



**Agenda Item 11  
Report PC10/17**

Report to	<b>Planning Committee</b>
Date	<b>9 February 2017</b>
By	<b>Director of Planning</b>
Local Authority	<b>Lewes District Council</b>
Application Number	<b>SDNP/16/05154/FUL</b>
Applicant	<b>Mr J Wallden – Ditchling Rugby Club</b>
Application	<b>Change of use of land to provide one rugby pitch for Ditchling Rugby Club</b>
Address	<b>Land at Keymer Road, Ditchling East Sussex</b>

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**Recommendation: That planning permission be granted on a temporary basis to allow for use not exceeding four years and in accordance with the conditions set out in Paragraph 10.1 of this report.**

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### **Executive Summary**

This application proposes the change of use of part of an agricultural field at the edge of Ditchling village, to provide a single rugby pitch. Parking would be provided by shared use of the Cricket Club car park, which lies on the western side of the cricket ground. This differs from an earlier planning application (SDNP/15/01682/FUL) for two pitches and a new car park, which was refused by Committee in September 2015.

The site is within a sensitive location between settlements historic Ditchling and Keymer. On its own merits the current application is for minor levelling works and creation of a level grass pitch with goal posts. Grading this into the natural contours and sensitive management thereafter are necessary to minimise the risk of changes in the character and appearance of the land which can be seen at close quarters from the adjoining public footpath and roads and from Ditchling Beacon and the Downs.

There are concerns that pressure for other development may follow; a further pitch, fencing, lighting, hard-surfacing, paths and buildings. Restrictive conditions and an informative can advise against further development affecting the landscape.

The adjoining cricket pavilion and car park are now available for use by rugby players and spectators. The rugby and cricket seasons do not overlap and this can be reflected in a planning condition. This would ensure that adequate car parking is available on match days. However, a wintertime use of the unsurfaced car park over winter is currently untested; marshalling is needed to ensure parking is used efficiently and to safeguard the land during wet conditions.

A temporary permission is recommended to allow for the use of the car park and its wintertime condition to be reviewed. A maximum of four years would allow for the land levelling works and establishment of a pitch followed by two playing seasons. All physical works are reversible.

The application is placed before the Committee due to the significant number of representations received.

## I. Site Description

- I.1 The application site comprises three physically separate elements which are shown at **Appendix I**. These are: a 2ha part of a pasture field in which the rugby pitch would be located; the existing St James Cricket Club pavilion 150m to the west of this and lastly the existing cricket club car park which is 120m further west (270m from the proposed rugby pitch). These all lie outside the western edge of Ditchling village and conservation area.
- I.2 The first and largest element is the 2ha part of a pasture field in which it is proposed to locate the rugby pitch. This area is roughly rectangular in shape and is located approximately 100 metres to the south of the B2116 Keymer Road and 100m north of the B2112 New Road. This land is separated from Keymer Road by an intervening smaller field and a brook. To the south the remainder of the field outside the application site continues southward to New Road.
- I.3 A Public Right of Way (PRoW) runs along the field's eastern edge from the B2112 passing 1 & 2 Drove Cottage via an access track 'The Drove' to the B2116. From this right of way there are views across the land towards the Ditchling and Keymer church spires and to Oldland windmill to the north.
- I.4 The land is bounded on three sides by a mixture of deciduous hedgerows, some with ditches with occasional tree clusters and sporadic trees. The small trees and vegetation in the field to the north provide a strong hedgerow boundary with Keymer Road, and there is relatively strong hedge screening to the west and along New Road to the south. The eastern boundary with the Drove also has a relatively strong screening, but does provide gaps for access through to the Drove.
- I.5 The southern boundary of the land is unmarked but roughly bisects the existing field along an invisible line running north-west / south east. This line passes close to three large oak trees, growing in the open field.
- I.6 The land appears quite level but is not totally flat and any development to provide a sports pitch would require an element of cut and fill (though not to a significant level).
- I.7 To the west of this land are the grounds of St James Cricket Club, which contains the other two elements of the application site.
- I.8 The second element is the cricket pavilion, 150m from the edge of the land. This was built within the past twenty years and houses four changing rooms.
- I.9 The third element is the cricket club car park, 270m west of the field edge. This is a grassed area accessed from Keymer Road. It is also largely bounded by deciduous hedges and some trees, with allotments beyond its western boundary.
- I.10 The application plans show these three elements connected together by red lines which represent notional pathways between them, although there are no defined pathways through these grassed fields. There is a minor wooden bridge between the western boundary of the first field and the cricket ground.

### **Surrounding Landscape.**

- I.11 The site lies within the South Downs Integrated Landscape Character Assessment (SDILCA) Type: Scarp Footslopes Area: 12 Adur to Ouse Scarp Footslope. The relevant key characteristics for this type and area include a complex geology comprising bands of lower chalk, mudstones and sandstones giving rise to a locally undulating landform. The area forms a transition between the steep chalk scarp to the south and the Low Weald to the north. Large straight sided arable fields are close to the scarp foot which have encroached up on to the scarp in places.
- I.12 There is a mosaic of farmland and woodland comprising irregular fields of arable and pasture bounded by an intact network of thick hedgerows, with hedgerow oaks and woodland. Streams arising from the springs at the foot of the chalk flow northward in narrow hidden stream valleys, some enshrouded in woodland. Villages, located on the spring-line are often associated with springs, ponds and mills. The steep chalk scarp provides a dramatic backdrop. Impressive panoramic views onto the footslopes from the adjacent scarp and

downs reveal a balanced woodland and farmland mosaic.

- 1.13 From within the site the Downs to the south are clearly visible beyond New Road.

