

Report to	<b>Planning Committee</b>
Date	<b>11 June 2020</b>
By	<b>Director of Planning</b>
Local Authority	<b>Arun District Council</b>
Application Number	<b>SDNP/19/02919/FUL</b>
Applicant	<b>Mrs A Gifford</b>
Application	<b>Hybrid application comprising:</b>  <b>(1) Full planning application for the replacement of an existing dwelling, haybarn, erection of new stable yard with ancillary groom's accommodation, a new unit of holiday accommodation and relocation and enlargement of existing manege.</b>  <b>(2) Outline planning application for the redevelopment of the existing stable yard with 2 no. dwellings and garages.</b>
Address	<b>Soldiers Field Stables, Soldiers Field Lane, Findon, BN14 0SH.</b>

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**Recommendation: That planning permission be granted subject to the conditions set out in paragraph 10.1 of this report.**

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### **Executive Summary**

The application site is immediately outside the settlement policy boundary of Findon, on the edge of the village, and therefore subject to more restrictive policies of constraint in relation to new development. The site is also within a highly sensitive location in terms of landscape character and public views. The southern part of the site 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.

Planning permission was refused by the SDNPA Planning Committee in 2018 for a development which comprised 3no new dwellings, in addition to the replacement dwelling, stables, manege and storage barn, which encroached into open undeveloped land.

There is an established principle of some form of equestrian and residential development within part of the site (with the fact that the most recent approval could still be completed). Landscape, visual impact and ecological concerns raised in previous reasons for refusal have been successfully addressed in the current revised development proposal after significant discussions and meetings with the applicant. This is due to a reduced amount of residential development and significant amendments to the layout, siting, scale and landscaping of previous proposals, which result in a landscape-led design that enhances the edge of the village. The application is therefore recommended for approval.

The application is placed before the Committee due to consideration of the previous scheme and 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 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. This area of Findon is characterised by its distinguished equestrian and semi-rural character.
- 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 immediately 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 House, which is sited within substantial grounds. Soldiers Field House is an allocated site for residential development (10 to 12 dwellings) in Policy SD70 South Downs Local Plan 2014-2033.
- 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/18/01289/FUL 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 3 no. dwellings and garages. Officer Report and Layout Plan attached at **Appendix 3**. Application refused by SDNPA Planning Committee on 13.09.2018 for the following reasons:

*Equestrian development: harm to landscape character and views*

- 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.

### *Residential development outside settlement and impact to landscape*

- 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 policy 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.

### *Insufficient ecological information*

- 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.

- 2.2 SDNP/18/03708/DCOND: Discharge of condition 3 (schedule of materials) on planning consent SDNP/15/01361/FUL. Condition discharged on 26.07.2018.
- 2.3 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.
- 2.4 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.
- 2.5 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**).
- 2.6 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.
- 2.7 FN/11/12: Regeneration of dilapidated stable yard and associated buildings, comprising 1no. 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.
- 2.8 FN/36/11: Regeneration of dilapidated stable yard and associated buildings, comprising 1no. holiday cottage, 2no. 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.
- 2.9 FN/83/10: Regeneration of dilapidated stable yard and associated buildings comprising 3no. 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 2no. detached dwellings and to include revised vehicular access arrangements to provide separate

access for the stables. Permission refused.

- 2.10 FN/37/09: Regeneration of dilapidated stable yard and associated buildings comprising replacement dwelling with ancillary stable yard and storage barn, 3no. holiday cottages and 2no. residential dwellings. Permission granted.

- 2.11 FN/74/04: Demolition of a 6 bedroom detached dwelling and 1,605 square metres of commercial buildings and the erection of 4no. detached dwellings. Permission refused.

### **3. Proposal**

- 3.1 The hybrid application seeks:

- 1) Full planning permission for the replacement of an existing dwelling, hay barn, erection of new stable yard with ancillary groom's accommodation, a new unit of holiday accommodation and relocation and enlargement of existing manege/horse arena.
- 2) Outline planning permission for the redevelopment of the existing stable yard with 2no. open market dwellings and garages. Detailed matters regarding means of access, layout, scale and landscaping are subject to consideration on this application, whilst details of appearance would be subject to consideration via a reserved matters application should outline planning permission be granted.

- 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 horse arena.

- 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 manege, stables and hay barn, whilst the development of the southern half of the site is mostly residential.

- 3.5 A development proposal which included an additional dwelling, was refused by the SDNPA Planning Committee in September 2018. Since then the proposal has evolved and negotiated with officers in an effort to successfully address Members concerns, the reasons for refusal and adapt the scheme to the policy requirements of the Development Plan.

### **4. Consultations**

- 4.1 **Findon Parish Council:** Objection.

- Findon Parish Council (FPC) initially objected to the application and they raised several concerns, which have remained during the subsequent round of consultation. The last consultation response raised the following concerns:
  - In conflict with the SDNP purpose to conserve and enhance the natural beauty, wildlife and cultural heritage.
  - In conflict with core objective 4.2 of the Findon Neighbourhood Development Plan 2016-2035 (FNDP) to conserve and protect views of the surrounding countryside from and to the village.
  - Outside the settlement boundary and in a sensitive edge of settlement.
  - No evidence warrants the site to be treated as an exception under Policies SD23, SD25 and SD29 of the South Downs Local Plan 2014-2033 (SDLP) and FNDP

community aspirations.

- In conflict with Policies SD1 (Sustainable Development), SD6 (Safeguarding Views), SD7 (Relative Tranquillity) and SD27 (Mix of Homes) SDLP. It does not meet all criteria of Policy SD24 SDLP.
- Loss of amenity to neighbouring residential properties relating to noise and odours from sand school and stables.
- Loss of view and light from public footpath.
- Hay barn to be highly visible.
- Development should be restricted to the southern part of the site which would be consistent with the justification that brought the extant consent gained in 2015.
- The site was not identified in the SDNP and FNDP as suitable for housing allocation.
- Two open market dwellings conflict with Policy 5.7 FNDP, which seeks to ensure that new dwellings contribute towards any local connection, smaller and lower cost, affordable homes.
- Use of weatherboarding and brick is in conflict with Policy HD7 FNDP.
- FNDP seeks to conserve or enhance the horseracing training local heritage in Findon, but not at the cost of local landscape harm at the settlement edge or new residential development outside the settlement boundary.
- Parking provision is a major concern. It is unrealistic to suppose that residents of the proposed dwellings would have just one car per dwelling and no visitors.
- The change to siting of the access road could result in fencing being erected in gardens backing onto the footpath.
- Parish Council have not commented on cycles, bins, electric vehicles (EV) charging points, external lighting, rainwater harvesting, SUDs, manure management, as these details are not shown on plans.
- Parish Council raised concern with a perceived lack of transparency in SDNPA negotiations with the applicant and the short time for the Parish Council to comment on the latest revisions.
- FPC refers to the objection letter (July 2019) and the refusal decision (September 2018), and state that although some aspects have been amended, the grounds for refusal remain relevant.
- FPC would expect robust conditions to be applied should planning permission be granted.

#### 4.2 **Design Officer:** No objection, subject to conditions.

- Layout design and siting of buildings are acceptable in design terms.
- Concern raised with garages, as their introduction in a rural setting should be carefully considered. Similarly, the use of weatherboarding is questioned, especially in the main house. Materials should contribute to a hierarchy of buildings.
- Conditions are suggested to protect design quality.

#### 4.3 **Landscape Officer:** No objection

- The site is identified as being in poor condition in terms of landscape character and the presence of visually intrusive elements which draw the eye in long distance views and undermine the open nature of the chalk downland.
- The development of this site offers significant opportunity to address this poor condition settlement edge.

- The site is subject to an extant permission for residential units.
- Officers have worked hard with the applicant to improve the layout in this sensitive part of Findon. The scheme is landscape-led for the following reasons: a) Adheres to the inherited pattern of routes in this part of Findon; b) Buildings are kept close to the village edge, to prevent in particular residential built form encroaching into the open countryside; c) Landscape design has sought to improve the edge of settlement condition; and d) Restoration of chalk downland, inclusion of trees along tracks and areas of scrub, all represent characteristic mitigation measures.
- Buildings are located sensitively with respect to the right of way, avoiding creating a sense of over-bearing buildings, for users of the right of way and preventing rear gardens backing onto open countryside.
- Areas recommended to be controlled by condition: a) Orientation of buildings; b) Reduction of glazed elevations facing open countryside; c) Landscape design needs to better reflect relationship between trees, contours and tracks; d) Areas of turning could be reduced; e) Planting needs to be more strongly partnered to the track; f) Surface water management shown on landscaping plan may need to be revisited at condition stage; g) Ecosystem Services actions such: manure management, use of green materials for construction; carbon storage, etc.; h) Material choices need to be led by evidence; i) SuDS treatment train should be followed and SDNPA expects that multiple benefits are achieved through interventions.
- Suggested conditions: a) LEMP; b) Materials and engineering details of sand school; c) Hard, soft landscaping and boundary treatments; d) Lighting strategy – sand school not lit; e) Surface water drainage details; and f) Tree protection measures.
- As a result, of the above whilst the application is not ‘supported’ in landscape terms, no objection is raised, subject to recommendations being achieved via the conditions imposed.

4.4 **Tree Officer:** No objection subject to condition.

4.5 **SDNPA Conservation Officer:** No objection (verbal response).

4.6 **Ecology:** No objection subject to condition.

4.7 **Highways:** No objection subject to conditions.

4.8 **Public Rights of Way:** No objection.

- Changes made to the layout plan will not have a further negative impact on users of the footpath.

4.9 **Drainage:** No objection subject to conditions.

- The site currently contributes to surface water runoff which can affect the village. The application provides an opportunity to provide benefit by ensuring that all surface water from the site is dealt within the site. A series of conditions are recommended.

4.10 **Lead Local Flood Authority:** No comment.

