

Report to	Planning Committee
Date	13 September 2018
By	Director of Planning
Local Authority	Arun District Council
Application Number	SDNP/18/01289/FUL
Applicant	Mrs A Gifford
Application	Hybrid application comprising full planning application for the replacement of an existing dwelling, erection of new stable yard with ancillary groom's accommodation, hay barn, a new unit of holiday accommodation and relocation and enlargement of existing manege. Outline planning application for the redevelopment of the existing stable yard with 3no. dwellings and garages.
Address	Soldiers Field Stables, Soldiers Field Lane, Findon, BN14 0SH

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

Executive Summary

The application site is immediately outside the Settlement Policy Boundary of Findon in the Countryside and therefore subject to more restrictive policies of constraint in relation to new housing development. The southern part of the site however has been the subject of an extensive planning history for over ten years which includes previous approvals for similar development. The most recent approval in 2015 included a replacement dwelling, stables, a storage barn, 1 holiday cottage and a new large dwelling. A material start has been made on site and that permission therefore remains extant. It is also noteworthy that permission was granted by Arun District Council in 2012 for 2no new dwellings and 3no holiday cottages in addition to the replacement dwelling, stables and barn, within the southern part of the application site.

The current proposals comprise 3no new dwellings, in addition to the replacement dwelling, stables, manege and storage barn, with the northern part of the site now forming part of the proposals (the manege, stables, barn, replacement dwelling and holiday cottage being located in this part of the site.)

Whilst there is therefore an established principle of some form of development within part of the site (with the fact that the most recent approval could still be completed), regard must be had as to whether there is any justification for the increase in private market dwellings over and above the earlier approval, together with the incursion of development into the northern part of the site.

In addition, regard must be had to the policies of the emerging South Downs Local Plan alongside those of the adopted Arun District Local Plan, The Findon Neighbourhood Plan and the Pre-Submission version of the Updated Neighbourhood Plan.

Whilst the extant approval and earlier approvals are noted, it is not considered that there is sufficient justification for 3 new dwellings in the countryside. The applicant's requirement for this development to support the ongoing redevelopment of their equestrian business is not considered,

on balance, to be sufficient justification to depart from the restrictive policies in relation to housing in the countryside, especially given that the development of the northern part of the site also presents issues in terms of landscape impact and there remain concerns with regard to ecological matters which have not been addressed. The application is therefore recommended for refusal.

The application is placed before the Committee due to the unique site history, scale and nature of the proposals, policy considerations, and due to the level of local interest.

I. Site Description

- I.1 The application site is located on the eastern side of Soldier's Field Lane. The site comprises of an existing equestrian complex including stable buildings and barns on the southern part of the site, an existing dwelling in the north-eastern corner of the existing yard in the central part of the site, a barn immediately to the north of the dwelling and a manege to the west. To the north of the barn and manege the land opens out into paddocks, which are currently used for grazing. The land levels drop significantly from the northern end of the site to the south. The site itself is accessed off Soldier's Field Lane in the south-western corner.
- I.2 Most of the buildings on site are single-storey although the aforementioned barn is a two-storey structure. The site was formerly used in conjunction with the race horse business at the Downs Yard to the north but the stables have subsequently fallen into disrepair. Some of the stables are however still in use for training horses.
- I.3 The settlement policy boundary of Findon is located to the west of the application site, which predominantly includes large two-storey detached dwellings that back on to the application site. These dwellings form part of a relatively new housing estate. However, there is also an intervening public footpath (no. 2085) that immediately adjoins the western boundary of the site. This footpath runs in a north to south direction along the entire length of the western site boundary. The western boundary comprises of high walls on the southern part of the site with intermittent sections of hedgerow at the northern end.
- I.4 The large detached two-storey residential property to the south is named Soldiers Field, which is sited within substantial grounds. This site has been put forward as an allocation for residential development (10 to 12 dwellings) within the Submission version of the South Downs Local Plan.
- I.5 The eastern site boundary is bounded by fields used for the grazing of horses with open views over to Cissbury Ring further to the east.
- I.6 To the north of the site is Pony Farm and its associated pony paddocks, which run down to the northern site boundary of the application site. The northern site boundary comprises a row of existing mature trees that are the subject of a Tree Preservation Order (TPO).

2. Relevant Planning History

- 2.1 SDNP/18/03708/DCOND: Discharge of condition 3 (schedule of materials) on planning consent SDNP/15/01361/FUL. Condition discharged on 26.07.2018.
- 2.2 SDNP/18/03819/DCOND: Discharge of conditions 4 (biodiversity enhancements) and 5 (hard and soft landscaping) on planning consent SDNP/15/01361/FUL. Conditions discharged on 06.08.2018.
- 2.3 SDNP/16/01552/PRE: Pre-application advice for a replacement dwelling, a new 2 bed holiday let and the erection of 3no. new open market dwellings on the site of the former racing stable yard. A new stable building comprising 15 stables, new grooms accommodation and a hay store in addition to a new relocated manege on the land to the north of the existing stables. Response provided 20.06.2016 advising that the site has a mixed history with the latest permissions allowing a certain amount of development on the southern part of the site only, including residential and tourism uses outside of the SPB. Further discussions then with the applicant focussed predominantly on landscape & highway issues.
- 2.4 SDNP/15/01361/FUL: Regeneration of dilapidated stable yard and associated buildings comprising holiday cottage and one new dwelling together with replacement dwelling and ancillary stables and storage barn. Permission granted on 07.08.2015. A material start has

been made on site. This permission therefore remains extant. (Officer Report and Layout Plan attached at **Appendix 2**).