## 2. Relevant Planning History

- 2.1 SDNP/15/01682/FUL. Change of use of land to provide two rugby pitches and associated car parking for Ditchling Rugby Club. This was refused on 10<sup>th</sup> September 2015 for the following reasons (a third reason referred to the list of plans considered but is not repeated below):

*[1] The proposal, by virtue of its nature, extent, resultant parking area and associated human/vehicular activity would have an adverse impact on the landscape character area and the adjoining Conservation Area which could not be mitigated by additional landscaping, due to the location of the site and surrounding topography. The proposal is therefore considered to be contrary to Paragraph 115 of the NPPF which affords National Parks the highest status of protection in relation to scenic beauty, Saved Policies ST3, CT1, CT2 and H5 of the Lewes District Local Plan (2003) and Core Policies 8 & 10 of the Emerging Lewes District Local Plan Core Strategy.*

*[2] The proposal does not provide for adequate turning facilities within the site and reversing vehicles to or from the site onto the public highway would cause hazards to be introduced by the interference with the free flow of safety and traffic on the B2116 (Keymer Road). The Proposals would therefore be contrary to Saved Policies T13 & T14 of the Lewes District Local Plan (2003), Core Policy 13 of the emerging Lewes District Local Plan Joint Core Strategy and the National Planning Policy Framework.*

- 2.2 Applications relating to the land to the cricket club land to the west of the proposed rugby pitch are also relevant. LW/03/1958 for an additional cricket pitch and LW/04/0450 for a new access to serve an overflow car park were both refused permission in 2003 and 2004 respectively.
- 2.3 LW/04/0450 was appealed but was withdrawn. An additional application in 2006 (LW/06/0249) secured permission for the additional cricket pitch which now currently exists on the neighbouring field immediately west of the site for the proposed rugby pitch.

## 3. Proposal

- 3.1 The applicant seeks permission for the change of use of land to provide one rugby pitch measuring 70m x 112m. This involves excavation at the northern edge by 0.5m and raising at the southern edge of 0.3m to create a near level surface with slight cross-fall for drainage. This would be rolled and cultivated to create a grassed playing surface. Rugby posts would be erected but can be removed at the end of season. No other land drainage is proposed.
- 3.2 Currently the rugby club has eleven home matches in the season between 17<sup>th</sup> September and 1<sup>st</sup> April. The club no longer plays for much of this period at its previous home ground of over fifty years, Ditchling Recreation Ground to the east of the village, but has shared use of Brighton Rugby Club grounds (see explanation in 'Principle of Development' at 8.3 – 8.7 below). These matches are played on Saturday afternoons. Use of the application site would also allow for the establishment of a junior team, which would probably play on Sunday mornings.
- 3.3 Parking would be provided by shared use of the adjoining cricket club car park outside the cricket season, which runs from 23<sup>rd</sup> April – 3<sup>rd</sup> September. This area is located 270m from the boundary of the proposed rugby pitch land and is grass surfaced with sufficient space for approximately 120 vehicles and turning, subject to marshalling of vehicles. Players would use the cricket club pavilion which has four changing rooms providing for home and away teams.
- 3.4 Players and spectators arriving by car would reach the pitch on foot across the fringes of the cricket ground, crossing the boundary ditch via the existing wooden pedestrian bridge. Those arriving on foot from Ditchling Village may use the roadside footpath in Keymer Road and the public right of way which reaches a field gate at the north east boundary of the land.
- 3.5 The previously refused proposal (SDNP/15/01682/FUL) was for two pitches on the land, and new 40-space car park on the field to the north served by a new vehicular access which was proposed from Keymer Road.

## 4. Consultations

### 4.1 Highways – No objection

- The proposal would use the existing vehicular access and parking already used by the Cricket Club. An additional plan shows car parking for 126 cars.
- Some concern is expressed at any conflict in the two uses being utilised at the same time due to insufficient parking areas. However, the applicant has confirmed that the proposed rugby season runs from 17th September to 1st April and the cricket use from 23rd April to 3rd September. Therefore due to the different seasons a rugby game and a cricket game would not be played at the site at the same time. Bearing this in mind it would be difficult to justify a highway recommendation for refusal in principle for the use of this existing access.
- Recommends conditions: Parking and turning space to be retained for use. Wheel-washing equipment to be provided during any earthworks.

### 4.2 Landscape – Objection

- The site forms a transition between the steep chalk scarp to the south and Low Weald to the north. There are panoramic views of a mosaic of farmland and woodland comprising irregular fields of arable and pasture, a network of thick hedgerows, with hedgerow oaks, and woodland. Recent suburban development and urban fringe land uses on the edges of Ditchling have encroached into its rural setting.
- It also forms part of a wider patchwork of gently undulating pasture fields contributing to the rural setting of Ditchling and Keymer and is visible in views from surrounding roads and public footpaths including the South Downs Way. It contributes to the rural setting of the villages and Ditchling Conservation Area. It also provides separation between the formalised cricket pitches on the edge of Keymer and the built form of Ditchling.
- South Downs Integrated Landscape Character Assessment (SDILCA) Objectives and Guidelines are to ensure that urban fringe land uses, such as garden centres, nurseries and sewage farms, do not erode the rural character of the landscape. Seek to minimise use of excessive lighting, signage and 'suburban' features on the edge of Ditchling.
- The pitch can be regarded as 'green space' but the formalisation of the land and the associated activities resulting from the nature of the land use change will alter and the existing rural character with an adverse impact on the rural setting of the village and surrounding area.
- The pitch would be visible at reasonably close range from both approach roads (B2116 and B2112) to Ditchling from the west.
- Close range views from footpath immediately to the east would be from open pasture field to formalised pitch and associated activities.
- The SDILCA above identifies that urban fringe land uses have encroached into the village's rural setting. The proposal will further encroach into this setting.
- Overall intensification of the use and resulting adverse effects on landscape and users of footpaths not in accordance with National Park's purpose to conserve and enhance the area's natural beauty.
- The landscape assessment submitted with the application somewhat underestimates the landscape / visual effects. These cannot be dealt with by additional mitigation.
- If approved, conditions should cover:
  - Details of tree protection measures
  - A landscape and ecological enhancements scheme – there is opportunity for providing successional tree planting.
  - A detailed landscape plan including management/maintenance plan to ensure any proposed planting and seeding will establish and thrive.

**4.3 Rights of Way – No objection**

The public footpath running to the east of the site appears to be unaffected.

**4.4 Sport England – Support**

The Rugby Football Union has also provided their support to the application, and has confirmed that the rugby club currently experiences poor pitch quality at their existing ground. Careful attention is needed to ground conditions and site preparation, which will benefit from specialist consideration by sports turf consultants/agronomists due to the need to understand the implications of topography, soils, drainage, and to ensure the pitch is fit for purpose (including soils, seeding and water supply). Without this there is a risk that the playing pitch will not meet needs because it will suffer from problems such as waterlogging and uneven surfaces.