4.11 **Dark Night Skies Officer:** Comments:

- Recommend automatic black-blinds on rooflights and use of low transmittance glazing on openings to reduce internal light transmission. The size of openings is fine.
- External lighting to be controlled by condition. Any lighting should be designed in accordance with the Dark Night Skies Technical Advice Note.
- Lighting of the horse arena should be avoided.

4.12 **Southern Water:** No objection.

- Suggest informatives, should permission be granted.

4.13 **Housing Officer:** No comment.

4.14 **Archaeology:** No objection subject to conditions.

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

4.16 **SDNPA Sustainable Tourism Officer:** No objection.

- 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 proposed holiday cottage supports Policy SD23 of the Local Plan and delivers the South Downs Sustainable Tourism Strategy 2014-2020.
- Guests should be encouraged to use public transport. Cycling and walking opportunities should be promoted.

4.17 **Environment Agency:** No comment.

## 5. Representations

5.1 43 third-party representations were received commenting on the proposal, of which 27 are objections and 16 are in support of the application. These representations are summarised below:

### Objection

- Outside of the settlement boundary. Reduced amount of development to the south does not address the concerns raised by Planning Committee. This development would set precedent for more development in the countryside.
- Visible from Downs and Cissbury Ring. Harmful impact on public views. Proposal contrary to Policy SD6 (Safeguarding views) of the SDLP.
- Stables would have a harmful impact on landscape character and the views from the adjacent public footpath. Obstruction to the public footpaths by existing gates.
- Hay barn would have a harmful impact on landscape character and views regardless of changes in location and height.
- Increased surface water runoff.
- 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.
- Increased traffic at Soldiers Field Lane and impact on highways safety for users of Convent Gardens. Cumulative impact if Soldiers Field House is developed. Foundations of the track cannot accommodate increase in load.
- Conflict with Findon NDP respecting protection of views of the countryside and around village.
- Grass area to the north east of the site, potentially developable?
- Proposals do not meet the exceptional circumstances of development outside settlement boundaries of Policy SD25 and SD24 SDLP. The updated Findon NDP does not include allocation for redevelopment of the site.
- Lack of provision of affordable homes (SD28 SDLP) neither the mix of homes required by Policy SD27 SDLP.
- The proposed replacement dwelling would increase its floor space by more than 30% - being contrary to Policy SD30 SDLP.
- Personal circumstances should not justify an otherwise unacceptable development.

The southern proposal would finance the equestrian development to the north.

- Fall-back position should be given very limited weight given the changes in local plan policy.
- Failure to justify a need for the development that over-rides the purpose of protecting the landscape. Contrary to policies SD4 and SD5 SDLP. Failure to conserve and enhance the natural beauty, wildlife and cultural heritage of the area.
- Light pollution cannot be avoided and will impact enjoyment of evening views.
- The main rationale of the application is centred around the commercial enterprise, which needs funding to make it economically viable. This is at the expense of encroaching onto the South Downs.
- The design of the proposal is not landscape-led. Inadequate LVIA submitted. Inappropriate planting to screen development, which is not a good principle in planning. Planting would not screen huge development.
- Poor relationship of development with neighbouring properties, in particular stables building. Concern raised with noise, smell and disturbance to neighbours to the west of the site.
- If permission is granted, conditions should control lighting, use of sand in menage, ensure ancillary use of groom's accommodation, parking management and that the site should not be used as livery or school.
- The provision for car parking for the stables is inadequate.
- Lack of management strategy for horse urine and manure.

#### Findon Neighbourhood Plan (Amended 2020) Working Group objection

The group have objected raising concerns, which are summarised below:

- No justification for the principle of redevelopment of the yard.
- No transparency on Design and Landscape Officer's initial responses and officers' negotiations.
- Revised proposals remain in conflict with SDLP and FNDP and do not demonstrate compliance with Development Plan and to justify the exceptional circumstances that would give weight as a material consideration.

Full detailed comments can be found on the public access website and an accompanying visual impact assessment with photographs and maps. This document identifies cumulative harm of the proposal to the landscape character, public views and emerging Nepcote Conservation Area.

#### Support

- The current site is dilapidated, the redevelopment of the site would enhance the area.
- Views from Cissbury Ring would be improved from current situation.
- Would protect local employment and would contribute to the diversification with a new holiday let cottage.
- The holiday cottage would contribute to share the SDNP with others.
- Improvements to the environment will be achieved through appropriate drainage and wildlife protection. The proposal solves the issues with drainage in the area
- The latest proposal seems appropriate for the size of the plot. The revised plans are much needed to improve this outdated site.
- The proposal supports an Olympic medal winner event rider and a very long established horse business, for which Findon is known for. It also supports the viability of the business.
- Proposals enhance the local community and businesses.
- Building heights would not cause harm to neighbours neither views.



## 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 of the **South Downs Local Plan 2014-2033** 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 well-being 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 in February 2019. 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 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.

### National Planning Policy Framework (NPPF) 2019

- 6.4 The National Planning Policy Framework has been considered as a whole. The following NPPF sections have been considered in the assessment of this application:

- Achieving sustainable development
- Delivering a sufficient supply of homes
- Building a strong, competitive economy
- Promoting healthy and safe communities
- Promoting sustainable transport
- Making effective use of land
- Achieving well-designed places
- Meeting the challenge of climate change, flooding and coastal change
- Conserving and enhancing the natural environment
- Conserving and enhancing the historic environment

### Relationship of the Development Plan to the NPPF and Circular 2010

- 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.

### The South Downs National Park Partnership Management Plan 2020-2025

- 6.6 The Environment Act 1995 requires National Parks to produce a Management Plan setting out strategic management objectives to deliver the National Park Purposes and Duty. National Planning Policy Guidance (NPPG) states that Management Plans “contribute to setting the strategic context for development” and “are material considerations in making decisions on individual planning applications.” The South Downs Partnership Management Plan as amended for 2020-2025 on 19 December 2019, sets out a Vision, Outcomes, Policies

and a Delivery Framework for the National Park over the next five years. The relevant outcomes include:

- Outcome 1: Landscape and Natural Beauty
- Outcome 2: Increasing Resilience
- Outcome 3: Habitats and Species
- Outcome 4: Arts and Heritage
- Outcome 5: Outstanding Experiences
- Outcome 6: Lifelong Learning
- Outcome 7: Health and Wellbeing
- Outcome 8: Creating Custodians
- Outcome 9: Great Places to Live
- Outcome 10: Great Places to Work

Other relevant evidence document

- South Downs Integrated Landscape Character Assessment (2011)
- Findon Village Design Statement (2012)
- South Downs National Park: View Characterisation and Analysis (2015)
- National Design Guide (2019).
- SDNPA Decision Statement for the Updated Findon NDP (2020).
- Nepcote Conservation Area Character Appraisal and Management Plan – Draft for Consultation (2020).

## **7. Planning Policy**

7.1 The following policies of the South Downs Local Plan 2014-2033 are relevant:

- SD1 – Sustainable Development
- SD2 – Ecosystems Services
- SD4 – Landscape Character
- SD5 – Design
- SD6 – Safeguarding Views
- SD7 – Relative Tranquillity
- SD8 – Dark Night Skies
- SD9 – Biodiversity and Geodiversity
- SD10 – International Sites
- SD11 – Trees, Woodland and Hedgerows
- SD12 – Historic Environment
- SD15 – Conservation Areas
- SD16 – Archaeology
- SD17 – Protection of the Water Environment
- SD19 – Transport and Accessibility
- SD20 – Walking, Cycling and Equestrian Routes
- SD21 – Public Realm, Highway Design and Public Art
- SD22 – Parking Provision
- SD23 – Sustainable Tourism
- SD24 – Equestrian Uses
- SD25 – Development Strategy

- SD26 – Supply of Homes
- SD27 – Mix of Homes
- SD28 – Affordable Homes
- SD30 – Replacement Dwellings
- SD34 – Sustaining the Local Economy
- SD44 – Telecommunications and Utilities Infrastructure
- SD45 – Green Infrastructure
- SD48 – Climate Change and Sustainable Use of Resources
- SD49 – Flood Risk Management
- SD50 – Sustainable Drainage Systems
- SD51 – Renewable Energy
- SD54 – Pollution and Air Quality
- SD55 – Contaminated Land

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

- BT1 Support for business
- BT2 Retention of employment land
- BT8 Sustainable recreational and tourism activities
- BT9 Communications infrastructure
- GA1 Sustainable Transport
- GA2 Footpath and cycle path network
- GA3 Parking and new development
- CFW8 Dark Night Skies
- ES2 Surface water management
- ES3 Protection of trees and hedgerows
- ES4 Renewable Energy
- ES6 Conservation Areas
- HD3 Live/Work Units
- HD7 Design of development
- HD8 Outdoor space

7.3 Findon Updated Neighbourhood Development Plan. On the 16th January 2020, the SDNPA Planning Committee agreed the Decision Statement for the Updated Findon NDP. This sets out the modifications that will be made to the Neighbourhood Plan in response to the Examiner's recommendations. As the Updated Findon NDP comprises minor modifications from the original Findon NDP, these changes can be made without the need for a referendum. The Updated Findon NDP will be amended in line with the Decision Statement.

## 8. **Assessment**

### Background

8.1 Planning permission for the redevelopment of the existing stables yard was granted on 7 August 2015 (See Planning History, Section 2). A material start has been made on site and therefore this permission remains extant. Then, in 2018 a subsequent planning application was submitted for the redevelopment of the site, which included an encroachment into open equestrian areas to the north, which currently have a hay barn, a horse arena, paddocks and a track. This application was refused for the reasons stated in paragraph 2.1 of this report. The main concerns raised by the SDNPA were that the new development outside the settlement boundary did cause harm to the landscape character and the value of public views as well as the absence of sufficient ecological information to assess impact on protected

species. Consequently, the application was refused by the SDNPA Planning Committee on 13 September 2018.

- 8.2 Since then, the applicant has made an effort to address the issues that warranted reasons to refuse application SDNP/18/01289/FUL in 2018. The current planning application has been accompanied with additional ecological information as requested by the County Ecologist and has amended the layout, siting, scale of buildings and the amount of development proposed. Extensive negotiations have taken place during the life of this application between officers and the agent of this application to ensure that development proposals are landscape-led, adjust to the adopted Local Plan and address any significant concern raised by consultees and third parties.