- 2.5 SDNP/12/02445/FUL: Regeneration of dilapidated stable yard and associated buildings comprising of three holiday lodges and one new dwelling together with a replacement dwelling and ancillary stables, storage barn and detached garage. Application refused on 16.07.2014 on the grounds of the lack of provision of affordable housing.
- 2.6 FN/11/12: Regeneration of dilapidated stable yard and associated buildings, comprising 1 no. holiday cottage and one new dwelling together with replacement dwelling and ancillary stable yard and storage barn. Revisions to previous applications FN/37/09 and FN/36/11. Revised vehicular access arrangements to provide separate access to the stables as permitted under FN/36/11. Permission granted.
- 2.7 FN/36/11: Regeneration of dilapidated stable yard and associated buildings, comprising 1 no. holiday cottage, 2 no. new dwellings together with replacement dwelling and ancillary stable yard and storage barn as previously permitted under FN/37/09 to include revised vehicular access arrangements to provide separate access for the stables – amendment to refusal FN/83/10. Permission granted.
- 2.8 FN/83/10: Regeneration of dilapidated stable yard and associated buildings comprising 3 no. holiday cottages and new residential dwelling together with replacement dwelling and ancillary stable yard and storage barn as previously permitted under FN/37/09 in lieu of 2 no. detached dwellings and to include revised vehicular access arrangements to provide separate access for the stables. Permission refused due to the size and design of the proposed 5 bed dwelling and because the physical linking of the tourist buildings with the large dwelling would be visually intrusive in a countryside location.
- 2.9 FN/37/09: Regeneration of dilapidated stable yard and associated buildings comprising replacement dwelling with ancillary stable yard and storage barn, 3 no. holiday cottages and 2 no. residential dwellings. Permission granted.
- 2.10 FN/74/04: Demolition of a 6 bedroom detached dwelling and 1,605 square metres of commercial buildings and the erection of 4 no. detached dwellings. Permission refused and on 24.97.2006, the subsequent appeal was dismissed by the Inspector because the proposal conflicted with the development plan's policies for residential development in the countryside. Additionally, the Inspector concluded that the small benefits arising from the scheme would be insufficient to outweigh the harm because the open market dwellings would appear as an incongruous suburban enclave in this sensitive location given that the site has an open setting.

3. Proposal

- 3.1 The hybrid application proposes:
 - 1) Full planning application for the replacement of an existing dwelling, erection of new stable yard with ancillary grooms accommodation, hay barn, a new unit of holiday accommodation and relocation and enlargement of existing manege predominantly in the northern part of the site.
 - 2) Outline planning application for the redevelopment of the existing stable yard with 3 no. open market dwellings and garages.
- 3.2 The existing vehicular access to the site would be retained and it is understood that the new open market dwellings within the outline planning application have been included to fund the new replacement dwelling, stable yard and manege.
- 3.3 The daughter of the applicant took over Soldier's Field Stables and currently lives in the former groom's accommodation on site. Of the 70 stables on site, only 28 are currently in use and this is understood to be because the current facilities are poor and outdated. The site currently accommodates 28 horses, some of which are in training for clients. The overall aspiration for the site is to provide modern equestrian facilities to allow all year round training to train horses to an Olympic standard.

3.4 All of the previous approvals, including the extant permission, relate to the redevelopment of the southern part of the site where the stables and existing dwelling are sited, thereby retaining the northern paddocks. The current application also includes the development of further land to the north, making the overall site area larger under the current application (1.28 hectares). The development of the northern part of the site is predominantly for the equestrian business, including the owner's accommodation, manege, stables, barn and holiday cottage (Proposed Site Layout attached as **Appendix 3**).

4. Consultations

4.1 Findon Parish Council: Objection

- The development is outside of the settlement boundary and does not meet the criteria under the relevant policies within the Submission version of the South Downs Local Plan and the Arun District Local Plan (2003).
- Neither the Submission version of the South Downs Local Plan or the emerging updated Findon Neighbourhood Development Plan (FNDP) have proposed to extend the settlement boundary at the application site or allocate it as a housing site.
- The FNDP states a community aspiration to work with the SDNPA to restrict development outside of settlement boundaries.
- The proposed siting and proximity (1 metre) of the stable block is too close to neighbouring property boundaries, overbearing and unneighbourly.
- The three new dwellings does not meet the FNDP aspirations of supporting affordable and social housing development.

4.2 Drainage: No objection subject to conditions.

- Aware of current surface water flooding problems in the area but the proposals offer a good opportunity to reduce this problem through conditions and further discussions with the Drainage officer prior to construction.

4.3 Highways: No objection subject to conditions.

- More information is required to ensure that adequate and appropriate parking provision is created for the stables and that any impact on local road use and access is understood.

4.4 Trees: No objection subject to a condition.

4.5 Darn Night Skies: No objection subject to conditions.

4.6 Design: No objection.

- Given the absence of a very strong architectural character to the village and the largely suburban nature of development around the site, no concerns raised about the style and form of the proposed houses, stable block and holiday let.
- Extent of timber cladding on residential buildings should be reduced as there are no clear precedents in the village. Locally characteristic materials such as brick, flint and hanging clay tiles would be more appropriate. No flint panels to be used.
- Windows, doors and rainwater goods should not consist of plastic.
- The buildings should meet minimum sustainability credentials.