Conditions recommended:

- i) Detailed assessment of ground conditions and submission of a detailed scheme for approval in consultation with Sport England to ensure that the playing field will be provided to an acceptable quality.
- ii) Construction of pitch in accordance with Sport England methodologies.
- iii) Use as playing field only. No other Class D2 use.

**4.5 Ditchling Parish Council – Objection**

Site is outside any defined planning boundary and within the National Park countryside where development other than that related to agriculture, forestry or another rural enterprise would be resisted. Also contrary to National Park purpose to the 'protect, conserve and enhance natural beauty, including biodiversity and cultural heritage'.

It is essential to retain and protect the strategic gap between Ditchling and Keymer villages, the sports field would have an adverse impact. It is contrary to policies CT1 and RE4 of the Lewes District Local Plan. The Parish Council supports the letters of objections from neighbours and residents.

**4.6 Hassocks Parish Council – Objection**

Contrary to policies in the Hassocks and the Ditchling, Streat and Westmeston Neighbourhood Plans which aim to preserve the Ditchling-Hassocks Gap.

**4.7 County Archaeologist – No objection**

Site is within an Archaeological Notification Area (prehistoric, Roman and medieval). Due to proposed groundworks conditions are recommended i.e. a written scheme of investigation and ensuing report.

**4.8 Environmental Health – No objection****4.9 County Drainage Officer – No objection.**

It does not increase impermeable area, although it would raise levels to create a fall. The application indicates that there is high groundwater. Improvement of drainage is therefore likely to increase surface water run-off with some displacement of surface water and increased flood risk. Therefore recommend a condition that details are submitted for the safe management of surface water.

**4.10 Ecologist – No objection subject to mitigation measures****4.11 South Downs Society - object**

Objections as for previous refused application for two rugby pitches and car parking

- Adverse impact on landscape character and adjoining conservation area.
- Site holds unique and special quality, as the last undeveloped land on southern side of the B2116. A rugby pitch will still appear green, but it will no longer be the green field so typical of the area around Ditchling. It will be a developed green, in effect closing the strategic gap between Ditchling and Keymer.
- Land is surrounded by hedges which makes it less visible but would still be noticed from the South Downs and the footpaths along the eastern boundary, along the old roman road to the north, and roadside footpath in Keymer Road.

## 5. Representations

### 5.1 64 Letters of objection and 59 letters of support:

#### Objections

- Loss of strategic gap between Ditchling and Keymer.
- Need: There is no need for the rugby pitch - the club already has access to a pitch and facilities. The existing pitch is prone to flooding and is uneven, but so is this natural piece of land. For a fraction of the cost these problems could be fixed. The club recently rejected an offer of a financial contribution from the Council to do this.
- Statistics in the neighbourhood plan suggest there is not a significant need for the new pitch, and a general support for conservation of the landscape.
- Adverse impact on habitat for natural fauna and flora.
- Will adversely impact views from the South Downs and lodge hill.
- National Park Purposes: Inappropriate use of land within SDNP, leading to urbanisation of the urban fringe and gap.
- Highways, Parking and Transport: The existing access is poor and lacking in safety. Traffic would be increased with an inadequate number of parking spaces provided and there is no on street parking nearby and limited in the village. Suggested use of cycles and public transport unrealistic due to lack of busses, distance from station and the cold dark weather in the rugby season, plus carrying of sports kit which makes cycling unlikely. Questions the accuracy and relevance of the submitted provided transport statement.
- Future development: Fears that proposal may lead to future land development, such as housing).
- Landscape impact: loss of natural field which contributes to rural setting of villages.
- Unsuitable location: The land is boggy, natural field and floods.
- Loss of amenity and tranquillity for local residents, walkers and local people. Residents can cricket matches/socials. The new pitch is closer so disturbance will be greater.
- Heritage: Encroachment and impact upon the historic and natural character of the landscape, including the rural edge of the conservation area and the historic field pattern.
- Associated development may follow: Likely future need for extended car park, floodlighting, hard standing and clubhouse.
- Planning permission has been recently refused.
- Drainage and flood-risk: levelling and draining will increase run off into the nearby stream.
- Local relevance: Few club members are from Ditchling and therefore has limited contribution to community.
- Oak Trees: No confidence that mature oaks will be maintained.
- Light pollution: being a winter sport, floodlight will need to be provided.
- Construction: Works to undertake the levelling and landscaping would be disruptive.

#### Support

- Provision and improvement of essential sport facilities: This will benefit future generations of the village and players of sport.
- Need: The current pitch is inadequate; boggy, dangerous, too small, and uneven.
- Village attraction: It will attract more players & people to the village.
- Protection against further development: The pitch would prevent future development such as housing.
- Strategic gap: The site is not close to Keymer, there is no development other than goal posts.
- Views: These would not be spoilt - minimal development, goal posts only

- Improvements to the existing pitch failed, spending further money on more drainage is not a economically viable and due to existing sewer pipe.
- Future intentions: the applicant has no intention of using the land for anything but Rugby.
- Traffic: Any disruption would be minor due to infrequent use and sharing existing cricket club facilities which are unused during winter.
- Limited use: noise would be limited and infrequent. No lighting therefore no light pollution.
- Scale: Due to small scale and no built development the impact on green space and landscape is minimal.
- Agriculture: The land has not been productive for 10 years.
- Good quality management would be employed for proposed pitch.

## 5.2 **Letter of Objection from Ditchling, Streat and Westmeston Neighbourhood Plan Project Management Team – Object**

Contrary to a principal emerging policy of the neighbourhood plan (Pre-submission version published March 2016, with final submission anticipated January 2017. This is to preserve the strategic gap Ditchling/Keymer. Previous objections as for 2015 application apply as follows:

- Resident's questionnaire response showed a desire to conserve the rural identities of the settlements within the area and to protect valuable open spaces and particularly the countryside that separates the settlements from adjoining urban development, with particular reference to the strategic greenfield gap down the Keymer Road between Ditchling village and Keymer/Hassocks.
- In 2004 the cricket club sought permission for an additional cricket pitch and car park. The car park element was never approved, but a subsequent scheme for just the additional pitch was approved. The Rugby club is now proposing exactly what the cricket club proposed to do unsuccessfully 11 years ago.
- The proposals would entail the loss of ancient hedgerow, and both car park and pitches would entail re-alignment of ancient ditches and water courses.
- Proposals would directly abut the Ditchling Village Conservation Area. It is considered that this is an unacceptable encroachment on the boundary and listed buildings.
- Ditchling Parish Council is in negotiations to purchase a field on the north side of Keymer Road for parking which would not involve the same landscape damage as the proposals. It is not considered that the proposed car park would be an appropriate Community Car Park.
- Concern that works to improve drainage/flooding of the site may lead to run off elsewhere.
- An extensive archaeological survey should be conducted before consideration should be given to this application.
- Concerns about practicalities of sharing facilities with Cricket Club and potential further applications for facilities that the site currently lacks.
- Concerns about the impact on the amenity currently enjoyed by properties in The Drove, in relation to noise and privacy.

