



South Downs
National Park Authority

Agenda Item 6

Report PC21/22-55

Report to **Planning Committee**

Date **09 June 2022**

By **Director of Planning**

Local Authority **Arun District Council**

Application Number **SDNP/21/05281/FUL**

Applicant **Mr John Brown**

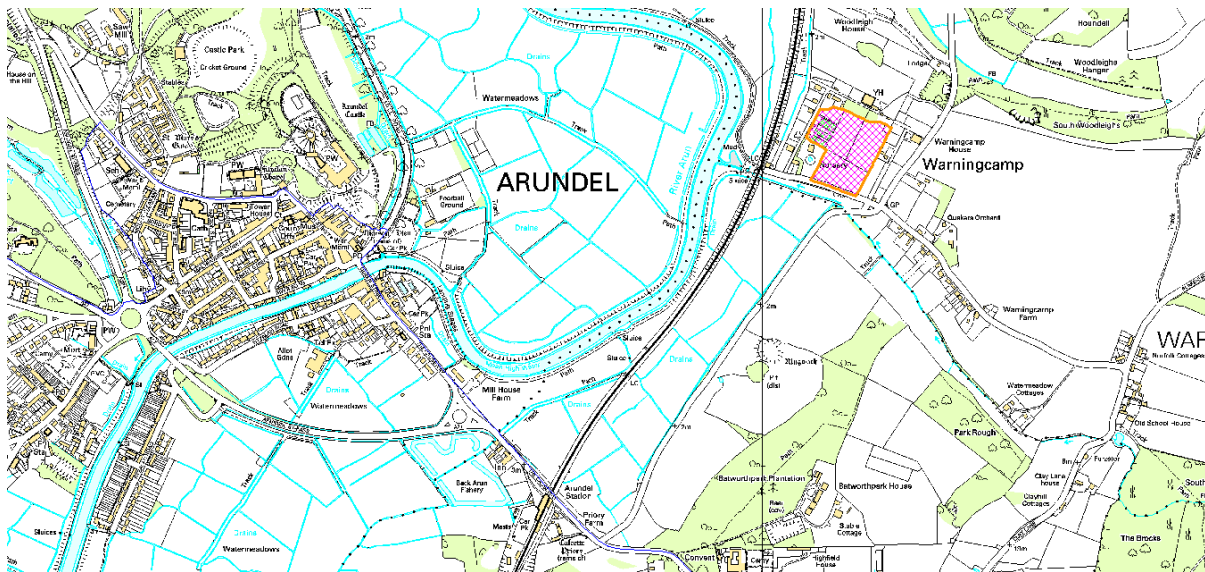
Application **1. Demolition of existing horticultural building and construction of a school sports building and a storage barn.**
2. Demolition of existing summerhouse and construction of building with viewing platform, creation of wildlife pond, ecology enhancements
3. Recladding and change of use of existing stables and field for commercial dog walking. Provision of site toilets and the removal of the existing portaloos.
4. Access alterations

Address **Yeomans, Sefton Place, Warningcamp, BN18 9QY**

Recommendation:

That planning permission be granted subject to the conditions set out in paragraph 10.2 of this report.

Site Location Map



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Executive Summary

- This application is for various uses and it is a combination of part retrospective and new proposals. The minor retrospective elements are the foundations for the view platform and replacement school storage shed north of the greenhouse. The rest of the application is for a school sports building, storage barn, new access arrangements, dog walking use, wildlife pond and viewing platform, toilets, car park and the replacement of the school storage shed. It is also seeking to separate the uses on site so that the existing and permitted school use is safeguarded from members of the public.
- The main considerations of the application are:
 - Principle of Development
 - Landscape and Design
 - Ecology
 - Highways and Access
 - Drainage
 - Neighbour Amenity
- The proposals are considered to accord with the key policies pertinent to this application, SD2, SD4, SD5, SD9 and SD19 of South Downs Local Plan (2019). It also accords with the Purposes of the National Park and the South Downs Partnership Management Plan.
- In reaching a recommendation, all consultee and third party responses have been considered.
- The application is placed before the Committee given significant local interest.