4.7 Landscape: Holding Objection (having considered the revised plans).

- Equestrian development, whilst historically important to Findon, can still have detrimental impacts upon landscape character and visual amenity. The small intensively grazed paddocks separated by white tape or ranch style fencing generates negative landscape impacts.
- Whilst the built form would be pushed further northwards (contrary to the settlement character of Findon – a valley bottom settlement) the built form to the north would be a functional stable block, which would be single-storey. The proposed built form would therefore be appropriate for this part of Findon.
- The scheme offers opportunity to improve the condition of the settlement edge of Findon, which is particularly sensitive and currently poor at this location but concerns

remain unaddressed and it has not been demonstrated that the visual harm and landscape impacts could be minimised.

- Not clear how surface water run-off would be managed and the manege should be sensitively engineered. Bunds should not be created. More information required on land management, including manure management.
- Landscape enhancements could be proposed and conditioned as part of a Landscape and Ecological Management Plan (LEMP).
- Outward facing edge of the scheme is key – this should incorporate a thick tall hedge/belt of trees which provide a new edge to the settlement leading to improved views from the south-east. This should be agreed prior to determination rather than being conditioned.
- The species of vegetation proposed needs to be reviewed, which needs to be characteristic of what is grown locally.
- The experiential qualities of users of the right of way needs to be considered.
- The site should be an exemplar – providing a high quality and locally characteristic development, which both conserves and enhances the special qualities of the National Park.

4.8 **Tourism:** No objection to holiday let development on the site.

- The South Downs National Park Visitor Accommodation Review 2014 evidence shows strong demand for high quality accommodation.
- Accommodation provision in Findon encourages overnight staying visitors, who spend more in the National Park than day visitors. Visitors can also provide much needed economic support to local community small businesses and services such as pubs, restaurants and local shops.
- The Findon Neighbourhood Development Plan has supportive objectives and policies around business and tourism development in the area, including equestrian facilities.

4.9 **Archaeology:** No objection subject to a condition.

4.10 **Ecology:** Further clarification required.

- Bats have been recorded commuting within the site but the majority of buildings, trees and features of the site are identified as having no potential for bats.
- Clarification is required regarding reptile habitat, whether further emergence/re-entry surveys are required in relation to bats and on the proposed lighting. The ecological report also refers to a bat and owl survey report, which does not appear to be available.

4.11 **Public Rights of Way:** No objection subject to informatives.

4.12 **Southern Water:** Comments.

- Suggest informatives, should approval be given.

4.13 **Environmental Health:** No objection subject to conditions.

- Conditions recommended in relation to noise, construction noise, light, smoke and odour.
- The most likely cause of smells would be from waste, which should be stored and collected properly to ensure the amenities of the nearby residents are protected.

4.14 **Structural Engineer:** No comments.

5. Representations

5.1 22 letters of objection have been received and 9 letters of support, some of which are duplications. A Landscape and Visual Appraisal (Lizard Landscape, Design and Ecology) has also been submitted for consideration on behalf of a local resident residing to the west of the application site.

Objection:

- No evidence that the owners of Findon Chase Management Co. (FCMC) land (who

own 2/3 of Soldiers Field Lane), have given right of way over this land. The application should be refused.

- Concerns that the Soldiers Field Lane could be damaged by construction traffic.
- (Officer Note: Notice has been served on FCMC. In addition, the right of way over the land would be a civil matter for the applicant to address with those concerned).
- Proposals would encroach on a highly protected area, which conflicts with the aim and objectives of such a designation, outside of the settlement boundary.
- An earlier application in 2005 for a smaller and less intrusive development on brownfield land was rejected on landscape harm. The land to the north is now proposed to be built on. The protection status has now strengthened.
- The 2006 appeal for 4 large open market dwellings on the brownfield site was dismissed by the Inspector, concluding that the impact of the houses outside the settlement boundary could not effectively be screened by soft landscaping and would be detrimental to the sensitive landscape character at the eastern downland edge of Findon. The landscape character has not materially changed since the appeal decision.
- Similarities in the 2006 appeal scheme and the current application must be noted, including site area, landscape harm, no viability assessment and no legal or other mechanism offered.
- Sets a dangerous precedent for further 'creeping' applications and the proposal has the potential to grow into a more intensive commercial enterprise.
- The replacement dwelling is sited much further north under the current application.
- Soft landscaping and planting will not screen, disguise or ameliorate the large scale of the new equestrian centre and urban development.
- The manege is larger than the standard size and would need to be dug out. Concerns about where would the spoil go.
- The sprawl of the development would result in a large concentration of domestic buildings and equestrian/domestic paraphernalia.
- Damage to flora and fauna and woodland copse is not in keeping.
- The proposals may need to be considered as major development, particularly given the adjacent development proposals at Land at Pony Farm to the north and a housing allocation for 10-12 houses to the south of the site (Soldiers Field House).
- The cumulative development on the National Park needs to be considered.
- Impacts in terms of light, noise, traffic and dust pollution.
- Scale of the proposed development would impact on views across to Cissbury Ring from the public right of way running alongside the western site boundary. Enjoyment of the footpath would be seriously compromised.
- Impacts on the neighbouring residents to the west including overbearing development, overshadowing, a loss of tranquillity and associated nuisance and smells. Manure heaps and stable waste would impact on residents.
- The location plan fails to identify on it the adjacent residential properties.
- Additional traffic as a result of the proposed development. The application excludes a Transport Statement.
- Increased parking needs – the proposed site plan appears limited in displaying sufficient parking, for residents or visitors.
- Lots of horse boxes will be coming to and from the site, which in itself will change the nature of the area.
- Currently the PRow floods during heavy periods of rain. Additional equestrian activity will impact on this further.
- No on-site affordable housing provided.
- The main rationale of the application is centred around a commercial enterprise, which needs funding to make it economically viable. This is at the expense of encroaching onto the South Downs. No comprehensive business plan or strategy to demonstrate how the proposals have come about, and is driven more by financial considerations than landscape or policy.
- Enabling development is only justified where it could secure the future of heritage assets and none are present on the application site.