Policy context with regards the 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 this one being a hybrid application, the site's planning history and the adoption of the South Downs Local Plan 2014-2033 which replaces the Arun District Local Plan 2003.
- 8.4 The starting point in terms of consideration of the principle of development of the site is the development strategy as set out in the Development Plan, which in this area is formed by the South Downs Local Plan 2014-2033 (SDLP) and the Findon Neighbourhood Development Plan 2016-2035 (FNDP). The Local Plan and FNDP place the site outside the settlement boundary of Findon.
- 8.5 Policy SD25 of the SDLP sets out the development strategy of the National Park, resisting development outside the defined settlement policy boundaries. Exceptionally, Policy SD25 states that development will be permitted outside settlement boundaries where it complies with relevant policies of the SDLP, responds to the context of the relevant area and it is an appropriate reuse of a previously developed site and conserves and enhances the special qualities of the National Park. Development is also exceptionally permitted outside settlements where there is an essential need for a countryside location.
- 8.6 The Local Plan supports the principle of new visitor accommodation. Policy SD23 states that these will be permitted where it is demonstrated that proposals will provide opportunities for visitors to increase awareness, understanding and enjoyment of the special qualities. Where located outside settlement policy boundaries, tourism accommodation should positively contribute to the National Park and be closely associated to attractions uses, including the public rights of way network. Policy BT8 FNDP supports tourism accommodation provided that their scale, siting and design respects the character of the area, adequate parking and traffic generation can be accommodated by the road network.
- 8.7 Policy SD24 of the SDLP is relevant as it sets out the states that development proposals for equestrian development will be permitted where they are of a scale and/or intensity compatible with the landscape and special qualities. Proposals should also demonstrate good design, re-use existing buildings where feasible, respect amenities and activities of surrounding uses and properties, are well located to utilities and transport infrastructure as well as provide appropriate landscaping and conservation based land management.
- 8.8 Policy SD30 of the SDLP is applicable in the assessment of the principle of replacing the existing dwelling on site. This policy seeks to reduce the loss of small homes through replacement by substantially larger homes and sets a limit of a replacement dwelling only being extended by up to 30% of its existing floorspace.
- 8.9 Based on the above premise, the various elements of the proposals are therefore considered further below.

2 new dwellings, holiday cottage and replacement dwelling

- 8.10 Since the previously refused planning application in 2018, the residential element of the development proposals has undergone significant modifications. The amount of development proposed has been reduced from 4 initially proposed to 3 dwellings (including the replacement unit) and the layout scale and form have varied substantially. The fall-back

position include 2 large dwellings, one of them being of a substantial scale and poorly related to the open fields to the east. It also includes a holiday cottage and stables/storage barn and a disproportionate extent of hardstanding. Overall, the fall-back scheme has negligible value to add to the edge of the settlement in landscape character terms, whilst the currently proposed development is an opportunity to outset the fall-back position and the policy context needs to be seen in this context.

- 8.11 The previous reason for refusal stated that the provision of three new open market dwellings (beyond the existing home) outside of the defined settlement policy boundary of Findon would result in an unjustified and unsustainable form of residential development in the countryside which would not conserve or enhance the National Park landscape by reason of its siting, scale and design. Since then, the SDLP has been adopted and Policy SD25 exceptionally allows new development outside settlements when they respond to the context and make an appropriate reuse of a previously developed site.
- 8.12 Soldiers Field Stables is considered to be a previously developed site or “brownfield” (as it is an equestrian site – not agricultural) and the proposed residential development (2 open market homes, holiday cottage and replacement dwelling) will fall within the brownfield area in its entirety. The site is derelict and comprises a number of equestrian related outbuildings and sand school. The site, as it is, negatively contributes to the landscape character and the value of local and distant public views and redeveloping the site provides an opportunity to enhance the edge of the village while making an efficient use of land.
- 8.13 Following extensive negotiations with the applicant, the residential element of the proposal has been revised to address the concerns previously raised in terms of the siting, scale and design of buildings. Two new dwellings are proposed where previously three units were refused. Two new dwellings is an appropriate amount of development in this contexts, as it has been demonstrated that buildings, together with the holiday cottage and replacement dwelling, sit comfortably within plots and in close relationship with residential areas to the west.
- 8.14 The revised layout also shows a new track that adheres to the existing pattern of routes in this part of Findon and functions as an appropriate edge to the village containing built form from encroaching into open fields to the east. This reinstates landscape character in this location and breaks up the built form in view in the long term. The combination of built form pushed away from open fields, the track and hedge/tree belt is a positive intervention that functions as a suitable transition from open countryside to built environment.
- 8.15 Dwellings in plots 1 and 2 have also been well-positioned in response to the sloping topography following the contours, minimising their visual prominence. They have also been reduced in height to a maximum roof ridge height of approximately 7 metres and substantially reduced their mass and bulk by breaking the form of buildings. These have also been arranged and orientated to maximise sunlight, provide natural surveillance and share, to a degree, access, parking and turning spaces.
- 8.16 Revisions to the layout have also resulted in other benefits such the removal of existing buildings adjacent to the footpath to the west which are considered to currently detract from users’ experience due to a feeling of overbearing and shade, which makes of the footpath an unpleasant and potentially unsafe for users. The proposal reverts this situation by siting dwellings well-distant from the footpath – increasing available sunlight and providing direct pedestrian access from dwellings to the footpath.
- 8.17 Particular consideration has been given to Policy HD7 FNDP and Village Design Statement (VDS) with regards to materials to be used for construction. The main house would be built of flint stone, weatherboarding, timber windows, and clay tiles, traditional sustainable materials supported in the VDS and the Sustainable Construction TAN. Other buildings such stables, hay barn and holiday cottage will be timber clad, which is appropriate insofar as it gives to the main house a higher hierarchy of materials and other remain more utilitarian in character and subordinated in their appearance. The two dwellings part of the outline application are not assessed in their appearance and therefore materials will be considered at the reserved matters stage.

#### *New dwellings*

- 8.18 As abovementioned, Policy SD25's test consist of the appropriate reuse of previously developed land and proposals that respond to their context. In this particular case, officers are satisfied that the redevelopment of an area of the exiting stables site with two new dwellings as shown on revised plans is an appropriate reuse of brownfield land (previously used equestrian site) and positively respond to the edge of settlement context, as well as provide clear improvements to local views and users of the public footpath. Consequently, the proposed 2 new dwellings on the southern part of the application site is
- 8.19 Consideration has been given to the extant 2015 planning permission and the reasons for refusal of the 2018 planning application. Significant weigh has been given to the proposed enhancement of the village edge from the fall-back position and the adaptation of the development proposal to the landscape-led approach to design of the adopted Local Plan. In light of the above, officers are satisfied that the revised proposal has addressed the concerns raised by Planning Committee in 2018 in terms of siting, scale and design of buildings and that the scheme is has been greatly improved from the 2015 planning permission and the initially submitted scheme.

#### *Holiday cottage*

- 8.20 In terms of the holiday cottage proposed, the SDNPA Sustainable Tourism Officer supports the scheme as it consistent with the South Downs. Sustainable Tourism Strategy 2014-2020. The FNDP identifies an equestrian-related tourism potential in the Parish.
- 8.21 The holiday cottage will provide opportunities for visitors to enjoy the special qualities of the area, and in particular the local culture around the equestrian tradition of Findon. The site is very well connected to the public right of way network (including bridleways), the Monarch's Way and landmarks such Cissbury Ring. Public transport is available in walking distance from the site connecting Findon with Worthing and Midhurst, and rail connections. The holiday cottage is of a proportionate size for the village and contribute, together with the whole scheme, to the natural beauty, wildlife and cultural heritage of the National Park. Therefore, the holiday cottage is compliant with Policy SD23 of the Local Plan and BT8 of the FNDP, as it is well designed, provides sufficient parking and traffic generated is very low.

#### *Replacement dwelling*

- 8.22 The proposed replacement dwelling amounts an approximate 66% increase in floorspace. The replacement dwelling is not overbearing or detrimental to the amenity of residents and, would be of a size, design and siting that would not detract from the character of the area. Notwithstanding this, the proposed increase in floorspace does exceed the 30% limitation of Policy SD30 SDLP. The size of the dwelling is comparable to the extant permission and therefore weigh is given to the extant permission in the planning balance.
- 8.23 Taking into account all the above mentioned considerations, the redevelopment proposal is appropriate, landscape-led and responds to its particular context, meeting the requirements of Policy SD25. Consequently the principle of new residential development at Soldiers Field Stables is found acceptable and consistent with the development strategy of the Development Plan and with landscape and design policies SD4 and SD5 of the Local Plan.

#### 8.24 Stables, sand school and hay barn

- 8.25 The proposed equestrian development would be located within an area that is not developed, with the exception of fencing, a track and some equestrian paraphernalia. The reasons for which the equestrian development to the north of the site were refused in 2018 were mainly the impact on landscape character, public right of way users and long distance views from Cissbury Ring. In addition, the application had not demonstrated that the proposed parking was sufficient and any informal parking would cause an urbanising effect on the landscape. This last matter is addressed in the Highways, Access and Parking section of

this report.

