

Report to	Planning Committee
Date	10 May 2018
By	Director of Planning
Local Authority	Horsham District Council
Application Number	SDNP/18/00749/FUL
Applicant	South Downs National Park Authority
Application	Replacement of derelict post and rail/stock fencing with 454m of stock netting and two strands of barbed wire. Proposed dipping platform over the dew pond. Construction of a 230m access trail, erection of an interpretation panel
Address	Land to The South of Youth Hostel, Truleigh Hill, Shoreham, West Sussex BN43 5FB

Recommendation:

That planning permission be granted for application reference SDNP/18/00749/FUL subject to the conditions set out in Paragraph 10.1 of this report

Executive Summary

This application by the South Downs National Park Authority involves works to the existing Truleigh Hill site, which has recently undergone dew pond restoration and plans further habitat creation and conservation. Part of the scheme is to replace the existing dilapidated fence to allow the site to be grazed and better managed. A publicly accessible access trail and gate is proposed, as well as an interpretation panel and a timber dipping platform over part of the existing dew pond. These works will increase accessibility and aid interpretation, understanding and enjoyment of the site.

The proposed scheme is considered to be of an acceptable scale, type and design which utilises appropriate materials which are in keeping with the landscape setting. The visual impact of the proposal on the users of the South Downs Way and the wider landscape is considered to be minimal. The public benefits of the scheme are that it provides accessible and inclusive opportunities for members of the public to better understand and enjoy the site, its landscape setting and the habitats and species it contains. This is in accordance with the second purpose of the National Park.

This application is before Committee for consideration because it has been submitted by the South Downs National Park Authority.

I. Site Description

- I.1 Truleigh Hill is located within the Adur to Ouse Open Downs, characterised by a large scale open elevated landscape of rolling chalk downland and large scale geometric arable fields. Truleigh Hill is considered to be a 19th century outfarm to farmsteads located to the north. The radar station and communication masts are prominent features of the skyline.

- 1.2 The site is located in a field to the south of the South Downs Way, adjacent to the developed settlement at Truleigh Hill. This site has a number of trees and is largely hidden from view when approaching from the east or the west. However, the site can be seen when on the South Downs Way travelling past the YHA.
- 1.3 The field is currently unmanaged resulting in overgrown vegetation. The dew pond has been recently restored. The perimeter fencing is derelict, meaning the site cannot be grazed.

2. Relevant Planning History

- 2.1 There are no previous applications of relevance to this current application and site. However officers have provided advice on a number of occasions as to whether certain building operations, structures and fencing would require planning permission. The advice given prior to the submission of this application is under SDNP/17/04247/DINPP, and advised that the fencing, trail, sign and dipping platform counted as development and would require the benefit of planning permission.

3. Proposal

- 3.1 The application proposals involve the replacement of 454m of existing fencing with sheep netting and two strands of barbed wire. The fencing would be 1.2m high with untreated chestnut posts spaced 3m apart, with a straining post every 15m or before if the line deviates. The current field gate entrance would remain in the same location. An additional pedestrian gate to the west would provide access for pedestrians, wheelchairs or tramper vehicles.
- 3.2 In addition the installation of a dipping platform (4mx3m) is proposed adjacent to and over the dew pond. This platform would have a safety edge around the section of platform over the pond measuring approximately 46cm high. The support legs would be of 4x4 oak posts concreted into the ground for strength (the legs in the pond would be concreted into black plastic buckets). The sub frame would be constructed of 4x4 and 6x2 oak frames, topped with treated soft wood decking boards. The decking would be flush with the proposed access trail to allow for wheel chair access.
- 3.3 Finally, the proposals include the construction of a 260m easy access trail around the site, enabling access to chalk grassland and dew pond. This would be constructed of 150mm deep granular sub base laid over a geotextile membrane in areas of soft ground, or straight onto the hard chalk base where appropriate. The path would be finished with 25mm deep of 6mm-dust limestone (compacted), with the grass verges at the same level of the surface finish (no hard retaining edge).
- 3.4 The applicant also proposes the installation of an interpretation panel adjacent to the fencing at the entrance to the site for visitors and users of the South Downs Way. This is proposed to be constructed of timber with a sloped display panel. This upper edge of the panel measures 1.6m high. The display measures 841x594mm.

