning for Tourism 2006 (Para 5.5).

11. The Crime and Disorder Implication

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

12. Human Rights Implications

- 12.1 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.

13 Equalities Act 2010

- 13.1 Due regard, where relevant, has been taken to the South Downs National Park Authority's equality duty as contained within the Equalities Act 2010.

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Appendices 1. Proposed Layout Plan
SDNPA Consultees Development Management Lead

Background Documents:
Application and associated documents for LY/21/11
PPS4, PPS7, NPPF, Good Practice Guide on Planning for Tourism 2006
South East Plan 2009-2026
Saved Policies GEN3, DEV5 and DEV39 of the Arun District Local Plan 2003

Proposed Layout Plan



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