1. Site Description

- 1.1 The site is located within the village of Warningcamp, near to Arundel and it is in close proximity of the River Arun and the Wildfowl & Wetlands Trust is between the site and Arundel to the west. The site is surrounded by a small cluster of dwellings and buildings to the north, east and west and fields to the south. There are no nearby listed buildings to the site and it is not within the Warningcamp conservation area. The site is approximately 36m west of the nearest conservation area.

- 1.2 The site itself comprises a former nursery (with a large greenhouse), a small school building called My Choice School, 4 separated paddocks and two field shelter style buildings. Within the paddock, in the lower south east area is a dilapidated caravan and portaloos, which are in close proximity to the southern access of the site. There is also a train line in close proximity to the village and site.
- 1.3 There are two existing access points for the site, one for the school along the private road to the west of the site and the private access of the site off of Wharf Lane on the southern boundary of the site. The access within the southern boundary of the site is situated within a 6 foot high brick wall and is a simple gate. The majority of the site is not visible from the public realm (including nearby public rights of way) due to the height of the boundary wall, however, users of the private road to the west of the site will be able to view glimpses of the upper two quadrants of the paddock and glimpse views of the glasshouse.

2. Relevant Planning History

- 2.1 There are a range of historic planning applications regarding amendments to the original permission for the School, these were permitted by Arun District Council. The pertinent applications for the school use and existing buildings are detailed below:
- W/1/11/ - Replacement of 2 glasshouses with office building for use in connection with current educational units on site & horticultural activities – Approved 27th April 2011. This permission allowed for the continued educational function on site which started in 2004. It also covers all existing education buildings (albeit two buildings are yet to be built and the dates these are to be built are included on the overall site layout plan for this application).
- 2.2 More recently the following relevant planning applications and enforcement are associated with these proposals:
- SDNP/21/00286/PRE - Demolition of existing horticultural building, new gym for special needs school, new barn, replacement shed, wildlife pond and planting scheme, dog walking area, parking and access – Advice given 18th May 2021. Advice given noted that the removal of redundant buildings and replacing them with a school sports building, viewing platform and shed, toilets and storage barn was broadly acceptable as it would see a reduction overall of floorspace. However it was noted that care on the placement and materials should be taken when submitting a new application. It was advised that the need for each proposal should be including within any full application to provide clear justification to the SDNPA.
 - SDNP/19/00667/OPDEV – Enforcement case - relating to the creation of a building in the lower paddock and construction of new foundations within glasshouse area. – Case is still ongoing pending the decision of this application. The activities on site for the creation of a new building in the lower paddock relate to the base for the proposed viewing platform. The new foundations within the glasshouse area is in relation to a building which was beyond repair and the applicant is seeking to replace it like for like. This is for the storage of school related items and maintenance items for the school. All works ceased during the enforcement investigation and this application was submitted to address the enforcement concerns (seeking part retrospective permission) and the rest of the proposal is for the long time visions and aspirations of the applicant.

3. Proposal

- 3.1 This application follows an enforcement investigation to regularise the breaches within the enforcement case (creation of the viewing platform foundations and the foundations of the storage building for the school) in addition to the proposed new indoor sports hall and associated recreational dog walking activities and use of outbuildings.
- 3.2 One of the main proposals is for the demolition of existing horticultural building and construction of a school sports building and a storage barn. The existing horticultural building is a large greenhouse which is no longer needed for horticultural use and poses a risk due to its dilapidated nature. The horticultural building has the floor area of 1020m². It is proposed that this horticultural building is replaced with a school sports building which has a floor area of 285m². The sports building would be constructed from a blockwork base with steel cladding on the walls and the roof, with a brick base to match other school buildings. The overall design of the building would be that of an agricultural barn. It is proposed that there are a number of roof lights and solar panels on the roof of the sports building. The sports building would be used exclusively by the school and it would accommodate sports such as