4. Consultations

- 4.1 **Landscape Officer:** Verbal comments.

Generally supportive of the proposals which seek to conserve and enhance this part of the landscape, which is much needed at Truleigh Hill.

- 4.2 **County Ecologist:** No objection subject to condition.

- 4.3 **County Archaeologist:** Comments.

The planning authority may wish to consider imposing an archaeological condition on any planning permission issued to secure the work needed to avoid archaeological impact as suggested in the Heritage Statement, or an archaeological watching brief on relevant access track construction if that proves more appropriate in time.

5. Representations

- 5.1 None received.

6. Planning Policy Context

- 6.1 Applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The relevant statutory development plan comprises the **Horsham District Local Plan 2007** and the **Horsham Core Strategy 2007**. The relevant policies are set out in section 7 below.

National Park Purposes

- 6.2 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 wellbeing of the local community in pursuit of these purposes.

National Planning Policy Framework and Circular 2010

- 6.3 Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010 and The National Planning Policy Framework (NPPF) which was issued and came into effect on 27 March 2012. The Circular and NPPF confirm that National Parks have the highest status of protection and the NPPF states at paragraph 115 that great weight should be given to conserving landscape and scenic beauty in the national parks and that the conservation of wildlife and cultural heritage are important considerations and should also be given great weight in National Parks.

The South Downs Partnership Management Plan (PMP) 2013

- 6.4 The PMP outlines a vision and long term outcomes for the National Park, as well as 5 year policies and a continually updated Delivery Framework. It is a material consideration in the determination of the application. The following policies are relevant:

- 1: To conserve and enhance the natural beauty and special qualities of the landscape and its setting.
- 5: To conserve and enhance populations of priority species.
- 29: To enhance health and wellbeing of visitors and residents by encouraging and developing the Park as a place for healthy outdoor activity and relaxation.
- 30: Develop 'access for all' opportunities.

- 6.5 The development plan policies listed below have been assessed for their compliance with the NPPF and are considered to be compliant with it.

7. Planning Policy

- 7.1 The relevant policies in the **Horsham District Development Plan 2007** are:

- CPI – landscape and Townscape Character
- CP3 – Improving the Quality of New Development
- CPI5 – Rural Strategy

- 7.2 The relevant saved policies in the **Horsham District Core Strategy 2007** are:

- DC1 – Countryside Protection and Enhancement
- DC2 – Landscape Character
- DC4 – AONBs
- DC5 – Biodiversity and Geology
- DC9 – Development Principles
- DC10 – Archaeological Sites and Ancient Monuments
- DC22 – New Open Space, Sports and Recreation

The South Downs Local Plan: Preferred Options

- 7.3 The South Downs Local Plan: Pre-Submission Local Plan was published under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 for public consultation between 26 September to 21 November 2017. After this period, the next stage in the plan preparation will be the submission of the Local Plan for independent examination and thereafter adoption. Until this time, the Pre-Submission Local Plan is a material consideration in the assessment of this planning application in accordance with paragraph 216 of the NPPF, which confirms that weight may be given to policies in emerging plans following publication unless other material considerations indicate otherwise. Based on the current stage of preparation, along with the fact that the policies are compliant with the NPPF, the policies within the Pre-Submission Local Plan referenced below are currently afforded some weight.