## 5.3 **Letter of Support from England Rugby Football Union (RFU)**

This is an opportunity to improve the facility offer from Ditchling RFC the current pitch is below that of a Model Venue 1 as defined in RFU National Facilities Strategy 2013- 2017.

RFU and Sussex RFU have been working with Ditchling RFC since 2006 to resolve issues of pitch capacity and quality at their current location; sewer pipes preclude drainage improvement. The existing pitch is poor quality and was unplayable from late October until March last season. Lack of sustainable access is hampering the recruitment and retention of players.

## 5.5 Letter of Support from Sussex Rugby Football Union

Comments as RFU above, also:

- Existing pitch undersized, which inhibits a modern free-flowing game style.
- The existing also leads to [unspecified] health and safety issues.
- Consequent loss of senior players, now only one team
- Cancelled games last season due to ground conditions

## 6. Planning Policy Context

6.1 Applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory development plan in this area comprises the Lewes District Local Plan Joint Core Strategy 2016 and saved policies of the Lewes District Local Plan 2003. The policies of relevance are listed below.

6.2 Policies of the Emerging South Downs National Park Local Plan, Preferred Options 2015 are of limited weight. These are also set out below.

6.3 The emerging Ditchling, Streat and Westmeston Neighbourhood Plan was published in pre-submission draft in March 2016. Whilst this has very limited weight, an emerging policy is to preserve the strategic gap between Ditchling and Keymer. A final submission version is due imminently and an update will be given to the Committee.

### National Park Purposes

6.4 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.

6.5 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

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

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

6.8 The South Downs Partnership Management Plan (SDPMP) was adopted on 3 December 2013. It sets out a Vision and long term Outcomes for the National Park, as well as 5 year Policies and a continually updated Delivery Framework. The SDPMP is a material consideration in planning applications and has some weight pending adoption of the SDNP Local Plan. Relevant policies are 1, 3, 9, 28, 29, 37, 39, 48 and 49

6.9 Policy 1 seeks to conserve and enhance the natural beauty and special qualities of the landscape and its setting, in ways that allow it to continue to evolve and become more resilient to the impacts of climate change and other pressures.

6.10 Policy 3 seeks to protect and enhance tranquility and dark night skies.

6.11 Policy 9 relates to the historic environment.

6.12 Policy 28 seeks to improve rights of way

6.13 Policy 29 seeks to enhance the health and wellbeing of residents and visitors by encouraging, supporting and developing the use of the Park as a place for healthy outdoor activity and relaxation.



- 6.14 Policies 37 and 39 seek to encourage cycling and manage vehicle parking.
- 6.15 Policy 48 seeks to support the towns and villages in and around the National Park to enhance their vital role as social and economic hubs.
- 6.16 Policy 49 seeks to maintain and improve access to a range of essential community services and facilities for communities in the National Park.

## **7. Planning Policy**

- 7.1 The relevant policies of the Lewes District Local Plan Joint Core Strategy 2016 are:  
 CP7 – Infrastructure  
 CP8 – Green Infrastructure  
 CP10 – Natural Environment and Landscape Character  
 CP11 – Built and Historic Environment and High Quality Design  
 CP12 – Flood Risk, Coastal Erosion, sustainable Drainage and Slope Stability  
 CP13 – Sustainable Travel.
- 7.2 The saved policies of the Lewes District Local Plan 2003 which are also relevant are:  
 ST3 – Design, Form and Setting of Development  
 ST11 & ST12 – Landscaping of Development  
 CT1 – Planning Boundary and Key Countryside policies  
 CT2 – Landscaping, Conservation and Enhancement  
 H5 – Development within or affecting Conservation Areas.  
 RE1 – Provision of Sport, Recreation and Play  
 T8-T10 – Pedestrian Routes and Traffic Calming  
 T13-T14 – Vehicle Parking
- 7.3 The emerging policies of the South Downs National Park Local Plan Preferred options 2015 include:  
 SD1 – Sustainable Development  
 SD5 – Landscape Character  
 SD11 – Historic Environment  
 SD14 – Green Infrastructure  
 SD21 - Recreation  
 SD22 – Development Strategy  
 SD35 – Provision and Protection of Open Space

## **8. Planning Assessment**

- 8.1 Proposals are required to accord with Policies contained within the Development Plan (the Lewes District Local Plan Joint Core Strategy 2016 and saved policies of the Lewes District Local Plan 2003), unless material considerations indicate otherwise, having regard to the NPPF.
- 8.2 Given the location of the development in relation to the surrounding landscape, the villages of Ditchling and Keymer, the B2116 Keymer Road to the north and B2112 New Road to the south, and the adjacent Conservation Area to the east, the key issues in this case are:-
  - The principle of development
  - Impact on landscape and the adjacent Conservation Area
  - Highways and parking.
  - Drainage and flood risk
  - Neighbouring Amenities.
  - Biodiversity

### Principle of Development

- 8.3 Core Policy 8 of the Joint Core Strategy supports development that maintains green infrastructure, a term which includes outdoor sports facilities, natural and semi natural greenspace such as grassland and accessible countryside. It also resists development which would undermine the functional integrity of these spaces or the wider green infrastructure of which they form part.