football, netball and badminton. The proposed storage barn, will be used to store items currently within the greenhouse, maintenance tools and machinery to maintain the paddock. It would have a floor area of 215m² and is a typical design of an agricultural barn and the finish is proposed to be timber. There is additional work proposed to reinstate the existing storage area to the north of the glasshouses which will be used exclusively for the school to store school items and maintenance tools for the school. This will not change the overall current floor space and new floorspace as it is to be the same size as the previous building which was beyond repair.

- 3.3 The demolition of existing summerhouse and construction of building with viewing platform, creation of wildlife pond and ecology enhancements. The former summerhouse has been removed and had a floor area of 20m². The proposed wildlife pond would be in the bottom left quadrant of the paddock and would be a maximum of one metre deep, irregular in shape and would have shallow shelves and central island. It is proposed that it would be planted which would attract a range of fauna to the pond. The proposed viewing platform and shed would be constructed from timber and the shed would be single storey and would have a floor area of 12m². Additionally, it is proposed that the in the bottom right quadrant of the paddock would be a wildflower meadow. The wildlife pond and viewing platform would be primarily used by the applicant, their associates, artists and wildlife spotters such as bird watchers. It is intended to be low key use and general public access is not proposed.
- 3.4 Recladding and change of use of existing stables and field for commercial dog walking. Provision of site toilets and the removal of the existing portaloos. It is proposed that the upper two quadrants of the paddock will be for dog walking with the existing stables (field shelter) to be cladded with Larch or Red Cedar and used as informal space if it rains. The applicant proposes this shelter can also be used by sheep for shelter when they are on site to graze the land, the grazing animals would not be on site when the dog walking is taking place and will form part of the ongoing management of the site. The proposed toilets are to be used by visitors to the site (either dog walkers, staff, applicant or visitors to the wildlife area) and would be cladded with Larch or Red Cedar.
- 3.5 There are some proposed alterations to the access arrangements which include a car park, new access from Wharf Lane for the activities of the site that are not part of the school operations (those activities within the paddock) and a track through the site to provide access to the septic tank located in the upper left quadrant of the site. The car park is proposed to be located to the side of the new site entrance.

4. **Consultations**

4.1 **Ecology – Objection**

- A Preliminary Ecological Appraisal has not been submitted. Whilst the proposed enhancements such as the creation of a wildlife pond is very positive it is not possible to assess the impact on the baseline habitats and suitability for protected species.

4.2 **Highways – No objection subject to conditions**

4.3 **Environmental Health – No objection subject to conditions**

4.4 **Drainage Officer – No objection**

4.5 **Warningcamp Village Planning Committee (local organisation as no formal Parish Council exists) – Objection**

- Warningcamp is a small, quiet rural hamlet and it is evident from the number of objections that this application is not supported by a large group of local people, particularly those who live in close proximity to the site.
- Concerns over the growth of the educational function of the site which will cause increase traffic, increase need for parking, increase level of disruption and noise caused by the children of the school. Increase in parking facilities will lead to an increase flood risk due to new hardstanding areas.
- The use of the wildlife and viewing platform requires further clarification so to ensure that the use is for personal use by the applicant rather than the school as this would lead to health and safety concerns. Efforts for the improvement of ecology and building the pond to support wildlife is

encouraged. The additional planting and screening from neighbouring properties already taking place is generally supported.