- Personal circumstances (of the applicant) should not be a planning consideration.
- Potential for the business to grow into a more intensive commercial enterprise, especially with a change of ownership, management or differing future circumstances.
- Uncertainty over long term viability of the proposed equestrian centre.
- Information submitted has not explained what the exceptional circumstances might be to justify a departure from National and Local Plan policy.
- Considerable local opposition to development on the eastern edge of Findon.

Support:

- Buildings on the site at present are in disrepair and are an eye-sore from the Downs.
- A family is already living on the site and will remain living there.
- The additional three homes would be fitting for the area and the site is well suited for additional built form.
- The proposals have been sympathetically altered to reduce impact to surrounding homeowners.
- The development is important to acknowledge the equestrian heritage of the village.
- The development would be appropriately shielded using current and new landscaping.
- The development would bring about benefits to the local people by increasing the facilities that currently exist and creating job opportunities.
- The proposals will greatly improve the drainage locally.
- The neighbouring houses will not be impacted upon given their own trees and high hedges adjacent to the footpath.
- If the application is approved, proper road markings and signs are needed to prevent future accidents when people are exiting the site. A suitable drainage scheme should form part of the application and the conifers on the western edge of the footpath are either dead, have fallen against the stable block or are overgrown. The footpath must remain passable.

Lizard Landscape and Visual Appraisal:

- The extension of built development on the village fringes in this location is out of keeping with the valley bottom settlement pattern of Findon and would have an adverse impact on the special qualities of the National Park.
- A number of elevated viewpoints within the open Downland landscape have been overlooked.
- Proposed rooflines are likely to impact on the balance of built form when vegetation is out of leaf.
- A rare panoramic view towards the north-westerly profile of Cissbury Ring Scheduled Monument, provided from a gap in built form along the adjacent public right of way, would be limited by the proposed stable block.
- The position of the adjacent public footpath along the settlement boundary has been overlooked when considering landscape impact.
- Likely to have an adverse effect on dark night skies.
- Has been no consideration of the potential for cumulative effects alongside the Soldier's Field House site to the south (allocated site).
- Stable block is an appropriate built form in this part of Findon. Proposed layout and scale is not.
- Replacement of equestrian units with residential units would not have an overall beneficial effect.
- Tranquillity concerns.
- Stable block and hay barn should be redesigned so that the view towards Cissbury Ring is maintained and should the stable block be retained on the northern part of the site, it should be moved at least 5 metres east of the public footpath to enable space for a native hedge.
- The number of trees should be increased between plot 3 and the replacement dwelling.

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 **Arun District Local Plan (2003) and the Findon Neighbourhood Development Plan 2016**. 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 updated National Planning Policy Framework (NPPF), which was issued and came into effect on 24 July 2018. The Circular and NPPF confirm that National Parks have the highest status of protection and the NPPF states at paragraph 172 that great weight should be given to conserving an enhancing 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, 3, 5, 28, 29, 41, 42, 43, 50 and 55.
- 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 **Arun District Local Plan (2003)** are:

- GEN 2 Defines the built-up area boundary
- GEN3 Protection of the countryside
- GEN 7 The form of new development
- GEN12 Parking in new development
- GEN29 Nature conservation across the district
- GEN32 Noise pollution
- GEN33 Light pollution
- DEV5 Horse related development
- DEV6 Agricultural buildings
- DEV18 Affordable housing outside the built up area

The relevant policies of the Findon Neighbourhood Development Plan 2016 are:

- BT8 Sustainable recreational and tourism activities
- BT9 Communications infrastructure
- GA1 Sustainable transport
- GA3 Parking and new development
- CFW8 Dark night skies
- ES2 Surface water management
- HD7 Design of development

- HD8 Outdoor space

Other relevant guidance:

- Findon Updated Neighbourhood Development Plan (Reg 14 Pre-Submission Version) (2018-2035). Limited weight to be applied to this Plan at this stage.

The South Downs Local Plan: Preferred Options

7.2 The Pre-Submission version of the South Downs Local Plan (2017) was published under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations (2012) for public consultation from 26 September to 21 November 2017, and the responses considered by the Authority. The Plan was submitted to the Secretary of State for independent examination in April 2018. The Submission version of the Local Plan consists of the Pre-Submission Plan and the Schedule of Proposed Changes. It 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. Based on the current stage of preparation, and given the relative age of the saved policies within the Arun District Local Plan (2003), the policies within the Submission version of the Local Plan referenced below are currently afforded considerable weight, depending on the level of objection received on individual policies.