- 7.4 The relevant planning policies of the emerging SDNP Local Plan are:

- SD1: Sustainable Development
- SD2: Ecosystem Services
- SD4: Landscape Character
- SD5: Design
- SD6: Safeguarding Views
- SD7: Relative Tranquillity
- SD8: Dark Night Skies
- SD9: Biodiversity and Geodiversity
- SD16: Archaeology
- SD20: Walking, Cycling and Equestrian Routes

8. Planning Assessment

- 8.1 The main issues for consideration with regard to these applications are as follows:

- Design, scale and visual impact
- Landscape Impact
- Ecology
- Archaeology

Design, scale and visual impact

- 8.2 The scale of the proposed development is considered to be relatively modest in keeping with the character of the area and of appropriate design. The largest element of the proposed scheme is the dipping platform. Whilst this introduces a small amount of built form to the currently natural site, this platform is relatively low to the ground. Therefore it will not appear intrusive within its setting and will not be visible from the surrounding area. The use of timber is appropriate as this is a natural material which will weather, allowing the platform to integrate with its natural landscape setting. This will prevent it from appearing eye-catching or incongruous. The platform is accessible to visitors to the youth hostel and members of the public. It is designed to be accessible to all users with surface that is flush to the access trail and safety edges. Therefore this platform will offer inclusive and accessible public benefits and opportunities to understand and appreciate the site, dew ponds and the ecosystems and habitats they provide. This is in line with the second purpose of the National Park.
- 8.3 The proposed fencing is to replace the existing fencing on the site, which is derelict. This prevents management of the site through grazing. Therefore, replacing the fencing with appropriate post and wire fencing with stock netting is in the interest of the site's sustainable management. This design of fencing is typical of Truleigh Hills and other areas of open downland. It has the benefit of remaining transparent, thus conserving views into and out of the site. It also retains the existing agricultural, open character of the site. Overall, the fencing is considered to be an appropriate design and type for this location and retains and improves the existing character of the site.

- 8.4 The proposed access trail is considered to be acceptable. The use of compacted crushed limestone and limestone dust is considered to be an appropriate choice of materials in this chalk downland location. This is because limestone and chalk have a similar appearance and physical characteristics, however, limestone is more hard wearing and less slippery when wet. This is therefore considered to be a practical alternative to chalk which is in keeping with the geology of the area. This will prevent the trail from appearing incongruous within the landscape. At 1.2m wide, the trail is not considered to be excessively wide whilst allowing for easy access for wheelchairs and maintenance vehicles. This new access to the site will increase appreciation and understanding of the site, and allow access to the dipping platform. This is in line with the second purpose of the National Park.
- 8.5 The use of timber for the interpretation panel is considered to be appropriate. Timber is a natural sustainable material which will weather, helping it to blend with the landscape setting and appear less eye-catching. It also better retains the rural character of the site. The interpretation panel itself is considered to be of an acceptable size which is not excessively large. The sign will aid appreciation and understanding of the site, and will benefit both members of the public and visitors to the YHA. Therefore it has clear public benefits which are in line with the second purpose of the National Park.

Landscape Impact

- 8.6 The site is relatively well screened by trees, and is not readily visible from the east and west. Whilst it is visible when viewed from the South Downs Way immediately outside the site, some screening is still afforded by trees. Overall, the proposed works are not considered to appear intrusive, eye-catching or out of character within the landscape. As previously discussed, the scale, design and materials of the development are considered to be in keeping and appropriate to this site.
- 8.7 Overall, the scheme is considered to have a positive impact through better sustainable management of the site, the creation of habitat (chalk grassland), the provision of public access and public opportunities for learning and enjoyment of the site and nature.

Ecology

- 8.8 The county ecologist has raised no objection to the scheme subject to a condition to ensure proposed ecological mitigation works will be carried out.

Archaeology

- 8.9 The county archaeologist has raised no objection to the scheme. However, due to the potential of the access trail to impact archaeology, it is considered necessary to include a condition to ensure the works are carried out in a way that protects potential archaeology, as described in the submitted Heritage Statement.

9. Conclusion

- 9.1 The proposed scheme is considered to be of an acceptable scale, type and design which utilises appropriate materials which are in keeping with the landscape setting. The visual impact of the proposal on the users of the South Downs Way and the wider landscape is considered to be minimal. The public benefits of the scheme include providing accessible and inclusive opportunities for members of the public to better understand and enjoy the site, its landscape setting and the habitats and species it contains. This is in accordance with the second purpose of the National Park. Therefore the application is recommended for approval.