- 8.4 Saved Policy RE1 of the 2003 Local Plan support principle of outdoor sport facilities to meet a ratio of 1.7ha per 1000 population. The most recent study by the District Council was in 2004, this concluded that Ditchling was deficient by 2.7 pitches according to this ratio. However, this comprised as shortfall in cricket pitches.
- 8.5 The District Council's 2004 study is over twelve years old and is due to be updated by another survey of sports pitches, although this is likely to be around eighteen months' hence. In the meantime, the comments from the RFU (see 5.3 above), supported by Sport England indicate the difficulties of the existing pitch in terms of drainage and pitch size, to which the Rugby Club attribute the cancellation of matches and reduced attraction of the club to players, despite its fifty year existence. In the short term, the club shares the Brighton Rugby Club ground which is some 6km to the south west of Ditchling.
- 8.6 Therefore the evidence of need at this time is based on a qualitative assessment. In the absence of up to date empirical data, the support by national sport organisations, particularly that of RFU, which refers to their involvement in the questions of existing drainage and pitch size since 2006, can be afforded weight and to this extent there is a degree of in principle support
- 8.7 However, the question of whether the proposal maintains the functional integrity of the countryside under Core Policy 8, and is compatible with its landscape character under other policies including CP10 and the Saved policies ST3 and CT1; the last of these states that retention of the character of the countryside will be of heightened importance where it separates settlements and prevents coalescence. Whether the purposes of the National Park which seek to conserve and enhance the natural beauty of the area, are met is also important. The following considers the landscape and character impacts.  
Impact on Landscape and the Adjacent Conservation Area
- 8.8 As can be appreciated from Ditchling Beacon, the land on which the rugby pitch is proposed forms part of a wider patchwork of gently undulating pasture fields, with woodland towards Keymer village in the west. In its present condition and from this distance it is indistinguishable from other pasture; its shape, the yellow-green colour and visual texture of its winter vegetation appear the same.
- 8.9 Immediately to the west is the cricket club land, which is also open and part of this undeveloped patchwork. However, its colour and texture is (in winter) greener and more even, reflecting its husbandry of closer cut, rolled and perhaps improved and fertilised grass. Also visible on that land is the white outline of the cricket screen against the hedgerow and further to the west the two storey pavilion. Further west again the cricket club car park is set among the pockets of woodland close to Keymer village, which filters its view from the Beacon.
- 8.10 There is a discernible difference between the appearance of the cricket pitch and pasture fields but in their current proportions they contribute to the pastoral patchwork setting of the village and its conservation area, ensuring a clear visual separation between Ditchling and Keymer.
- 8.11 The proposal would introduce quite subtle levelling of the land (between +0.5m and -0.3m). If this were carefully blended with the gentle gradients of the wider field (rather than the formation of a distinct terrace with cut edge and bank) it could prove hard to discern both from distant and close-to vantages.
- 8.12 However the proposal by reason of its husbandry of cut, rolled and likely improved grass is likely to appear more akin to the colour and texture of the cricket ground to the west, a point which is alluded to in the South Downs Society response at 4.11 above. Furthermore the presence of white-painted rugby posts would be visible from the Beacon, and from close-to views such as the footpath along the eastern boundary and above the boundary hedges in most directions, such as from Keymer Road and New Road. Although the posts could be removed during summertime, the combined effect of these and changes in the appearance of the land would change the appearance of this particular parcel of land during most of the autumn, winter and spring months.

- 8.13 These factors and the risk of other attendant changes, such as line markings, fencing, pathways, perhaps lighting and signage lead to some concerns from the National Park landscape consultant. Further west there is concern that the winter use of the car parking field will lead to pressure for a more formal surface to be laid.
- 8.14 In consideration of these points, it is agreed that if the use were to lead to the formation of a distinct green rectangle among the pasture, this would be eye-catching, particularly when viewed from above at Ditchling Beacon and along the Downs. However if planting and maintenance were carried out in such a way so as to create a less distinctive difference between the pitch and surrounding field, then the effect may be less stark. The precise outcome is difficult to predict and would rely on well-judged management.
- 8.15 The rugby posts could not be concealed. They would be visible from the Beacon and Downs and closer-to vantages, especially the public footpath at the eastern boundary and edge of the conservation area, and probably from vantages along Keymer Road and Clayton Road, albeit partly screened by boundary hedging and partly mitigated by distance (over 100m from both of these roads).
- 8.16 The presence of these posts and the white-line pitch markings would signify that the land is no longer in agricultural use. In combination with the existing cricket club and pavilion to the west (which was created within the past twenty years), together with the recently constructed farmhouse to the north of Keymer Road, they would add to recent changes in the rural gap between the villages and the concerns which the landscape consultant mentions, concerning the creation of an urban fringe.
- 8.17 The question of whether the presence of these posts and markings are or are not compatible with this part of the National Park landscape is a difficult judgement. They occupy little space and although the posts are tall they are slender. They are also associated with a use of land which by its nature is an open-space use; one which is often found in the countryside close to villages and towns. Their contribution to an urban fringe effect may be considered quite slight.
- 8.18 In this particular location, the separation between Ditchling and Keymer as identified in the consultant's reference to the SDILCA is a sensitivity which should be given weight. The posts are a degree more urban in appearance than the existing pastoral character and their presence would intensify development between the two villages. However in themselves they do not create a more built up appearance, such as garden centres, nurseries and sewage farms mentioned in the SDILCA would do.
- 8.19 The Ditchling conservation area follows the line of the footpath at the eastern boundary of the land. Eastward of this along Keymer Road into West Street are listed buildings, including the war memorial. The setting of these designated heritage assets, their setting and views between these and the development site is an important matter, which is affirmed by paragraphs 128 – 136 of the NPPF. They are vital components of the character of the village.
- 8.20 In consideration of this, views of the land from the westernmost part of the conservation area in Keymer Road/West Street and from the war memorial are largely concealed by well established trees and hedges. It is unlikely that the rugby posts would have any significant impact on views from within the conservation area or its setting or that of listed buildings here.
- 8.21 Further south, where the public footpath crosses the eastern side of the application field, the posts would be seen visible, along with the difference in field maintenance, line-markings and appearance of the grassland. From Ditchling Beacon at least the posts would be visible, and would be viewed in the same landscape as that of the conservation area. However, the openness of the land would be maintained along with the hedgerows and trees and overall irregular (and probably historic) shape of the field within which the pitch would be located. It is concluded that the impact on heritage assets is not significant.
- 8.22 Other attendant future development such as lighting and ball-strike fencing is not proposed here. However, as indicated in the consultant's response they are unlikely to be compatible with this landscape. Planning conditions could be used to remove any permitted

development rights for fencing and lighting and informatives might also be used to indicate that future applications for lighting or tall or urbanising fencing or buildings would be unlikely to be supported by this Authority.