- 8.26 Since 2018, and in light of the concerns raised by officers in the past, the proposal has been revised. The Development Plan has evolved since the adoption of the South Downs Local Plan, which is supportive of equestrian development. The FNDP also acknowledges the importance of Soldiers Field Stables as a local business asset. The principle of stables and barn 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. The principle of the equestrian use outside of the settlement boundary is also given positive regard given that it necessitates a countryside location due to its nature.
- 8.27 The revised plans submitted with this application have helped to address the concerns raised with previous proposals. Specifically the proposed section through the site clearly indicates a harmonious relationship of all structures and how they respond well to the contours of the site. This has facilitated the assessment in the benefit of the proposal.
- 8.28 The hay barn has been modified. The building has been reduced in height and has been moved southwards on the site so it sits at a lower level. It is designed with a curved roof and will be constructed in hit and miss timber boarding. This building is considered by the Landscape Officer to be in an appropriate location and no objection is raised to its size, design and siting.
- 8.29 The sand school remains where initially proposed, although levels have been provided and planting around it has been improved as per the Landscape Officer's recommendations. Its final surfacing material is yet to be agreed via discharge of conditions. It is expected to be made of recycled rubber/fibre, although colour is yet to be agreed. The SDNPA would expect a colour that reflects the earth colour scheme within the area to avoid an unnecessary stark appearance of the arena from public vantage points.
- 8.30 No objection is raised to the location and scale equestrian buildings and structures by the Landscape Officer as shown on revised plans. Notwithstanding this, in order to achieve an equestrian development that integrates well with the edge of settlement and the open countryside on each side, the landscaping, materials and lighting details should be carefully designed. The landscaping masterplan has shown planting that is locally characteristically of the area which would contribute to soften the prominence of the sand school and hay barn from long distance views. The Landscape Officer is also satisfied that the most exposed buildings (stable block and hay barn) are of an agricultural appearance and therefore appropriate to be more prominent in the landscape.
- 8.31 Policy SD6 of the Local Plan relates to preserving the visual integrity, identity and scenic quality of the National Park, in particular conserving and enhancing key views. The previously refused application was considered to detract from the value of views from Cissbury Ring due to the scale and siting of the hay barn as well as the stable block. Amendments to the scheme include a drop in the height of the barn and position it at a lower level. Additional information such sectional drawings confirm that the buildings respond to topography and would not be seen as stark prominent features (subject to architectural and materials details). Appropriate planting following the characteristically distinctive tree-scape of Findon and network of hedgerows on adjacent fields also contribute to soften the appearance of the northern end of the site and to integrate it with the village-scape. In consideration of the above, the proposed equestrian buildings are not considered to cause harm to the value of public views from important view points to the east, such Cissbury Ring. Consequently, the development is in line with Policy SD6.
- 8.32 Furthermore, buildings are located sensitively with respect to the right of way, avoiding creating a sense of over-bearing for users. Concern was raised in the 2018 application with the potential impact of the proposed stables to the experiential quality of users of the adjacent public footpath. Notwithstanding this valid concern, the stable building would be located more than 5 metres away from the boundary of the site and would be partially dug into the slope, reaching a building height of 4 metres in height where closest to the footpath. Sectional drawings have confirmed that the stables building will not be overbearing to users

of the footpath and will not detract from the experience, only blocking some long distance views. A visual gap will remain on the northern end of the path and the loss of a long distance view along a very short stretch of the path is not considered enough as to be harmful to the amenity of the footpath.

- 8.33 Overall, the equestrian development is of a scale and intensity that is compatible with the landscape character and special qualities of the National Park, especially in this area of Findon where there is a long tradition of horses. The proposal will not introduce new equestrian use, but will upgrade the existing use instead and will relocate some of its facilities to the north of the site. Land associated to the site is extensive (fields to the east) and is currently used for grazing. The stables and other facilities will remain for private use and will not be used for any form of riding school or facility open to the public.
- 8.34 Two modest 1-bed groom's accommodation units are proposed within the stable block remains unchanged from the previous application where no objection was raised. Grooms accommodation was also granted within the stables in the extant 2015 permission. Given the scale and nature of the equestrian use envisaged on site, this accommodation would support the business and the successful operation of the business and stables. This accommodation will be restricted by condition.
- 8.35 The retention and reuse of the existing buildings is not feasible due to the poor condition of the existing facilities and the need to upgrade these for the business to prosper. The equestrian use will remain, upgraded and relocated, therefore retaining employment use. The encroachment into the north would appear to be justified in the need for larger facilities (horse arena and hay barn), a new stable block with an enclosed courtyard with sufficient feed store, tack room as well as groom's accommodation. Ultimately the development to the north also results from new residential development, as the two dwellings to the south end of the site will financially contribute to the delivery of the upgraded equestrian facilities. Notwithstanding this, given that the whole development is consistent in principle with the Development Plan, residential development is proportionate and contributes to enhance the settlement edge on this sensitive location, no fundamental concern is raised with the use of the land to the north for equestrian use. In light of the above and the planning history of the site, the proposed equestrian development is considered to be in accordance with Policies SD4, SD5, SD6 and SD24 of the Local Plan.

#### Affordable housing and housing mix

- 8.36 The proposal will add two new independent dwellings to the site. Therefore, it would not fall within the threshold of affordable homes required in Policy SD28 of the Local Plan, which requires affordable housing provision for developments of more than 3 homes.
- 8.37 Policy SD27 of the SDLP requires of a residential development of 2 new dwellings to comply with an open market housing mix with a predominance of 1 to 3 bedroom dwellings. The proposed two new dwellings are of 4 bedrooms, which does not comply with the requirements of Policy SD27, which is justified by the applicant in maximising the capital raised for the funding of the development to the north. However non-compliance with Policy SD27 has to be weighed with other material considerations, such as the 2015 permission for significantly larger home and the fact that these two units are acceptable in landscape terms, which are given weight in the planning balance.

#### Highways, access and parking

- 8.38 The Highways Authority (WSCC) have not raised an objection to the proposals. They are satisfied with respect to the retention of the existing vehicular access into the site. Additionally, the low levels of trip generation would be an improvement when compared to the potential 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. WSCC are satisfied with the width of the tracks, visibility and also notes that the proposed stables have a smaller capacity than that of the existing, which have operated safely prior with no apparent safety concerns.
- 8.39 The previous application was found to unsatisfactorily demonstrate adequate parking available



on site for users and visitors of the stables, as it only allocated 3 parking spaces for users and visitors of the stables. Following this, and in consideration of previous WSCC comments, the current application has revised the proposal's parking provision and increased the stables' visitor/staff parking provision to 5 spaces as well as justified the amount of parking provision and the actual parking demand of the proposal. The applicant has also confirmed that the concrete apron opposite the hay barn will be used for eventual parking of longer vehicles, such as horse boxes.

- 8.40 This proposal is not for a public livery, and therefore parking demand is low as provision is only to be made for staff and eventual visits from veterinarian and visitors. Horses on site are the applicant's horses or are third party's horses trained by the applicant. Those horses being trained on site are owned by people that enjoy watching their horse compete at world class level (similar to racehorse owners) and have no involvement in the day to day operations and rarely visit the yard. When they do, they visit the applicant's house (immediately south of the stables) where there is a reception and office space for such occasions.
- 8.41 Parking provision for dwellings is considered acceptable, except the garage of plot 1, which should measure 6x6 metres rather than 6x5.6 metres. The final internal dimension of the garage can be demonstrated at reserved matters stage. All dwellings and holiday cottage count with sufficient parking available for occupants and visitors and therefore it is not expected that vehicles would overspill on the road.
- 8.42 Whilst the stables' parking provision is lower than what WSCC recommends for a livery, given that this is not a public livery, that valid justification for the parking provision has been provided and provision has been amended to satisfy the actual stables' parking demand, it is considered that the scheme complies with Policy SD22 of the Local Plan and BT5 FNDP.
- 8.43 Cycle storage and electric vehicle (EV) charging points are not shown on the submitted plans, although the site could easily accommodate both. Conditions have been included to provide details of secure storage of cycles and EV charging points.

#### Green infrastructure

- 8.44 The existing site does not positively contribute to the green infrastructure network of the National Park, only the western, northern and southern boundaries provides some level of green infrastructure through scattered hedgerows and trees. Notwithstanding this, the level of green infrastructure on site is very poor. Policy SD45 of the SDLP requires for development proposals to demonstrate that they maintain or enhance existing green infrastructure assets and provide new green infrastructure of improvements to green assets and green linkages.
- 8.45 The proposal aims to reverse the poor green infrastructure (GI) value of the site by reinforcing existing and creating new connections. This is done through the retention of mature vegetation (trees and hedgerows along boundaries) and new planting and open space that follow a layout informed by the landscape character.
- 8.46 Proposed new green infrastructure is extensive on site and it mainly consists of the creation of new wide group of shrubs and trees along the new track. Vegetation to the east of the sand school, hay barn and track will connect mature trees to the north with Soldiers Field House to the south and the GI network to the east. This main GI feature, together with new substantial amount of hedges and trees across the site and along the western boundary (adjacent to footpath) will result in a substantially improved GI network through the site and will connect existing GI outside the application site.
- 8.47 These GI features will function as wildlife corridors and to slow down water run-off. In addition, planting also provides a visual break from built form and softens the visual impact of buildings in the landscape and will help with climate regulation of spaces between buildings.
- 8.48 The main GI asset (along the eastern boundary) will fall outside of private gardens, which would facilitate good management by a management company or similar and avoid encroachment of activities and domestic paraphernalia into green infrastructure. Access to

green infrastructure spaces remains available for maintenance and the LEMP condition will control that these elements are adequately managed. Access to green infrastructure outside private gardens will contribute to its long term success.

- 8.49 The proposed scheme is compliant with Policy SD45 of the SDLP as it will enhance existing green infrastructure on site and will provide new multifunctional linkages across the site, which will benefit wildlife, surface water drainage, climate regulation and residents' well-being.

#### Ecology and trees

- 8.50 The application was accompanied with an Ecological Assessment Report (May 2019), an Ecology Mitigation Strategy Report (May 2019) and a letter of clarification dated 27 August 2019. These were examined by the County's Ecologist who has provided comments supporting the application subject to the mitigation, enhancements for wildlife species being secured by condition. Given that the proposed layout has varied since the mitigation and enhancement strategy was designed, a revised strategy should be designed and submitted prior commencement of works on site.
- 8.51 The site is identified to be of low ecological value. The value, where present, is in the protected species that the site or adjacent habits supports. Whilst the mitigation and enhancement strategy is acceptable in principle, Policy SD9 of the Local Plan requires of proposals to identify and incorporate opportunities for net gains in biodiversity. Therefore this requirement has been incorporated in the above-mentioned pre-commencement condition.
- 8.52 A Landscape and Ecological Management Plan (LEMP) has been considered by the Landscape Officer to be useful in securing appropriate maintenance and management of the site that deliver landscape and ecological enhancements. The LEMP is controlled by condition and should be consistent with and positively respond to the ecological mitigations and enhancements agreed by the SDNPA.
- 8.53 The Tree Officer has recommended that development is carried out in accordance with the tree protection measures set out in the submitted tree protection plan. A condition controls these protection measures.