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

- SD1 Sustainable Development
- SD2 Ecosystem Services
- SD4 Landscape Character
- SD5 Design
- SD8 Dark Night Skies
- SD9 Biodiversity and Geodiversity
- SD11 Trees, Woodland and Hedgerows
- SD17 Protection of the Water Environment
- SD19 Transport and Accessibility
- SD20 Walking, Cycling and Equestrian Routes
- SD22 Parking Provision
- SD23 Sustainable Tourism
- SD24 Equestrian Use
- SD25 Development Strategy
- SD27 Mix of Homes
- SD28 Affordable Homes
- SD29 Rural Exception Sites
- SD30 Replacement Dwellings
- SD32 New Agricultural and Forestry Workers Dwellings
- SD48 Climate Change and Sustainable Use of Resources
- SD49 Flood Risk Management
- SD50 Sustainable Drainage Systems
- SD54 Pollution and Air Quality
- SD55 Contaminated Land

8. Planning Assessment

8.1 The main issues for consideration with regard to this application are as follows:

- Principle of development
- Impact on the National Park landscape and design
- Affordable housing and housing mix
- Highways, access and parking
- Ecology and trees
- Residential amenity
- Other matters

- 8.2 Amended plans were received on 06.08.2018. The amended plans relate to the reduction in the number of stables proposed from 15 to 13, the stable building is now shown to be sited further away from the adjacent public right of way (PRoV) (5 metre gap created) and a new cross-section drawing of the manege has been provided.

Principle of development:

- 8.3 Whilst the proposals are seen as one overall scheme, there are differing policy considerations between its residential and non-residential parts. There is also the added complexity of a hybrid application having been submitted and the site's planning history.
- 8.4 The starting point in terms of consideration of the principle of development of the site is the adopted Arun District Local Plan. This plan places the site outside the settlement boundary of Findon where new residential development in the countryside is generally resisted. Policy SD25 of the Emerging South Downs Local Plan places the site outside of the settlement policy boundary (the site was considered as part of the SHLAA allocations and subsequently discounted). The Neighbourhood Plan (2016) did not include the site as part of the settlement boundary and neither does the Emerging Regl 4 Pre-Submission NDP (although this Plan is at an early stage and holds very limited weight at this point in time)..
- 8.5 Based on the above premise, the various elements of the proposals are therefore considered further below.

Development of 3no market dwellings on southern part of site

- 8.6 Whilst there have been planning permissions to a greater or lesser extent for residential development on the site, the current scheme now proposes a greater number of dwellings than has previously been approved. In addition, these new dwellings would occupy what was previously the full extent of the application site, with additional development relating primarily to the equestrian enterprise being located to the north.
- 8.7 The applicant, in their supporting information confirms that the new market dwellings would replace a large detached dwelling which could be built out, as extant. It is clear however that the floorspace of the proposed three dwellings would exceed that of the approved single dwelling.
- 8.8 The applicant also argues that the development of the southern part of the application site will effectively fund the development of the equestrian enterprise in the northern part of the site. However this is not supported by documentation to demonstrate financially that this level of development is necessary in order to meet the funds required in order to be able to develop the equestrian business as proposed. Furthermore, the current and emerging policies do not extend to supporting residential development in the countryside in order to enable the ongoing development of that enterprise.
- 8.9 Whilst the intentions and aspirations of the applicant are noted, and the extant permission is a material consideration, on balance it has not been demonstrated that there are mitigating circumstances why further residential development should be approved in this countryside location.

Development of equestrian land with equestrian facilities, including a replacement dwelling and a holiday cottage on land to the north

- 8.10 The principle of stables, barn, holiday cottage and replacement dwelling have already been established in earlier permissions (albeit they were located in the southern part of the site) and the extant permission is obviously a strong material consideration in this respect.
- 8.11 Looking first at the replacement dwelling, it is important to note that the Arun District Local Plan does not set a limit on new buildings or extensions to buildings but instead focusses on how the proposals respond to the surrounding character of the area (Policy Gen 7). Policy SD30 of the Emerging South Downs Local Plan sets a limit of a replacement dwelling only being extended by up to 30% (with the proposals amounting to a 66% increase), however the Policy still has a number of objections which will be subject to examination and therefore limited weight can be given to the Policy at this point. Bearing in mind the size of the dwelling is comparable to the extant permission and the policy position, the principle of

the replacement dwelling is accepted. The location of the dwelling is considered more when looking at the landscape impact of the proposals.

8.12 The principle of equestrian facilities, barn and holiday cottages has been established by way of the extant permission. In Policy terms there is general support for equestrian development in the Arun District Local Plan (Policy Dev 5) and Policy SD24 of the Emerging South Downs Local Plan. Whilst the Arun Local Plan tends towards a policy of constraint in relation to Tourism in the countryside, Policy SD23 of the Emerging South Downs Plan encourages sustainable tourism.

8.13 The landscape impact of these proposals in the northern part of the site are considered in more detail below.

Impact on the National Park landscape and design:

8.14 The southern part of the application site is currently covered with hard surfacing and buildings (stables and existing dwelling). From the adjacent public footpath to the west, including views from Cissbury Ring to the east, the existing buildings have a utilitarian appearance and given that many of the buildings have fallen into a state of disrepair, it is considered that the existing development does very little to conserve and enhance the landscape and scenic beauty within the National Park. It has therefore been considered under the previous approvals, including the extant permission, that the removal of these buildings to allow for the redevelopment of the brownfield land could be an enhancement to the surrounding area.

8.15 Notwithstanding this, the potential landscape impacts from re-developing the site now relate to a much larger area, including the equestrian land to the north.

8.16 Findon is a dry valley bottom settlement within open downland, which has developed in a north-south direction in response to its surrounding topography. It is within the Arun to Adur Open Downs Landscape Character Area (LCA) identified in the South Downs Integrated Landscape Character Assessment (2011). Within it, it describes a key consideration for development is potential opportunities for landscape enhancement on the edge of Findon Village and avoid further extension of development into the open downland.

8.17 The eastern edge of Findon is poor quality in landscape character terms and its open downland characteristics have been lost due to previous development and enclosures of land largely as a result of equestrian development.