10. Reason for Recommendation

- 10.1 It is recommended that planning permission be granted for Planning Application SDNP/18/00749/FUL subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: To comply with the provisions of Section 91 (1) of the Town and Country Planning Act 1990 (as amended)/to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. The development hereby permitted shall be carried out in accordance with the plans listed below under the heading “Plans Referred to in Consideration of this Application”.
Reason: For the avoidance of doubt and in the interests of proper planning.
3. Works shall be carried out in accordance with measures set out in the ‘Justification and Mitigation’ section of the Heritage Statement (submitted February 2018) unless otherwise approved in writing by the Local Planning Authority.
Reason: In order to provide adequate mitigation for protected species and ecological enhancements in line with planning policy DC5 of the Horsham Local Plan and the NERC Act 2006.
4. Works shall be carried out in accordance with measures set out in the Protected Species Mitigation Strategy (CT Ecology, October 2017) unless otherwise approved in writing by the Local Planning Authority.
Reason: In order to avoid impact to archaeology in accordance with section 12 of the NPPF.
5. The development hereby approved shall be accessible to the public and shall not be used for any commercial, residential or other purpose use unless otherwise agreed in writing by the Local Planning Authority.
Reason: to protect public amenity and secure the public benefits of the scheme in line with the second purpose of the National Park.

Informatives

1. Your attention is drawn to the provisions of the Countryside and Rights of Way Act 2000 and Wildlife and Countryside Act 1981 (as amended) and in particular to Sections 1 and 9. These make it an offence to:
 - kill or injure any wild bird,
 - damage or destroy the nest of any wild bird (when the nest is being built or is in use),
 - damage or destroy any place which certain wild animals use for shelter (including all bats and certain moths),
 - disturb certain wild animals occupying a place for shelter (again, all bats and certain moths).

The onus is therefore on you to ascertain whether such birds, animals or insects may be nesting or using the tree(s), the subject of this consent, and to ensure you do not contravene the legislation. This may, for example, require delaying works until after the nesting season for birds. The nesting season for birds can be considered to be March to September. You are advised to contact Natural England for further information (tel: 0845 601 4523).

11. 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. Equality Act 2010

- 13.1 Due regard has been taken of the South Downs National Park Authority's equality duty as contained within the Equality Act 2010.

14. Proactive Working

- 14.1 In reaching this decision the Local Planning Authority has worked with the applicant in a positive and proactive way, in line with the NPPF.