#### Ecosystem services

- 8.54 Policy SD2 of the SDLP relates to ecosystem services and states that development proposals will be permitted where they have an overall positive impact on the ability of the natural environment to contribute goods and services. This is to be achieved through high quality design and delivering all opportunities to manage natural resources sustainably.
- 8.55 The application has been accompanied with an Ecosystem Service Statement (ESS), plans and other application supporting information which set out a series of on-site actions such:
- a) Use of previously developed site. A sustainable management and maintenance of the site is controlled via the Landscape and Ecological Management Plan (LEMP).
  - b) Protection and retention of existing mature hedgerows and trees. Provision of new green infrastructure and wildlife corridors. Use of native species. Appropriate species' mitigation and enhancements as well as biodiversity net gain to be included the final habitat/species enhancements strategy, which is controlled by condition.
  - c) Water consumption to be in accordance with the Sustainable Construction TAN. Planting and drainage strategy to be designed to avoid water pollution – details to be agreed and controlled by condition.
  - d) No river/stream flood risk identified on site. Surface water drainage to be based on SUDs. Sustainable manage surface water through capturing water at source (harvesting), infiltration of permeable surfaces and swales.
  - e) Sustainable construction methods and materials as required by Policy SD48 of the SDLP and secured by condition. Soft landscaping designed to contribute to climate

regulation and carbon storage.

- f) Carbon storage through significant increase of vegetation on site and through sustainable construction details secured by condition.
  - g) Buildings have been positioned in accordance with topography, avoiding significant changes to ground levels and soil disruption. Proposal to partially reuse previously developed land making an efficient use of land and soils.
  - h) Sustainably sourced materials to be incorporated at a later stage. Use of recycled materials for horse arena.
  - i) Reduced air, light and noise pollution expected from this development.
  - j) Holiday accommodation on site. Provision of living and working space within a natural environment.
  - k) Improvements to the amenity value and experience of users of the public footpath. Residents' immediate access to the public right of way network and the recreational opportunities of the National Park.
- 8.56 The Landscape Officer identified a potential benefit for ecosystem services by seeding native species rich grassland within the fields to the east of the site (within the applicant's ownership). This enhancement is shown on the landscaping plan and its management and maintenance should be detailed in the LEMP.
- 8.57 It is therefore concluded that the proposed development will, have an overall positive impact on the ability of the natural environment to contribute to goods and services on site and within the blue line – land within the applicants' ownership. Therefore this development proposal meets the requirements of Policy SD2 of the SDLP.

#### Archaeology and Conservation Areas

- 8.58 Soldiers Field Stables is located in an area of high archaeological potential, surrounded by a cluster of Bronze Age barrows and Bronze and Iron Ages settlements. Scatters of Prehistoric and Roman material have also been recorded within the wider area. The County's Archaeologist was consulted on this application and considered possible that there are yet unrecorded archaeological features and/or deposits within the application site that may have not been impacted by modern development, especially within the northern part of the site.
- 8.59 The County Archaeologist has not requested any additional desktop assessment of the site, but recommends to investigate any archaeological potential prior to any development taking place on site. A series of pre-commencement conditions have been included in the recommended list of conditions.
- 8.60 The application site is not located within a Conservation Area. Findon Conservation Area is located approximately 370 metres to the west of the site and the emerging Nepcote Conservation Area boundary is approximately 130 metres to the south of Soldiers Field Stables. Given the significant distance of the site to the Findon Conservation Area, no impact is anticipated to its setting.
- 8.61 The emerging Nepcote Conservation Area to the south of the site has been considered in the assessment of this development proposal. The main elements of the emerging designated area are Nepcote Green and Cissbury Estate. The draft Character Appraisal and Management Plan (CAMP) notes that the northwards views from Nepcote Green are of significance but, the open downland character of this part of the landscape has been degraded by equestrian activities and, in particular, by untypical boundaries. It also states that more encroachment of untypical boundaries and equestrian activities would further degrade the setting of the emerging Conservation Area. The CAMP acknowledges the long local history of the equine activities of the land north of Nepcote Green and also states that the use of well-managed hedges would produce visual improvements of this particular equestrian area.

- 8.62 The proposal would lead to the improvements both visually and in terms of landscape character of the area, as discussed above, and would not affect the main assets and listed buildings of the emerging Conservation Area. The draft CAMP identifies further encroachment into open downland as a potential harm to the setting of the emerging Conservation Area. Although some equestrian development extends into open land, given that the development overall has been designed sensitively with its landscape context, it will improve the existing site and its setting. It is therefore, not contrary to the principle to conserve or enhance the significance of the setting of the emerging Conservation Area.
- 8.63 Furthermore, considering that the Conservation Area is in an early stage of designation, very limited weight can be given to it in the assessment of this application.
- 8.64 Consequently, the setting of the emerging Nepcote Conservation Area is not adversely affected, no archaeological assets are harmed and consequently this application is compliant with Policies SD12 and SD16 of the Local Plan and Policy ES6 of the FNDP.

Relative tranquillity and dark night skies

- 8.65 The application site is located within the Dark Night Skies Zone EI(b), Transition Zone, closely located to Zone EI(a) to the west, the 2km Buffer Zone of intrinsic rural darkness. The area is also in an area of low to medium level of relative tranquillity as shown in the SDNP Tranquillity Study. Findon is largely free from light pollution. It is classed as an unlit village, with only a handful of street lights to impact upon night-time sky-scapes.
- 8.66 Policy SD8 of the Local Plan relates to the conservation and enhancement of the intrinsic quality of the dark night skies, and the integrity of the Dark Sky Core. Policy CFW8 of the FNDP does not support development that detracts from the unlit environment of the Parish and seeks for any proposal to respect the importance of the dark skies and to regulate any necessary security or outdoor lighting.
- 8.67 Soldiers Field Stables is located within a sensitive edge of village location and, in terms of lighting, the scheme follows the same approach as in the rest of the village by not proposing any street lighting neither unnecessary external lighting on buildings in principle, although some sensor-moving lighting is expected for security and operational needs.
- 8.68 The Dark Night Skies and Landscape Officers agree that the final lighting strategy of the development should be controlled by condition to ensure that any required security or operational lighting is designed in accordance with the Dark Night Skies TAN. It was also agreed that the size of openings of dwellings within plots 1 and 2 (not yet assessed as they are part of the appearance – reserved matter) should respond to this landscape sensitivity and not lead to significant internal light spillage.
- 8.69 Mitigation measures proposed by the Dark Skies Officer have been included in the recommendation in form of conditions. These are, the use of automatic black-blinds on rooflights, the use of low transmittance glazing, lighting designed in line with the TAN and prohibition of lighting of the horse arena. The lighting of the horse arena was never part of this planning application, and given the sensitivity of the site and potential high level of light pollution resulting from floodlighting, it is not supported and restricted by condition.
- 8.70 Policy SD7 (Relative Tranquillity) SDLP states that development proposals will only be permitted where they conserve and enhance the relative tranquillity of the National Park. Whilst the site is within a low-medium tranquil area of the National Park, the replacement of the existing unsympathetic buildings and hard standing areas with the new landscape-led designed residential development would reduce the eye-drawing effect of existing intrusive buildings. It is acknowledged that the encroaching of equestrian use to the north of the site would have a visual impact on the landscape, and such encroachment is not positive in terms of tranquillity as it would add built form to an area with low level of human intervention.
- 8.71 Notwithstanding the above, the overall intensity of equestrian use will be significantly reduced from the potential optimal use of the existing 70-stable site to 13 stables proposed. No additional facilities would be added and residential development is well integrated with surrounding residential areas and would not lead to increased noise, light or other

perceptual quality. Considering that the site is of low-medium tranquillity value, the development is well integrated in the landscape and reduces the intensity of use of the area, it is not considered that the proposal would lead to harm to the tranquillity levels but may even lead to an improvement from the current condition.

- 8.72 Given the above, no light pollution is expected as result of the proposed development. The proposal has demonstrated that the level of relative tranquillity and dark night skies will be conserved and enhanced on site and therefore its compliance with Policies SD7 and SD8.

#### Surface and foul drainage water

- 8.73 The local community have raised concerns with current surface water run-off in the area and how this development could contribute to worsen the situation. Policies SD17, SD49 and SD50 of the Local Plan deal with water quality and surface and foul water, with particular provision to avoidance of increased surface water flood risk and the use of Sustainable Drainage Systems (SUDs) where feasible.
- 8.74 The Flood Risk Assessment submitted with the application confirms that Soldiers Field Stables is located within the Environment Agency's Flood Risk Zone 1 (low risk), and surface water flood risk is very low to low within the site, being high only along Nepcote Lane, 150 metres to the south of the site. The proposed surface water drainage strategy is based on infiltration on site. This approach is supported by the District's Drainage Engineer in the consultation response, which states that the site currently contributes to surface water runoff which can affect the village of Findon. It also concludes that the proposal provides an opportunity to provide benefit by ensuring that all surface water from the site is dealt within the site.
- 8.75 A pre-commencement condition secures that infiltration tests are carried out and used to design the final surface water strategy of the site and its maintenance, as recommended by the District's Drainage Engineer.
- 8.76 Whilst the full drainage strategy and details is yet to be produced, the landscape master plan shows indicative location of attenuation swales/scrapes as part of site wide sustainable drainage strategy. This approach is supported and the SDNPA is satisfied that the site can alleviate existing surface water run-off through a drainage strategy formed by Sustainable Drainage Systems (SUDs), in accordance with Policy SD50.
- 8.77 With regards to foul water, the proposed development will connect to existing foul sewer located in Nepcote Lane, eliminating risks of pollution of groundwater. Drinking water will be supplied from the Southern Water company network.
- 8.78 The SDNPA is satisfied that the proposed development will conserve and enhance water quality and quantity and that the site will contribute to mitigate surface water flood risk in the area through the provision of SUDs. Consequently, the proposal will not lead to increased flood risk and surface water will be managed sustainably, in accordance with Policy ES2 of the FNDP and SD17, SD49 and SD50 of the Local Plan.