8.18 The scheme does offer the opportunity to improve the condition of the settlement edge by virtue of re-developing the site, however, it is particularly sensitive and in a poor condition and as such landscape concerns remain unaddressed. The Landscape Officer objected that there was insufficient justification in terms of considering the impacts upon the fringe of the settlement and the surrounding landscape character.

8.19 Looking at the elements in turn which would be located to the north (which is the higher part of the site), the single-storey stable building would be within close proximity to the existing urban edge in the northern corner and would be dug into the site to keep the overall height as low as possible. Whilst stables would be a locally characteristic activity in this part of Findon, given the surrounding uses of land, it would still involve the siting of a large building along with engineering works to the existing topography in a much more elevated position. As a result, the building would have a harmful impact upon landscape character.

8.20 The proposed manege would be sited closer to the open countryside and would be likely to require a certain amount of engineering works given the sloping nature of the site. This represents further incursion into the open countryside on elevated ground, at the highest point of the site, but given its relatively low form of development, it is unlikely, on balance, that the manege itself would result in significant landscape impact. External lighting associated with its operation would also need to be carefully considered. No lighting details have been provided at this stage.

8.21 The proposed hay barn would be a large two-storey structure located immediately to the south of the proposed manege, sited away from the settlement edge and would result in a

significant impact. Although the hay barn would be of an agricultural appearance, given its proposed siting on an exposed and elevated part of the site, in conjunction with its overall height (approximately 5.5 metres) and scale, it is considered that it would have a detrimental impact upon the landscape as well as the amenity of users of the adjacent right of way looking out on to the open Downs and on to Cissbury Ring beyond. The barn would be highly visible from the surrounding area and this structure is also likely to negatively impact on views from Cissbury Ring looking towards the site.

8.22 In addition, the relocation of built form to the north of the site and subsequent reduction in hardstanding, would mean that parking in association with the development would be located to the north. At present only 3no parking spaces are proposed for the equestrian enterprise which has resulted in concerns from the Highways Authority. The absence of a sensitive and sufficient parking scheme within the site would add to an unacceptable landscape impact in this raised part of the site.

8.23 The development is therefore considered to have a detrimental impact on the character of the National Park landscape.

Affordable housing and housing mix:

8.24 Two of the open market dwellings would comprise four bedrooms (plots 1 and 2) and the third dwelling would have five bedrooms (plot 3).

8.25 Ordinarily dwellings outside settlement boundaries would only be acceptable if for exception housing. This site is different however in that the principle for one market dwelling has already been established by the extant approval. It is considered that it has not been demonstrated that there are exceptional circumstances to depart from the policies concerning dwellings in the countryside to allow 3no dwellings.

8.26 The applicant contends that the 3no smaller dwellings are replacing a much larger dwelling. The table below shows a comparison of the floor areas for the open market dwelling approved under the extant permission against the three open market dwellings proposed under the current scheme:

1no. dwelling permitted under SDNPA/15/01361/FUL	3no. dwellings proposed under current application
490sqm	278sqm
	247sqm
	252sqm
Total 490sqm	Total 777sqm

8.27 As demonstrated above, the combined floor areas of the 3no. open market dwellings would be somewhat greater (by 287sqm) than that of the permitted open market dwelling.

8.28 The scheme does however require consideration against existing and emerging policy, the history of the site including the extant permission and any accruing benefits.

8.29 The Arun Local Plan was adopted in 2003, prior to the first publication of the NPPF (2012) , which needs to be taken into account. Under emerging policy SD29 (Rural Exception Sites) of the South Downs Local Plan, the requirement is for 100% affordable housing outside of SPB's. Emerging policy SD28 (Affordable Homes) would require a financial contribution towards off site provision to be negotiated on sites proposing up to three new homes. There are however a number of objections to the Policy which will be subject to scrutiny during the examination of the plan, and therefore on balance it is not considered that this can be pursued as part of this application.

8.30 Policy SD27 of the Emerging Local Plan relates to ensuring the appropriate mix of homes. The SDNPA's SHMA confirms there is a majority need for two and three bed dwellings in the market sector. However, there have been objections in relation to elements of the Policy and it is considered that, given that there will still be scrutiny given to this Policy during the examination, a refusal on this ground could not be justified.

Highways, access and parking:

- 8.31 The Highways Authority (WSCC) have not raised an in principle objection to the proposals. They are satisfied with respect to the retention of the existing vehicular access into the site. Additionally, the likely low levels of trip generation would be an improvement when compared to the current situation as there would be a significant reduction in the number of stables in use (70 stables on site of which 28 are currently in use and only 13 proposed) on site.
- 8.32 However, the applicant has failed to satisfactorily demonstrate that adequate parking is available on site to accommodate users and visitors to the stables, despite the reduction in both the total number of stables and the use of the stables on site. The Highways Authority have advised that generally two spaces per loose box should be provided and have sought further clarification on parking numbers and their location to ensure that the correct parking provision can be provided for the stables. The application site does not appear to have sufficient space within the red line area to be able to accommodate the parking requirement, given that 26 spaces would be required to meet the maximum standard. . It must be noted however that the nature of the equestrian enterprise is that for a large percentage of the business hours, the applicant and her staff would be the only people on site, with occasional visits by owners of some of the horses. Some of the stables would be used by the owner for her own horses, which would reduce the parking provision further. Further clarification is being sought from the applicant in regard to this matter however officers consider that the maximum standard provision should not be sought in this instance. Whilst it could be argued that there is insufficient justification to refuse the application on highway grounds, there clearly remains the issue as to whether provision can be made in the northern part of the site without having an adverse impact on the landscape character of the area and a refusal is therefore recommended on this ground.