- 8.23 A modest addition to the cricket club sign and perhaps a small sign to direct spectators to the field could be sensitively sited, under a separate application for signage.
- 8.24 Trees and hedges are stated in this application to be retained. The county ecologist has highlighted the importance of adherence to relevant British Standards for works near trees and for this purpose a working method statement would be needed. The roadside hedge close to the access to the cricket club car park requires no reduction; its existing alignment is acceptable to the highway officer.
- 8.25 The car park is discussed in the following section and although it is considered to be well screened, its greater use will increase the occasions when cars are parked and therefore have an impact on close-to views during winter. However, winter views from the Beacon and Downs are less easily predicted although the intervening vegetation is likely to provide a filter.
- 8.26 In summary of this section, it is considered unlikely that the limited earthworks here will have a significant impact, provided that careful grading is carried out. Sport England recommends further assessment of ground conditions and submission of a detailed scheme for approval in consultation with them before commencement of works, which could be achieved by a suitably scoped planning condition to require the level changes to remain within the range stated in this application.
- 8.27 The landscape effect of the cultivation of grass, rolling and maintenance is less easily predicted. It relies on sensitive management both during the playing season and in the summer to ensure that the change is not a stark one but is well blended with the pastoral patchwork. Such details could also be included in a detailed scheme under planning condition for approval before commencement of works.
- 8.28 The rugby goal posts would not be required between 1<sup>st</sup> April and mid September, and could be removed during this time, for storage in a discreet location, perhaps close to the cricket pavilion. Conditions restricting fencing, lighting and other building work might also be used.
- 8.29 With this approach it is possible that the impacts of the proposal could be limited to an extent that is compatible with the landscape, conservation area and listed buildings in accordance with policies CP8, CPI0, and saved policies ST3, CT1, the NPPF and the first purpose of the National Park, furthermore that the integrity of the countryside is maintained under Core Policy 8.

#### Highways and Parking

- 8.30 Unlike the previously refused application which proposed a new car park, the current proposal is to use the existing car parking space to the west of the cricket ground which is illustrated to have a capacity of 98 vehicles. The highway officer is satisfied subject to assurance that rugby and cricket games do not take place at the same time. The applicant has confirmed that their seasons do not overlap; the rugby season runs from 17<sup>th</sup> September to 1<sup>st</sup> April and for cricket it is 23<sup>rd</sup> April to 3<sup>rd</sup> September.
- 8.31 It would be possible to reflect this arrangement by planning condition for example, that the pitch could not be used during the cricket season above. What remains unclear is the extent to which pre-season training might occur and further information has been sought, however a condition might perhaps also include that pre-season training is for a limited period and that no such sessions should take place at the same time as cricket matches. An update will be given on this point.
- 8.32 As the car park is grassed area with no defined arrangement of spaces, marshalling of cars would be important for three reasons. Firstly to ensure that space for cars is used efficiently, secondly to preserve circulation aisles so that cars leave the field in a forward gear.
- 8.33 The third reason relates to ground conditions. The effect of car parking on this field during

the autumn, winter and spring is currently untested. How it might function and appear during the wetter months will depend on the frequency and amount of use and how this is managed. The eleven adult team matches may be added to by the formation of a new junior team, as mentioned in the application. It is also reasonable to expect that training sessions would take place, although without spectators these are likely to generate less parking.

- 8.34 This third reason presents an area of uncertainty. One risk is that poorly managed parking may lead to pressure for new surfacing and/or drainage, with consequent effects on the appearance and character of this field.
- 8.35 Whilst marshalling on match days could be required by planning condition, a prudent approach would also be the setting of a trial period during which this aspect of the proposal and its consequences could be tested.
- 8.36 One final point is the recommendation by the highway officer of a wheel cleaning condition during any period of earthworks to create the level pitch. It is arguable that the works are unlikely to yield greater risks of mud leaving the site than might be caused by agricultural activities such as ploughing and therefore the justification for such a condition is marginal but it could be imposed.

#### Drainage and Flood-risk

- 8.37 The site lies within an area of low flood-risk according to Environment Agency records, where this form of development raises no flood-based objection under national policy.
- 8.38 In relation to local drainage, the site of the proposed pitch is bounded by ditches and there is a brook which runs through the adjoining field to the north. The county drainage officer infers from the application that there is high groundwater in the locale and that the proposed level changes, albeit minor in scale, should be accompanied by details which confirm that surface water will be safely managed.
- 8.39 The applicant has been asked to provide further information regarding field ditches, their capacity and management. An update will be given.

#### Neighbouring Amenities

- 8.40 It is clear that the formation and use of a rugby pitch would result in periods of concentrated activity. The closest neighbours at 1 & 2 Drove Cottages immediately to the east are around 30-50 metres away. As such the playing of rugby and sound of spectators would be audible, in contrast to the very tranquil character of the area. Although the car park is almost 400m away, some spectators and players may choose to access the site via the access track, The Drove, which passes in front of the cottages to the north eastern field gate. This would increase activity and to an extent, additional noise.
- 8.41 In the previous application the view was taken that because these impacts would be for short periods when games are being played. The impacts would not be so adverse as to justify refusal. The current application, which is for a single pitch and no additional car park, is likely to have a proportionately lower risk. The environmental health officer has confirmed no objection.
- 8.42 In terms of visual amenities, the degree of visual change for these residents is considered slight, due to screen afforded by hedging and trees along the drove and the eastern boundary of the site.

#### Biodiversity

- 8.43 The application includes an updated ecological survey and appraisal completed in Summer 2016. The county ecologist agrees with its conclusions, that the site is semi improved grassland of low ecological value but that hedgerows and trees provide habitat for birds, which should be safeguarded. Earthworks should also employ a watching brief to check for any residual risk of reptiles and weed species, Himalayan Balsam, should be properly removed where it occurs on the land and disposed of. Trees should be protected during earthworks according to British Standards. Planning conditions can be used to this effect.
- 8.44 In accordance with policies and National Park purposes, carefully placed log piles at field edges can improve habitat, particularly for invertebrates. Advice has been sought from

National Park rangers as to the suitability of bird and bat boxes recommended here, which would need to be both functionally and visually appropriate. Subject to their advice, these could also be required by planning condition. An update will be given to the Committee.