#### Sustainable Construction

- 8.79 The SDNPA encourage all new development to incorporate sustainable design features, as appropriate to the scale and type of development. Residential development should meet minimum sustainability credentials to meet requirements of Local Plan policies SD2 (Ecosystem Services) and SD48 (Climate Change and Sustainable Use of Resources).
- 8.80 The proposed layout and landscaping proposed have demonstrated to meet the requirements of Policy SD2 – as above mentioned. Buildings are shown to use sustainable materials for construction, subject to details. Notwithstanding this, due to the outline nature of plots 1 and 2 – in which appearance is not assessed, the assessment on compliance with policies SD2 and SD48 will be completed at reserved matters stage. For instance, materials to be used, construction methods and final architectural details of buildings, which play a significant role in the mitigation and adaptation to climate change and ecosystem services.
- 8.81 Notwithstanding the above, a standard condition (as worded in the Sustainable Construction

Technical Advice Note) is incorporated to the recommended list of conditions to secure compliance with Policy SD48 in terms of energy efficiency, renewable energy, water consumption, use of resources and waste management.

#### Impact on amenity of local residents

- 8.82 The site is located in proximity to residential properties to the west and Soldiers Field House to the south. Some of the immediate neighbours have raised concerns with the potential impacts to be caused by the proposed development in terms of construction works, traffic generation, noise, odour and overall living conditions.
- 8.83 Policy SD5 of the Local Plan requires new development in general to have regard to avoiding harmful impact upon, or from, any surrounding uses and amenities. Policy SD24 requires for equestrian development to respect the amenities of surrounding properties and uses.
- 8.84 Hedges and some trees form the boundary of the properties to the west and the public footpath. The existing screening (trees and hedges) contribute to impede views into and from the site. The neighbouring property Downsedge sits closer to the boundary and the proposed stable block, in an area where screening is scarce. Notwithstanding the concerns raised by neighbours, the level of equestrian activity and the distance and orientation of stables facilitate a neighbouring relationship in which no harm to living conditions is anticipated.
- 8.85 The revised layout results in new dwellings at a significant distance from neighbouring properties (approximately 30 metres) as to not to lead to harm to residents in terms of loss of light, overlooking or overbearing feeling.
- 8.86 The District Environmental Health Officer was consulted on this application and raised no objection subject to conditions. Construction works will be controlled via a Construction Environmental Management Plan that will ensure that construction times and operations on site and access are not disruptive for nearby residents.
- 8.87 Consideration has been given to the fact that the proposed development evolves from an existing equestrian site in use. Appropriate manure management and disposal are essential to avoid pollution and an unacceptable level of odour that would detract from neighbours' living condition. Consequently, following the Environmental Health Officer's recommendation, a condition will control the management and disposal of manure within the site to minimise any odour and pollution impacts.

#### Pollution and contamination

- 8.88 Policies SD8, SD17, SD54 and SD55 of the Local Plan refer to light, water, air and ground pollution. Light and water pollution have been covered in the sections above and the SDNPA is satisfied that the proposed development will conserve and enhance the quality of the dark skies and water quality.
- 8.89 With regards to air pollution, the Environmental Health Officer has not raised any concern with impacts of the proposed development on air quality, however matters such the impact on air suspended particles (dirt and dust mainly) caused during construction and mechanisms to mitigate their impact to nearby residents are controlled by condition through a Construction Environmental Management Plan. Furthermore, given that petrol and diesel cars/vans will not be sold beyond 2040 and to mitigate against any potential adverse impact of vehicular movements on local air quality, electric vehicles (EV) charging points are required at throughout the development, as secured by condition. EV points facilitate through this development to improve local air quality in the long term.
- 8.90 A condition will ensure that manure and other waste resulting from the equestrian activities is managed appropriately and would not cause a detrimental impact on neighbours' living conditions and the environment.
- 8.91 The Environmental Health Officer also confirmed that there are no records of previously contaminative uses within the site. It may be that buildings contain asbestos, this matter shall be discussed with Local Authority Building Regulations Officer. No source of ground

contamination is suspected on site and therefore no investigation and remedial measures are required.

## **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. A judgement is made with regards to the exceptional circumstances that lead to new development outside of the settlement boundary and the support of this local business in its equestrian and tourism enterprises.
- 9.2 Officers have taken into account that the proposed development will deliver benefits in terms of landscape character on the settlement edge, good quality tourism accommodation provision, green infrastructure, and surface water drainage, amongst others, and that the proposal has successfully addressed the reasons for refusal of the previous planning application.
- 9.3 The proposed development is considered proportionate, appropriate to its location and landscape-led, it will deliver wider benefits to the National Park. However it has been found contrary to the Policies SD27 and SD30 in relation to the mix of homes and the size of the replacement dwelling. In the planning balance, consideration has been given to the extant planning permission and the Development Plan, and it is concluded that, on balance, the proposal is justified and meets the aims of the Development Plan, therefore it is recommended for approval subject to conditions.

## **10. Reason for Recommendation and Conditions**

- 10.1 Application SDNP/19/02919/FUL is recommended for approval subject to the following conditions:

- I. Applications for the approval of the matters referred to herein shall be made within a period of three years from the date of this permission. The development to which the permission relates shall be begun not later than whichever is the later of the following dates:

- (i). three years from the date of this permission, or
- (ii). two years from the final approval of the said reserved matters, or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason - To comply with the provisions of Section 92(2) of the Town and Country Planning Act, 1990.

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.

### Sustainable construction

3. Prior to the commencement of the development hereby permitted detailed information in a design stage sustainable construction report in the form of:

- a) design stage SAP data
- b) as built stage BRE water calculator
- c) product specifications
- d) building design details
- e) layout or landscape plans

demonstrating that the dwelling has:

- a) reduced predicted CO<sub>2</sub> emissions by at least 19% due to energy efficiency and;

- b) reduced predicted CO2 emissions by a further 20% due to on site renewable energy compared with the maximum allowed by building regulations
- c) EV charge points for every dwelling with suitable parking space
- d) predicted water consumption no more than 110 litres/person/day
- e) separate internal bin collection for recyclables
- f) private garden compost bin

and providing evidence demonstrating:

- g) sustainable drainage and adaptation to climate change
- h) selection of sustainable materials

shall be submitted to and approved in writing by the Local Planning Authority. The development shall be built in accordance with these agreed details.

Reason: To ensure development demonstrates a high level of sustainable performance to address mitigation of and adaptation to predicted climate change in accordance with Policy SD48 SDLP and the SDNPA Sustainable Construction TAN. It is considered necessary for this to be a pre-commencement condition as these details relate to the construction of the development and thus go to the heart of the planning permission.

#### Construction works

4. No development shall take place, including any ground works or works of demolition, until a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to in full throughout the entire construction period. The Plan shall provide details as appropriate but not be restricted to the following matters:
  - (i) the anticipated number, frequency and types of vehicles used during construction;
  - (ii) the method of access and egress and routing of vehicles during construction;
  - (iii) the parking of vehicles by site operatives and visitors;
  - (iv) the loading and unloading of plant, materials and waste;
  - (v) the storage of plant and materials used in construction of the development;
  - (vi) the erection and maintenance of security hoarding;
  - (vii) effective vehicle wheel-cleaning facilities to be made available throughout construction;
  - (viii) the provision and utilisation of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders);
  - (ix) details of public engagement both prior to and during construction works;
  - (x) temporary arrangements for access and turning for construction traffic for each part of the site; and
  - (xi) an indicative programme for carrying out of the works;
  - (xii) details of the arrangements for public engagement / consultation both prior to and continued liaison during the construction works;
  - (xiii) protection of trees and hedgerows to be retained.
  - (xiv) measures to control the emission of dust and dirt during construction;
  - (xv) measures to mitigate noise, including vibration, during construction works.
  - (xvi) a scheme for recycling / disposing of waste resulting from demolition and construction works i.e. no burning permitted.

Reason: In the interests of highway safety and the amenities of the area and having regard to National Policy Guidance contained in the National Planning Policy Framework 2019. It is considered necessary for this to be a pre-commencement



condition as these details relate to the construction of the development and thus go to the heart of the planning permission.

5. No construction/demolition activities shall take place, other than between 08:00 to 18:00 hours (Monday to Friday) and 08:00 to 13:00 hours (Saturday) with no construction/demolition on Sunday or Bank Holidays.

Reason: To protect the amenity of local residents.

Foul and surface water drainage

6. No development approved by this permission shall be commenced until full details of the proposed connection to the sewerage mains system have been submitted to and approved in writing by the Local Planning Authority. Thereafter all development shall be undertaken in accordance with the approved details and no occupation of any of the development shall be take place until the approved works have been completed. The foul drainage connection and system shall be retained as approved thereafter.

Reason: In order to secure a satisfactory standard of development that meets the requirements of Policy SD17 of the South Downs Local Plan 2014-2033. It is considered necessary for this to be a pre-commencement condition as these details relate to the construction of the development and thus go to the heart of the planning permission.

7. Development shall not commence, other than works of site survey and investigation, until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The design should follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations, and the recommendations of the SuDS Manual produced by CIRIA. Winter groundwater monitoring to establish highest annual ground water levels and winter Percolation testing to BRE365, or similar approved, will be required to support the design of any Infiltration drainage. No building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order in perpetuity.