Ecology and trees:

- 8.33 The Ecological Assessment (October 2017) submitted with the application concludes that the site mainly consists of amenity grassland, hardstanding and buildings, and is of low ecological value. Nesting birds in some of the buildings to be demolished have been identified, along with the potential for parts of the site to support common species of reptile. Bats have been recorded commuting within the site but the majority of buildings, trees and features of the site are identified as having no potential for bats.
- 8.34 The County Ecologist has advised that further clarification is required regarding the following points:
- The report refers to grassland habitat on the northern and western boundaries suitable for reptiles, in addition to the requirement for reptile mitigation in the northwest of the site, which may later be landscaped. Clarification is required on the locations and extent of suitable reptile habitat, the anticipated impacts to this habitat, and the necessary mitigation and reptile enhancement features should then be confirmed.
 - Reference is made to trees and (derelict) buildings in the south-west of the site with low suitability for bat roosts. A bat dusk survey was carried out, which provided a snapshot of general bat activity around the site but did not survey specific features. It is currently unclear whether further emergence/re-entry surveys will be required.
 - Lighting proposals need to be confirmed.
 - The report refers to a bat and owl survey report included, which has not been made available.
- 8.35 In the absence of further information, it is considered that insufficient information has been provided for the Authority to fully assess the potential ecological impacts. Therefore, a reason for refusal is recommended on ecology grounds.
- 8.36 Regarding the trees on site, the Tree Officer is satisfied with the proposals subject to a condition to ensure that the development is carried out in accordance with the tree protection plan.

Residential amenity

- 8.37 The proposed built form needing the most consideration in relation to neighbouring relationships is between the stable block (reduced from 15 to 13 stables) and Downsedge House to the west.
- 8.38 The separation distance between the western elevation of the stables and the public right of way intervening along the adjacent western boundary is approximately 5.5 metres. Given the separation, the single-storey nature of the stable block (approximately 4 metres high at the highest point), which would also be dug into the ground and the siting of the stables in relation to this property, it is considered that this would not result in an unacceptable neighbouring relationship in terms of loss of outlook, light and privacy.
- 8.39 The application has been considered by Environmental Health in relation to noise, light, smoke and odour, particularly in relation to neighbouring amenity. No objection has been raised subject to conditions.

Other matters

- 8.40 The Drainage Officer has acknowledged that the site currently experiences surface water problems, due to its topography, which results in water being discharged on to Soldier's Field Lane and down into Findon. However, this proposal could also enable the existing problems with surface water to be addressed. Therefore, no objection has been raised by the Drainage Officer subject to conditions.
- 8.41 The imposition of a condition to secure an archaeological watching brief would ensure that the archaeological comments are addressed.
- 8.42 The Rights of Way team have considered the proximity of the development to the section of footpath that runs north to south along the western site boundary and along Soldiers Field Lane, which is also used for vehicular access to the site and to adjacent properties. No objection has been raised subject to informatives and a suggestion that a speed restriction is imposed for vehicles exiting the site. This could be in the form of a sign at the site exit point.

9. Conclusion

- 9.1 The complex planning history of the site, together with the aspirations of the applicant to continue her successful business of training horses for competitions are a material consideration with this application. There does however need to be a judgement as to whether the general concerns and policy restriction to new dwellings in the countryside should be set aside based on the circumstances put forward by the applicant. On balance it is considered that exceptional circumstances have not been demonstrated to justify the creation of 2no additional dwellings beyond that approved in 2015.
- 9.2 The further development of the site to the north would result in adverse impacts on the landscape.. In addition, the parking provision has not been demonstrated to be sufficient for the equestrian enterprise and in the absence of a sufficient parking provision, it is considered the scheme would have an adverse an urbanising impact on the landscape character of the area.
- 9.3 Taking all matters into consideration, the application is recommended for refusal.

10. Reason for Recommendation

- 10.1 The application is recommended for refusal for the following reasons:
- I. The proposed equestrian development on the northern part of the site, by reason of the siting, height and scale of the hay barn together with the stable building, would have an unacceptable and unsustainable impact on the character of the landscape. These proposals would also negatively impact on the enjoyment of users of the public right of way to the west, and would impact on views from Cissbury Ring looking towards the application site. In addition, it has not been demonstrated that the proposed parking is sufficient for the purposes of the equestrian enterprise and therefore it is considered that the proposals would have an urbanising impact by virtue of informal parking in this

sensitive rural location. The proposals would not therefore conserve and enhance the National Park landscape, contrary to saved policies GEN 3 and GEN 7 of the Arun District Local Plan (2003), policy HD7 of the Findon Neighbourhood Development Plan 2016, policies SD4, SD5, SD20 and SD22 of the Submission Version of the South Downs Local Plan, the revised National Planning Policy Framework (2018) and Purposes of a National Park.

2. The proposed provision of three open market dwellings outside of the defined settlement policy boundary of Findon would result in an unjustified and unsustainable form of residential development in designated countryside which would not conserve or enhance the National Park landscape by virtue of its siting, scale and design. The proposals are therefore contrary to saved policies GEN 3 and GEN 7 of the Arun District Local Plan (2003), policies SD25, and SD29 of the Submission Version of the South Downs Local Plan, the revised National Planning Policy Framework (2018), the SDNPA's SHMA (2015) and the Duty of a National Park.
3. Insufficient information has been provided to satisfactorily demonstrate that there would not be harmful ecological impacts caused to protected species including reptiles, bats and owls in particular from the proposed development at the site and how this could be appropriately mitigated. In the absence of sufficient information, the proposal is contrary to saved policies GEN7 and GEN29 of the Arun District Local Plan (2003), emerging policies SD2 and SD9 of the Submission Version of the South Downs Local Plan, the revised National Planning Policy Framework (2018) and the first Purpose of a National Park.