- No local interest for the proposal of a dog walking area. Significant concerns on the vehicle movements to and from the site for this purpose and it is considered that this increase is unacceptable. Would lead to a negative impact on the tranquillity of the village through vehicle movements and use of the site. The exit from Wharf Lane onto Burpham Road is on a crossroad with poor visibility and additional traffic would create even further problems at the already difficult and dangerous junction of the Burpham Road and the A27.
- Portaloo's on the site are along the fence line of Sefton Lane so it is not clear why the proposed toilets are to be located within the paddock by the proposed dog walking area.
- The new access and track would change the look and feel of Wharf Lane and effect the local character of the existing long brick wall and will invariably mean that the grass verges get churned up. The cesspit is currently emptied via an existence entrance on Sefton Lane outside of school hours.
- There is no existing building "footprint" for the proposed storage barn within the vicinity. It is noted that the overall built area of the site will be reduced if the large glasshouse is removed. It is not clear that the need for the storage barn has been justified and if approved would be unsightly and out of character in the area and could set a precedent for similar developments of this nature.
- Proposals would be insensitive to the needs of the community and would have an adverse effect and the increased traffic would have a seriously detrimental effect to Warningcamp and the surrounding area.

5. Representations

5.1 A total of 62 objections have been received. The concerns raised are summarised below.

Use and Need

- Concern with the need of all of the proposals.
- Dog walkers can utilise the surrounding countryside rather than use the proposal site.
- No need for onsite toilet facilities or field shelters.
- Sports building not needed.
- The applicant is not local and therefore does not need a storage barn on site.
- The wildlife pond and viewing platform will encourage tourism to the site when it is not needed within the village of Warningcamp.
- This is a gateway application for future use of campsite/caravan park.

Landscape and Design

- Significant impact on the landscape of the village and the wider area due to the building sizes and mass and that the use of the paddock would degrade the quality of the paddock and cause a detrimental impact to this area.

Traffic and Access

- Significant increase of traffic to the village of Warningcamp that would be caused by the proposals.
- Would degrade the surface of surrounding roads. It would also cause a significant intensification of the site.

Ecology

- Significant negative impact on the ecology of the area and wider wildlife sites located along the River Arun.

Pollution

- Noise and light pollution concerns, predominantly noise from the proposed dog walking facilities and the sports building through the occupation of barking dogs and the children from the school. Light pollution from the proposed new lighting within some of the structures and security lighting.

Neighbour Amenity

- Loss of views, invasion of privacy (overlooking) and overbearing nature of structures. Concerns raised over the use of the site a whole would have a detrimental impact on mental wellbeing of all residents of the village.

Safety and Safeguarding

- Issues regarding safety in terms of its proximity of a railway line which has seen a fatality by a child of the school and overall safeguarding of the children in connection with the proposed uses within the paddock.

Enforcement

- Following reports of planning breaches to the SDNPA and that part of the scheme is retrospective and thus disregards planning law.

Burpham & Wepham Village Committee (separate local organisation to a Parish Council – Objection

- Would see an increase in vehicular movements to and from the site and lead to a more intensive use of the site and would create a significant safety issue at the junction between Wharf Lane and Crossbush Lane. Increase in traffic will worsen the condition of the current road surface of the nearby roads.
- Would cause urbanisation within the South Downs National Park. The proposals see a complete change of use of the site of agricultural and horticultural use to an educational and commercial use. No justification for the proposed storage barn.
- The demolition and alterations to a number of existing buildings and structures on the site should not be undertaken without a Preliminary Roost Assessments to establish if bats are present.

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 comprises the South Downs Local Plan (SDLP) 2014-2033. The policies of particular relevance to this application 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 the area
 - To promote opportunities for the public understanding and enjoyment of the special qualities of the area
- 6.3 If there is a conflict between these two purposes, greater weight shall be given to the purpose of conserving and enhancing the natural beauty, wildlife and cultural heritage of the area comprised in a National Park, whereby conservation takes precedence. There is also a duty upon the National Park Authority to foster the economic and social wellbeing of the local community in pursuit of these purposes.

National Planning Policy Framework and Circular 2010

- 6.4 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)(latest update July 2021). The Circular and NPPF confirm that National Parks have the highest status of protection and the NPPF states at paragraph 176 that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks. It also states that the scale and extent of development within these designated areas should be limited.