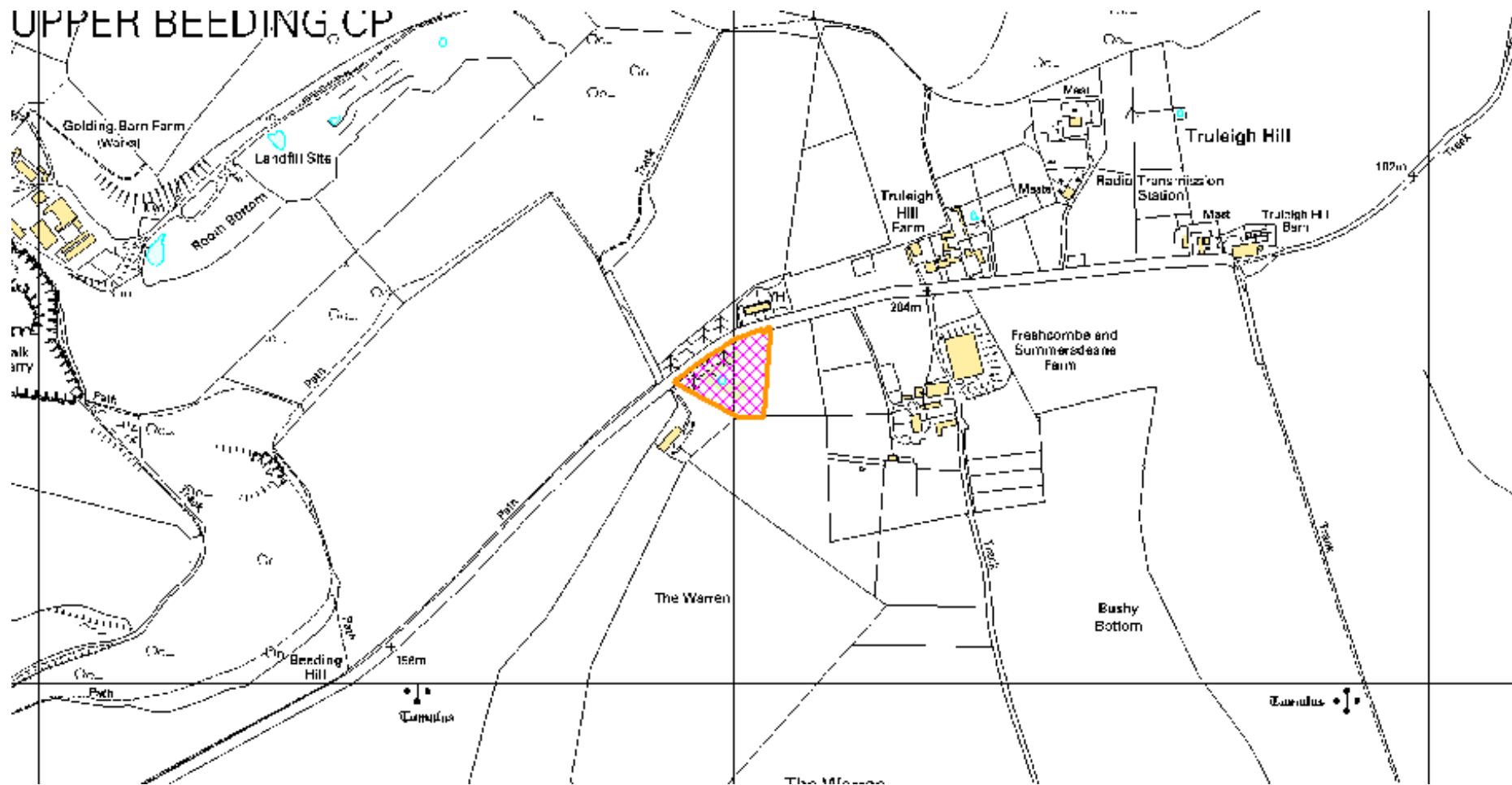
TIM SLANEY

Director of Planning

South Downs National Park Authority

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Appendices 1. Site Location Map
SDNPA Legal Services, Development Manager, Director of Planning.
Consultees County Archaeologist, County Ecologist, Landscape Officer, Tourism Officer, SDNPA Ranger
Background Documents All planning application plans, supporting documents, consultations and third party responses
<http://planningpublicaccess.southdowns.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=P3SKXQTUIIC00>
National Planning Policy Framework (2012)
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/607721/16950.pdf
South Downs National Park Partnership Management Plan 2013
[https://www.southdowns.gov.uk/national-park-authority/our-work/key-documents/partnership-management-plan/Draft South Downs Local Plan](https://www.southdowns.gov.uk/national-park-authority/our-work/key-documents/partnership-management-plan/Draft%20South%20Downs%20Local%20Plan)
https://www.southdowns.gov.uk/wp-content/uploads/2017/09/Chapter-4-Chapter_7.pdf
Horsham District Core Strategy (2007)
https://www.horsham.gov.uk/_data/assets/pdf_file/0014/3470/Core_Strategy_2007_FINAL.pdf
Horsham District Development Plan (2007)
https://www.horsham.gov.uk/_data/assets/pdf_file/0003/3729/DCPolicies_adopt07.pdf

Site Location Map



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