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

Contact Officer: Victoria Corrigan

Tel: 01730 819261

email: victoria.corrigan@southdowns.gov.uk

Appendices

1. Site Location Map
2. Officer Report and Site Layout Plan for Application SDNP/15/01361/FUL
3. Proposed Site Layout Plan – Current Application

SDNPA Legal Services, Development Manager, Director of Planning.

Consultees

Background Documents

All planning application plans, supporting documents, consultations and third party responses

<https://planningpublicaccess.southdowns.gov.uk/online-applications/applicationDetails.do?keyVal=P56FDTTUIT100&activeTab=summary>

National Planning Policy Framework (2018)

<https://www.gov.uk/government/publications/national-planning-policy-framework-2>

South Downs National Park Partnership Management Plan (2013)

<https://www.southdowns.gov.uk/national-park-authority/our-work/key-documents/partnership-management-plan/>

Arun District Local Plan (2013)

<http://www.arunlocalplan.net/HTML/Statement/statementframeset.html>

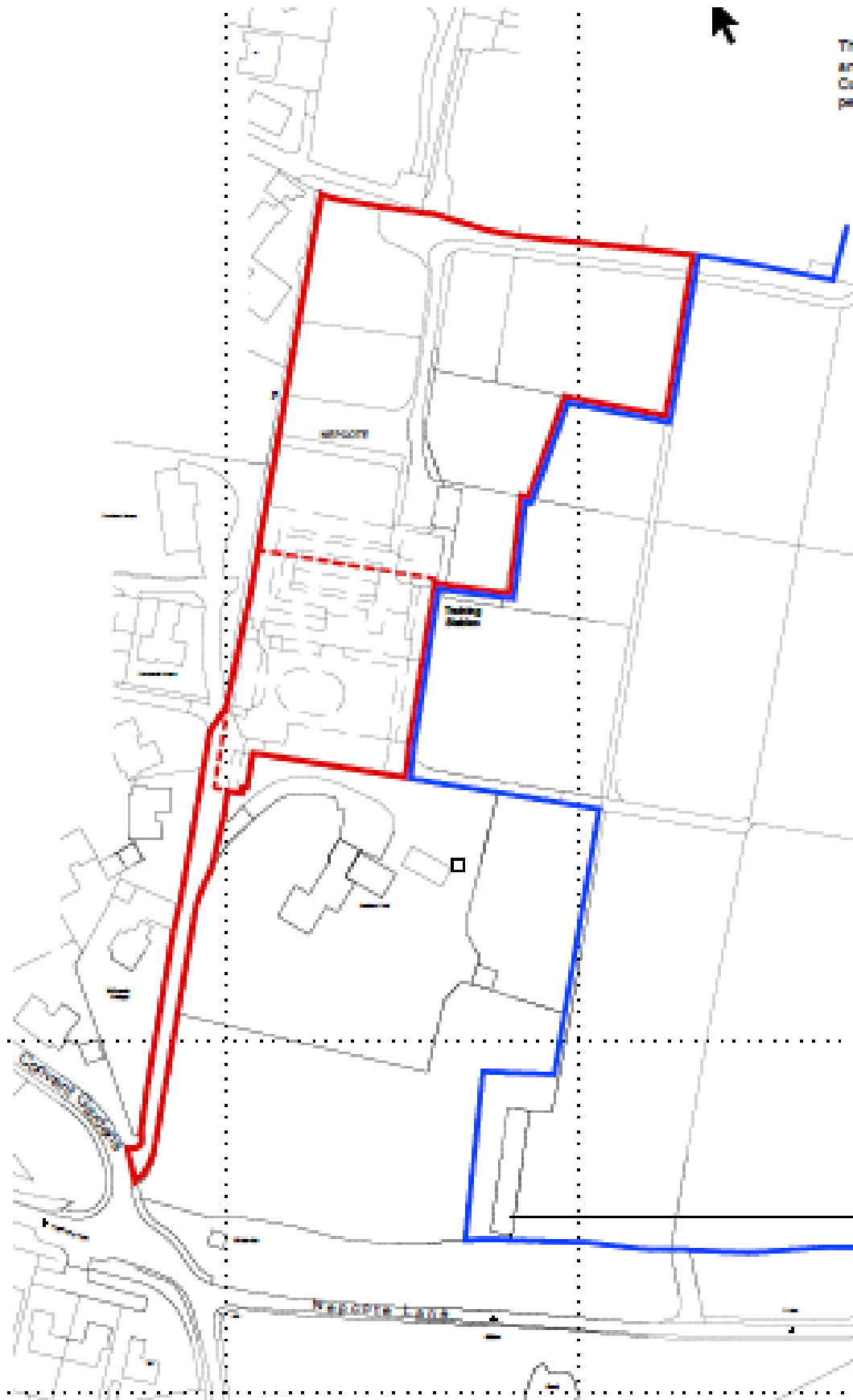
Findon Neighbourhood Development Plan (2016)

<https://www.southdowns.gov.uk/planning/planning-policy/neighbourhood-planning/neighbourhood-development-plans/findon-neighbourhood-plan/>

Submission version of the emerging South Downs Local Plan

<https://www.southdowns.gov.uk/planning/national-park-local-plan/>

Site Location Map



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