The strategy shall include full details of the maintenance and management of the surface water drainage system, including details of financial management and arrangements for the replacement of major components at the end of the manufacturer's recommended design life. Upon completed construction of the surface water drainage system, the owner or management company shall strictly adhere to and implement the recommendations contained within the manual.

Reason: To ensure that the proposed development is satisfactorily drained, reduce surface water risk and improve water quality in accordance with Policies SD17, SD49 and SD50 SDLP. This is required to be a pre-commencement condition because it is necessary to implement the surface water drainage system prior to commencing any building works.

Hard and soft landscaping

8. Notwithstanding the details shown on the approved plans no development shall commence unless and until a detailed scheme of hard landscape works has been submitted to and approved in writing by the Local Planning Authority. All such works as may be approved shall then be fully implemented in accordance with the approved development. Once implemented they should be retained. The scheme design shall include the following details:
  - a) Details of existing trees and other vegetation to be retained in the scheme and methods/measures for the protection of trees during and after construction;
  - b) Proposed and existing levels and contours, including retaining walls;
  - c) Layout of surfaces including materials, permeability, kerbs, edges, steps, retaining walls, ramps;

- d) Schedule of surfacing materials (including upstands and demarcations), including the sand school;
- e) Boundary treatments details including gates and doors.

Reason: To ensure a satisfactory development and in the interests of amenity and landscape character. It is considered necessary for this to be a pre-commencement condition as these details relate to the construction of the development and thus go to the heart of the planning permission.

9. Notwithstanding the details shown on the approved plans no development above slab level shall commence unless and until a detailed scheme of planting proposals have been submitted to and approved in writing by the Local Planning Authority. All such work as may be approved shall then be fully implemented in the first planting season, following commencement of the development hereby permitted and completed strictly in accordance with the approved details. Any plants or species which within a period of 5 years from the time of planting die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless otherwise agreed in writing by the Local Planning Authority.

The scheme design shall follow the principles of the submitted Ecosystem Services Statement (February 2020) and include the following details:

- a) Layout of planting to show plant species, nursery planting sizes, locations, densities and numbers;
- b) Tree pit designs for each size of tree planting proposed including guying/support method, tree pit size, details of backfill material, irrigation design, surface treatment according to location;
- c) Areas of grass & specification for seeding or turfing as appropriate;
- d) Written specification for soil amelioration including cultivations, planting methodology, establishment maintenance Operations proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc. indicating lines, manholes, supports.);
- e) Any bunding or swales (including cross sections).

Reason: To ensure a satisfactory development and in the interests of amenity and landscape character.

10. A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by the Local Planning Authority prior to occupation of the development. The content of the LEMP shall include the following:

- a) description and evaluation of features to be managed;
- b) ecological trends and constraints on site that might influence management;
- c) aims and objectives of management;
- d) appropriate management options for achieving aims and objectives;
- e) prescriptions for management actions, together with a plan of management compartments;
- f) preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period);
- g) details of the body or organisation responsible for implementation of the plan;
- h) ongoing monitoring and remedial measures.

Reason: To ensure a satisfactory development and in the interests of amenity and landscape character and conserve and enhance the ecological standard.

11. Prior to the commencement of the development hereby permitted, measures for the protection of the trees and other vegetation to be retained as outlined in the submitted Tree Protection Drawing (RCo 217 / 01 Rev 2, 3 February 2020) shall be implemented. These measures shall be retained until the completion of works.

Reason: In the interests of the amenity and the landscape character of the area. It is

considered necessary for this to be a pre-commencement condition as these details relate to the construction of the development and thus go to the heart of the planning permission.

#### Access and parking

12. No part of the development shall be first occupied until the car parking has been constructed in accordance with the approved site plan. These spaces shall thereafter be retained at all times for their designated purpose.

Reason: To provide car-parking space for the use.

13. No vehicular/pedestrian access of any form shall be created from the proposed track/drive through the eastern boundary of the site to open countryside without the written consent of the Local Planning Authority.

Reason: to avoid further encroachment into open countryside as well as a break in the proposed green infrastructure, in the interest of the protection of the landscape character, green infrastructure network and visual amenity.

14. Before the development hereby permitted is first brought into use, details for the provision of cycle storage shall be submitted to and approved in writing by the Local Planning Authority. The approved cycle storage details shall be implemented prior to the occupation of the development and thereafter retained.

Reason: To provide for alternative and sustainable modes of transport.

#### External lighting

15. No development above slab level shall commence unless and until details of any external lighting of the site, including the stable block and sand school are submitted to and approved in writing by the Local Planning Authority. These details shall include the predictions of both horizontal illuminance across the site and vertical illuminance affecting residential receptors. The lighting installation shall comply with the recommendations of the Institution of Lighting Professionals (ILP) "Guidance Notes for the Reduction of Obtrusive Light" (2011,) for zone EI and the SDNPA "Dark Skies Technical Advice Note (2018)"

Prior to occupation, the predicted illuminance levels shall be tested by a competent person to ensure that the illuminance levels agreed in part I of the condition are achieved. Where these levels have not been met, a report shall demonstrate what measures have been taken to reduce the levels to those agreed in part I of the condition.

The approved installation shall be maintained and operated in accordance with the approved details unless variation is agreed in writing by the Local Planning Authority.

Reason: To protect the amenity of future residents, create an appropriate amenity space, protect wildlife, and conserve the landscape and dark night skies of the South Downs National Park, in accordance with National Park Purposes and the NPPF.

#### Refuse and recycling bins

16. The development hereby permitted shall not be brought into use unless and until details of refuse and recycling storage have been submitted to and approved in writing by the Local Planning Authority. The approved refuse and recycling storage facilities shall be implemented prior to the occupation of the development and thereafter be retained.

Reason: To preserve the residential and visual amenities of the locality.

#### Materials and architectural details

17. No development above slab level of the dwellings, holiday cottage, stable block and hay barn shall commence unless and until a full schedule of all materials and finishes and samples of such materials and finishes to be used for external walls and roofs of the buildings have been submitted to and approved in writing by the Local Planning

Authority. The development shall be carried out in accordance with the approved schedule of materials and finishes unless otherwise agreed in writing by the Local Planning Authority.

Reason: To enable the Local Planning Authority to control the development in detail in the interest of amenity and to ensure a development of visual quality.

18. No development above slab level of the dwellings, holiday cottage and stable block shall commence unless and until the architectural details have been submitted to, and approved in writing by the local planning authority. The details shall include:-
- a) Details of all eaves;
  - b) Details of porches;
  - c) Windows (including glazing, head, sill and window reveal details and shutters/louvres, if applicable);
  - d) Manufacturers' details of light transmittance of glazing;
  - e) Rooflights, which shall include blinds;
  - f) Doors and garage doors;
  - g) Rainwater goods and harvesting;
  - h) Chimney stacks and type of combustion appliance.

Thereafter the works shall be carried out in full accordance with the approved details and the development shall be maintained as approved in perpetuity.

Reason: To ensure appropriate design and appearance in the interests of protecting the visual amenity/character of the development and surrounding area.

#### Ecology

19. No development shall be carried out on site (including demolition) unless and until a protected species mitigation and enhancement strategy has been submitted to and approved by the Local Planning Authority. The enhancement strategy shall follow from the "Ecology Mitigation Strategy including enhancements and management" by Bakerwell Limited (May 2019) and shall incorporate opportunities for biodiversity net gain. Thereafter, the mitigation and enhancement strategy shall be fully implemented and permanently maintained and retained in accordance with the approved details.

Reason: to ensure the protection of protected species on site and achieve a biodiversity net gain through the development in accordance with Policy SD9 of the SDLP. It is considered necessary for this to be a pre-commencement condition as these details relate to the protected species which could be harmed by the development and thus go to the heart of the planning permission.

#### Manure management

20. Prior to the construction of the stable block or sand school, details of where and how manure is to be stored, managed, treated and ultimately disposed of shall be submitted to and approved in writing by the Local Planning Authority. Once the use commences, this shall be carried out in accordance with the approved details. No manure or waste materials shall be burned upon the land within the application site.

Reason: In the interests of residential amenity and to prevent water pollution.

#### Archaeology

21. No development shall take place until the applicant has secured the implementation of a programme of archaeological assessment in accordance with a Written Scheme of Investigation (WSI) that has been submitted to and approved by the Planning Authority in order to recognise, characterise and record any archaeological features and deposits that may exist on site. The assessment should initially take the form of trial trenches located across those parts of the site currently occupied by greenfield and located within the footprints of proposed buildings, areas to be dug, access roads and the new

manage.

Reason: To assess the extent, nature and date of any archaeological deposits that might be present and the impact of the development upon these heritage assets. It is considered necessary for this to be a pre-commencement condition as these investigations need to take place prior any excavation takes place on site as it could disturb archaeological remains.

22. No development shall take place until the applicant has secured the implementation of a programme of archaeological mitigation of impact, based on the results of the trial trenching, in accordance with a Written Scheme of Investigation that has been submitted to and approved by the Planning Authority.

Reason: To mitigate the effect of the works associated with the development upon any heritage assets and to ensure that information regarding these heritage assets is preserved by record for future generations. It is considered necessary for this to be a pre-commencement condition as these investigations need to take place prior any excavation takes place on site as it could disturb archaeological remains.

23. Following completion of archaeological fieldwork, a report will be produced in accordance with an approved programme submitted by the applicant and approved in writing by the Local Planning Authority setting out and securing appropriate post-excavation assessment, specialist analysis and reports, publication and public engagement.

Reason: To contribute to our knowledge and understanding of our past by ensuring that opportunities are taken to capture evidence from the historic environment and to make this publicly available.

#### Removal of permitted development rights

24. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification) no development falling within the following Classes of Schedule 2 of the Order shall be carried out without the prior written approval of the South Downs National Park Authority: Part 1 Classes A, B, C, D, E and F, and Part 2 Class A.

Reason: To ensure the appearance of the development is satisfactory in accordance with the purposes of the South Downs National Park.