## **9. Conclusion**

- 9.1 The site is within a sensitive location between settlements and is at the fringe of historic Ditchling, its conservation area and listed buildings. The current proposal is for lesser development than in the previously refused scheme, it amounts to modest levelling work to create a single grass pitch and the erection of rugby goal posts. The level changes may be blended into the wider field. Subject to sensitive details and maintenance by planning condition, in association with Sport England, it is considered possible to avoid a stark contrast between the colour and texture of the resulting vegetation and the adjoining rural patchwork.
- 9.2 Whilst the application must be considered on its own merits, concern for future development pressures which would have greater impacts may be addressed by planning conditions, including limiting fencing, lighting, hard-surfacing and other building works.
- 9.3 The success of the proposed shared car parking with the cricket club depends on ensuring that they each use it at different times. This is consistent with the mutually exclusive seasons for the playing of these sports. Although information has been sought regarding pre-season training a planning condition could specify that this and matches during the season do not coincide with cricket matches.
- 9.4 Marshalling of car parking during rugby matches is important to ensure efficient use and layout. However, parking on this field in wetter conditions is untested, a trial period would allow for this.
- 9.5 The proposal is for 11 matches per season of the existing adult team but with the prospect of a junior team in the future. The precise intensity of this use and associated spectators and parking would also become clearer during a trial period. The success with which maintenance of the pitch prevents a stark contrast with the landscape could also be reviewed.
- 9.6 The current proposals; land levelling, goal posts, shared use of existing parking and pavilion are all reversible. Whilst landscape impacts here are finely balanced, a trial period by means of a temporary planning permission would allow for a future review based on actual experience of impacts and the degree of successful management under planning conditions. A period of four years, sufficiently long to allow for two full playing seasons once the earthworks and re-planting is complete and established is considered reasonable.

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

- 10.1 Application SDNP/15/01682/FUL is recommended for approval on a temporary basis, of four years subject to the following conditions:
  - 1) The development hereby permitted shall be begun before the expiration of two years from the date of this permission.  
  
Reason: To comply with the provisions of Section 91 (1) of the Town and Country Planning Act 1990 (as amended)./ To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
  - 2) The development hereby permitted shall only be carried out in accordance with the following plans:  
BAC-DIT-LV-001. Site location  
BAC-DIT-LV-004. Layout and Section.  
  
Reason: For the avoidance of doubt and in the interests of proper planning.
  - 3) The permission hereby granted shall be for a limited period expiring either upon four years from the date of this notice of permission or after a period of two years from the first use of the site as a sports pitch, whichever occurs sooner. The land shall then be restored to its former condition, levels and appearance and goal posts shall be removed.

Reason. The development is approved on a temporary basis only in order to allow for detailed impacts to be considered again.

- 4) No development shall take place unless and until:
- A detailed assessment of ground conditions of the land proposed for the new playing field land as shown on drawing number BAC-DIT-LV-004 has been undertaken (including drainage and topography) to identify constraints which could affect playing field quality; and
  - Based on the results of the assessment pursuant to (a) above, a detailed scheme and timetable for its implementation, to ensure that the playing field would be provided to an acceptable quality (including adequate drainage conditions and capacity), and proposed arrangements for its establishment and subsequent maintenance (including drainage maintenance), shall be submitted to and approved in writing by the Local Planning Authority in consultation with Sport England. The development shall only be carried out in accordance with the approved scheme and timetable and shall be maintained in accordance with the approved maintenance details for the duration of this temporary planning permission.

Furthermore, level changes for the creation of the pitch hereby approved shall not exceed +0.5m and -0.3m height unless the Local Planning Authority gives prior written approval for any minor variation, and shall be blended with the adjoining natural contours.

Reason: To ensure that further survey work is undertaken and that detailed design, methods of establishment and drainage are provided and implemented in the development and its maintenance, to minimise its visual impact in this important pastoral landscape, and that drainage is maintained.

- 5) The pitch shall only be used during the season between 15<sup>th</sup> Sept and 1<sup>st</sup> April and not at the other times (with the exception of pre-season rugby training during September). At no time shall it be used for matches or training at the same time as cricket matches are being played at the adjoining cricket club.

Reason: To ensure that shared parking arrangements with the cricket club are not over-used and to control the intensity of use and activity in the area in the interests of surrounding amenities, including rural tranquillity.

- 6) The pitch hereby approved shall only be used as a rugby pitch and for no other purpose (including any other purpose in Class D2 Use Classes Order 1987, as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: To safeguard the character of the area and because the pitch has only been approved in this location to serve a specific local use as part of the green infrastructure of the area..

- 7) Notwithstanding section 55 of the Town and Country Planning Act, (as amended), or the Town and Country Planning (General Permitted Development) Order 2015, or any in any statutory instrument revoking and re-enacting that Order with or without modification), no fences, lighting, surfacing, including any surfaced path or any other building shall be erected or carried out without the prior written approval of the Local Planning Authority.

Reason: Further works and development may adversely affect the character and appearance of this important pastoral landscape, which also includes the Designated International Night Skies reserve and is close to the Ditchling Conservation Area.

- 8) Goal posts shall be removed from the site for the period 1<sup>st</sup> April to 1<sup>st</sup> September.  
Reason: To minimise the visual impact of the development in this important pastoral landscape
- 9) No development shall take place unless and until a parking management plan has been

submitted to and approved in writing by the Local Planning Authority to include, among other matters; details of parking management of traffic by marshals for the duration of rugby match days; measures to manage the internal circulation and flow of traffic within the car park and measures to minimise deterioration in the natural surface of the car parking area. This management plan shall be fully adhered to for the duration of this temporary planning permission.

Reason: to ensure both the efficient use of the car park, with provision for manoeuvring of cars to leave the site in a forward gear, also to safeguard the condition and appearance of the field in which parking is to take place, which is within a sensitive rural landscape

- 10) No development shall take place unless and until details of tree protection to be implemented for the duration of development works and aftercare, in accordance with BS5837: 2012 Trees in relation to design, demolition and construction.