National Planning Policy Framework (NPPF) 2021

- 6.5 The NPPF has been considered as a whole and its following sections are particularly relevant in the assessment of this application:
- Achieving sustainable development
 - Making effective use of land
 - Conserving and enhancing the natural environment

Relationship of the Development Plan to the NPPF and Circular 2010

- 6.6 The Development Plan policies listed below have been assessed for their compliance with the NPPF and are considered to be compliant with the NPPF.

The South Downs National Park Partnership Management Plan 2020-2025

- 6.7 The Environment Act 1995 (as amended) 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 (NPPG0 states that Management Plans "contribute to setting out 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 9: Great Places to Live

Other Relevant Material Considerations

- 6.8 The following are relevant material considerations:
- Sustainable Construction SPD
 - Ecosystem Services technical Advice Note
 - Dark Skies Technical Advice Note
 - Draft Design SPD.

7. Planning Policy

- 7.1 Whilst the South Downs Local Plan (2019) must be read as a whole, the following policies are of significant relevance:
- SD2: Ecosystem Services
 - SD4: Landscape
 - SD5: Design
 - SD9: Biodiversity and Geodiversity

- SD19: Transport and Accessibility

7.2 The following policies are also considered relevant

- SD1: Sustainable Development
- SD6: Safeguarding Views
- SD7: Relative Tranquillity
- SD8: Dark Night Skies
- SD11: Trees, Woodland and Hedgerows
- SD15: Conservation Areas
- SD20: Walking, Cycling and Equestrian Routes
- SD22: Parking Provisions
- SD48: Climate Change and Sustainable Use of Resources
- SD49: Flood Risk Management
- SD50: Sustainable Drainage Systems
- SD54: Pollution

8. **Planning Assessment**

Principle of the Development

- 8.1 This application follows an enforcement query (SDNP/19/00667/OPDEV) where it was advised that the applicant submit a whole site plan for the future vision of the site. A pre-application request (SDNP/21/00286/PRE) then followed.
- 8.2 Whilst the site falls outside of the designated settlement boundary as defined in SD25 of the South Downs Local Plan, it is surrounded by development on 3 sides of the site, and a large portion of the proposals are replacing existing development on site, albeit in different positions on the site. The exception being the wildlife pond, viewing platform, internal track and car park.
- 8.3 It is considered that the removal of redundant structures and replacing them with new structures is a positive attribute of the application as the redundant structures in their current form are not enhancing the landscape and not usable due to health and safety concerns. This is of particular importance of the large glass greenhouse on the site, which is very close to the permitted school grounds.
- 8.4 The school has existing on site for many years and since the granting planning permission W/1/11 in 2011 for new classrooms. This permission remains extant as two out of the four buildings have been erected and are in use as classrooms. It is understood from the applicant that there is an intention to build the remaining two classroom buildings which are to increase space for the school not to increase pupil numbers. For the sake of completeness the applicant has annotated the location of these intended buildings on the submitted Site Layout and Block Plan (ref: 2020/11/02 rev. D). For the avoidance of doubt, these buildings are 3C and 3D.
- 8.5 The applicant provides justification that the school sports building is required as there is no outside hard surfaced area suitable for ball games and there are no internal spaces for exercise so during periods of bad weather the children would be unable to undertake their exercise activities. The proposed sports building will enable the children to have a safe and secure space to understand various forms of exercise and physical education classes which will contribute to positive improvement to their physical and mental health. The children of the school have additional needs and require a site that is safe and secure and would be unable to utilise other forms of traditional exercise activities such as those provided at public leisure centres. It is considered the applicant has justified the need for this building.
- 8.6 In addition to the sports building, the applicant is proposing a replacement storage building for maintenance items and school supplies on the north western boundary of the overall site and particularly within the school boundary. This storage building would be secured from the children of

the school and the need is considered acceptable for the overall maintenance and operation of the school use in this part of the site.