#### Use restrictions

25. The “Hay Barn” shown on the plans hereby permitted shall be used only for storage for the purposes ancillary to the equestrian use of the site and shall not be used as a private commercial use or for no other purpose.

Reason: to safeguard the amenities of the countryside location and neighbouring properties.

26. The occupation of the main dwelling on site shown on drawings hereby permitted as “Client Dwelling/Kristina Cook’s House” shall be limited to a person solely or mainly employed or last employed in the adjacent equine use (Soldiers Field Stables) and including any dependents of such person residing with him/her, or a widow or widower of such person.

Reason: The site lies outside of any settlement boundary where in accordance with the Local Plan development would not normally be permitted.

27. The “Holiday Cottage” shown on drawings hereby approved, shall be occupied solely as holiday accommodation for individual lets for up to, and no more than, 28 consecutive nights, and shall at no time be occupied, let or sold as a separate residential dwelling.

Reason: to avoid the loss of tourism accommodation in the National Park and to prevent a new separate dwelling outside the settlement boundary, where new

residential development is generally resisted.

28. The “Groom’s Accommodation” within the Stable Block shown on drawings hereby approved, shall be occupied solely for purposes incidental to the occupation and enjoyment of the main house “Client Dwelling/Kristina Cook’s House” and the “Stable Block” and shall at no time be occupied, let or sold as a separate residential dwelling.

Reason: to prevent the establishment of additional independent units of accommodation outside of any settlement policy boundary where new residential development is generally resisted and to avoid an unsatisfactory relationship between dwellings and stables and poor quality permanent accommodation.

29. The “Stable Block” and “Sand School/Horse Arena” shown on drawings hereby approved, shall operate as a single business and no individual stables shall be serviced or let out on an individual basis.

Reason: To prevent the stables from being used for a higher intense commercial purpose to the detriment of the locality with respect to increased activity and vehicle movements.

#### Informatives

1. A formal application for connection to the public sewerage system is required in order to service this development. Please read our New Connections Services Charging Arrangements documents which has now been published and is available to read on our website via the following link <https://beta.southernwater.co.uk/infrastructure-charges>
2. Should any building works, demolition or construction encroach upon the PROW then a Temporary Path Closure Order may be required, for which an application must be made to WSCC’s PROW Team. Should planning consent be approved by the Local Planning Authority this would not confer consent for such a closure, which would require a separate application to WSCC’s PROW Team. We ask for up to 8 weeks’ notice for any such closure and details and costs can be discussed at a later date with the PROW team.
3. The South Downs National Park Authority encourages the use of locally sourced materials to support local character and distinctiveness, and to reduce the costs both financially and environmentally of transporting materials long distances. The applicant is recommended to undertake a resource mapping exercise for materials, starting within a 5km radius of their site, and then 10km, 25km.
4. Infiltration rates for soakage structures are to be based on percolation tests undertaken in the winter period and at the location and depth of the proposed structures. The percolation tests must be carried out in accordance with BRE365, CIRIA R156 or a similar approved method and cater for the 1 in 10 year storm between the invert of the entry pipe to the soakaway, and the base of the structure. It must also have provision to ensure that there is capacity in the system to contain below ground level the 1 in 100 year event plus 40% on stored volumes, as an allowance for climate change. Adequate freeboard must be provided between the base of the soakaway structure and the highest recorded annual groundwater level identified in that location. Any SuDS or soakaway design must include adequate groundwater monitoring data to determine the highest winter groundwater table in support of the design. The applicant is advised to discuss the extent of groundwater monitoring with the Council’s Engineers. Supplementary guidance notes regarding surface water drainage are located here <https://www.arun.gov.uk/surfacewater> on Arun District Councils website. A surface water drainage checklist is available here <https://www.arun.gov.uk/drainagechecklist> on Arun District Councils website, this should be submitted with a Discharge of Conditions Application.

## **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. This has included the provision of extensive advice from the SDNPA Design, Landscape, Development Management Officers and the opportunity to provide additional information to overcome critical issues and the opportunity to amend the proposal to add additional value as identified by SDNPA Officers and consultees.

### **TIM SLANEY**

**Director of Planning**

**South Downs National Park Authority**

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Appendices

1. Site Location Map
2. Officer Report and Site Layout Plan for Application  
SDNP/15/01361/FUL
3. Planning Committee Report and Site Layout Plan for Application  
SDNP/18/01289/FUL

SDNPA Consultees

Legal Services

Background Documents

Planning application (documents, representations and consultation responses)

<https://planningpublicaccess.southdowns.gov.uk/online-applications/simpleSearchResults.do?action=firstPage>

South Downs Local Plan 2014-2033

[https://www.southdowns.gov.uk/planning/south-downs-local-plan\\_2019/](https://www.southdowns.gov.uk/planning/south-downs-local-plan_2019/)

National Planning Policy Framework (2019)

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

The South Downs National Park Partnership Management Plan (2020-2025)

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

English National Parks and the Broads: UK Government Vision and Circular (2010):

<https://www.gov.uk/government/publications/english-national-parks-and-the-broads-uk-government-vision-and-circular-2010>

South Downs Integrated Landscape Character Assessment (2011)

<https://www.southdowns.gov.uk/planning-policy/landscape-character-assessments/south-downs-integrated-landscape-character-assessment/south-downs-integrated-landscape-character-assessment-icla-2011/>

National Design Guide (2019)

<https://www.gov.uk/government/publications/national-design-guide>

Findon Village Design Statement (2012)

<https://findonparishcouncil.gov.uk/findon-parish-council/evidence-base/>

South Downs National Park: View Characterisation and Analysis (2015)  
<https://www.southdowns.gov.uk/wp-content/uploads/2015/10/Viewshed-Study-Report.pdf>

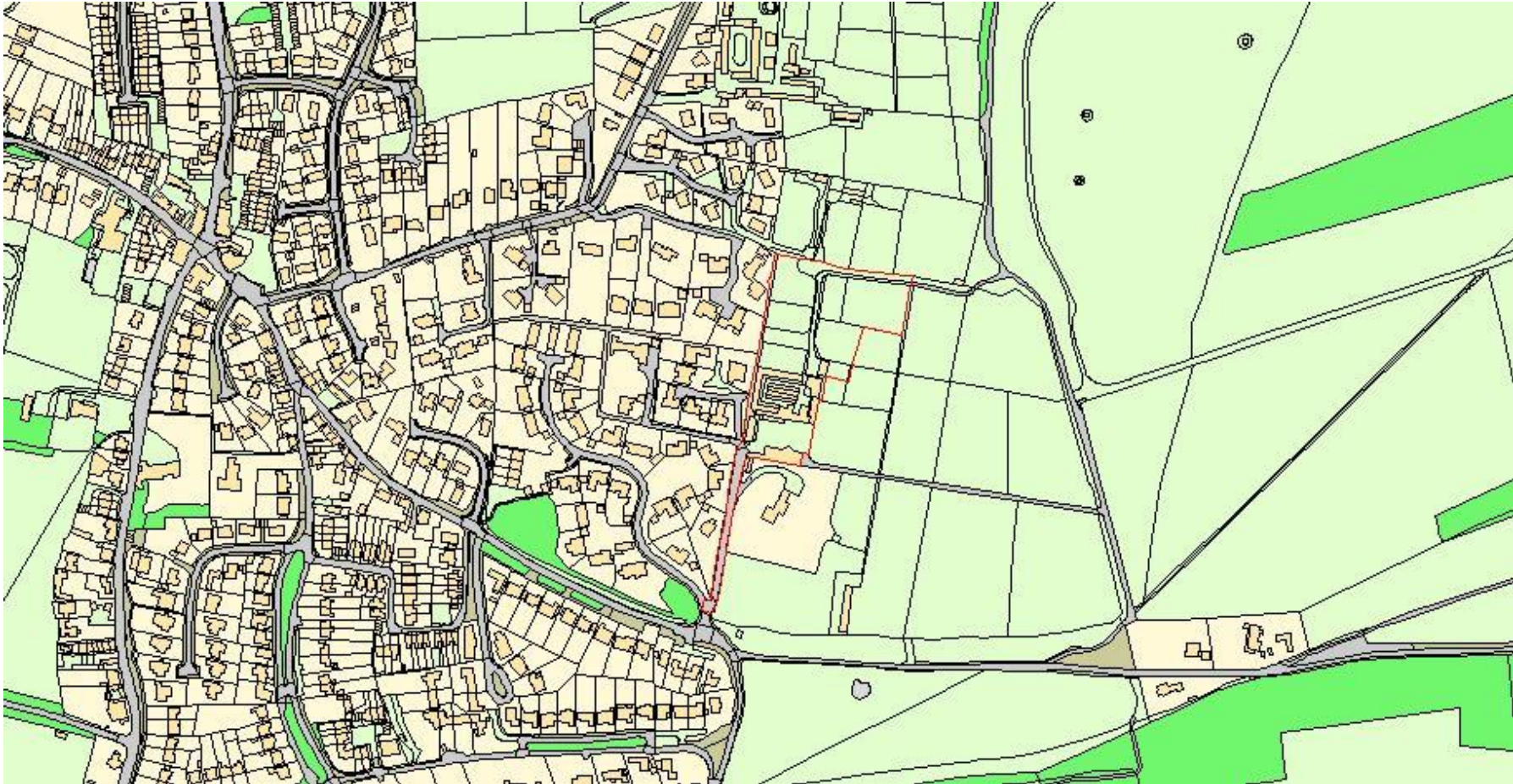
SDNPA Decision Statement for the Updated Findon NDP (2020)  
<https://www.southdowns.gov.uk/planning/planning-policy/neighbourhood-planning/neighbourhood-development-plans/findon-neighbourhood-plan/>

Nepcote Conservation Area Character Appraisal and Management Plan –  
Draft for Consultation (2020)

[https://www.southdowns.gov.uk/wp-content/uploads/2020/03/Nepcote\\_CAAMP\\_Web.pdf](https://www.southdowns.gov.uk/wp-content/uploads/2020/03/Nepcote_CAAMP_Web.pdf)



**Site Location Map**



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