Recommendations, have been submitted to and approved in writing by the Local Planning Authority, and shall be adhered to during the course of development and aftercare.

Reason: to safeguard trees which are an integral part of the character of this important pastoral landscape.

- 11) The development hereby approved shall only be implemented in accordance with the recommendations and conclusions of the Preliminary Ecological Appraisal document, July 2016, submitted with this application, in particular the retention and maintenance of hedges and trees, a watching brief during works; removal of Himalayan Balsam and the provision bird and bat boxes (no lighting is permitted by reason of condition 7 above) . In addition loggery for invertebrates shall be introduced onto the site and maintained for the duration of this temporary permission.

Reason: In the interests of biodiversity, to manage any residual risk and to enhance the ecological value of parts of the site.

- 12) Wheel-cleaning of plant leaving the site during the ground levelling works shall be carried out at the site entrance to ensure that mud is not deposited on the public highway as a consequence of these works.

Reason: In the interests of highway safety.

- 13) No development shall take place until the developer has secured the implementation of a programme of archaeological work, in accordance with a Written Scheme of Archaeological Investigation which has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with the National Planning Policy Framework.

- 14) The development hereby permitted shall not be brought into use until the archaeological site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition 13 and that provision for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: To ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with the National Planning Policy Framework.

**Informative:** Permission relates to a creation of a single pitch and goal posts only, with associated shared use of cricket pavilion and parking. Additional development which affects landscape character is unlikely to be supported.

## 11. Crime and Disorder Implications

- 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 updating of the agent and discussion of issues during the course of the application.

### **TIM SLANEY**

**Director of Planning**

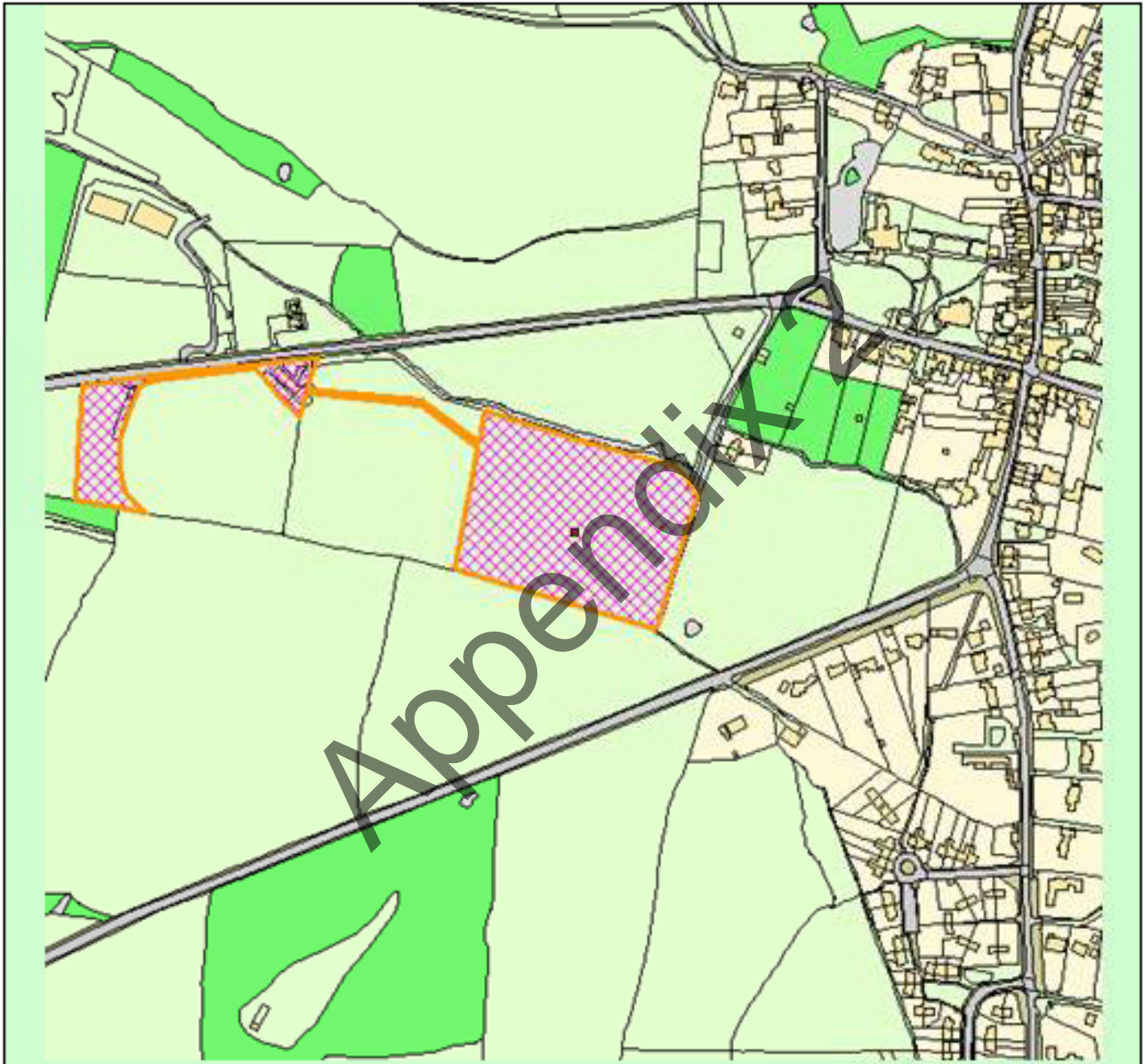
**South Downs National Park Authority**

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Appendices	I. Site Location Map
SDNPA Consultees:	Legal Services & Development Manager
Background Documents	<a href="#">All planning application plans, supporting documents, consultation and third party responses</a> <a href="#">National Planning Policy Framework</a> <a href="#">National Planning Practice Guidance</a> <a href="#">SDNP Partnership Management Plan</a> <a href="#">Lewes District Local Plan Joint Core Strategy 2016</a> <a href="#">Lewes District Local Plan (2003)</a> <a href="#">Ditchling, Westmeston &amp; Streat Neighbourhood Plan</a>

**Agenda Item 11 Report PC10/17 Appendix 1 Site Location Map**

**Appendix 1**

Site Location Map



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