- 8.7 In order to ensure that the site is separated between the school functions and the other proposals on site, the applicant has provided dedicated parking areas for the school and provided additional hedgerow planting separating the two areas of the site. It is therefore considered these measures acceptable in terms of safeguarding the school children from members of the public who would be using the other part of the site for the other proposals.
- 8.8 There is a need for secure dog walking facilities within the National Park especially when regarding the South Downs National Park 'Take the Lead' campaign. Dog walking facilities provide a space for dogs to be exercised without risk to wildlife such as ground nesting birds, livestock and causing degradation to Public Rights of Way Networks through fouling. It also provides a place for dogs to exercise which may be reactive to the natural environment of the National Park. It is considered the proposal to change the use of the two upper quadrants of the paddock for dog walking is acceptable in principle as it is a sufficient re-use of land whilst providing a location for dog walking that is secure and not causing a detriment to nearby natural qualities such as the Wildlife Trust. The proposal is intended for local people and a booking system would be required so that each paddock is only used by one person at a time rather than groups of dog walkers. Therefore, the need and principle are considered acceptable for this proposal. The applicant is proposing to graze the land with sheep to ensure the site is regularly maintained. This grazing would take place when there is no dog walking taking place on the site. This would be controlled via a management plan which would need to clearly show periods of time that the grazing would take place and when the dog walking will take place. A management plan is the subject of a planning condition below (no.18).
- 8.9 The wildlife pond and viewing platform in the bottom left quadrant of the paddock is proposed for personal use by the applicant, their associates, artists and wildlife spotters such as bird watchers, for a place to enjoy the peace and quiet area of their land and to experience the variety of wildlife of the pond. The applicant is also proposing the creation of a wildflower meadow in the bottom right quadrant of the paddock. These two quadrants would see the creation of habitats and is acceptable in principle, especially when considering it alongside the 'ReNature' campaign for the South Downs National Park.
- 8.10 The applicant has provided justification for the storage barn. They state that it is for the storage of machinery and vehicles which are currently stored within the greenhouse (to be demolished) and also items that will be brought to the site to ensure that the paddock is maintained in connection with the proposed new use. As this barn is to replace some of the lost storage of the greenhouse the principle is considered to be acceptable.
- 8.11 For the avoidance of doubt, the applicant is wishing to separate the school use of the site from the other proposed uses on the site. In order to achieve this, two different self-contained accesses are proposed. The existing access from the private road to the western boundary of the site serves the school. The proposed access for dog walkers and general access to the paddock would be from the southern boundary of the site on Wharf Lane. This access is existing but would need alterations to widen it, create visibility splays and set the gate back for highways safety reasons. This would allow for two cars to pass each other and prevent Wharf Lane being blocked for other road users. The applicant states that this will ensure that children will be safeguarded from members of the public and that any activities within the school area are only in connection with the school and the children. It is considered that this is a sensible approach and as such the principle is acceptable.

Landscape and Design

- 8.12 There are many concerns raised by the local representations regarding the impact on the landscape that all these proposals will have and particular reference to the design, scale and location of the proposed structures.
- 8.13 The proposal is seeking to demolish redundant buildings (greenhouse and summerhouse) and replace them with a sports building, toilet facilities, field shelter, viewing platform shed. The current floorspace for the structures is 1040m² and the proposed replacement and new structures have the total floorspace of 512m² and as such there is a reduction of built floorspace of 523m². This is considered an improvement to the overall built form on the site.

- 8.14 The sports building, whilst smaller in floorspace than the existing greenhouse will be 1.5m higher than the greenhouse to accommodate ball games to be completely contained within the building. The sports building would be constructed from a blockwork base with steel cladding on the walls and the roof, with a brick base to match the school buildings. The roof would have rooflights and solar panels, the building is only to be used during school times (9am to 4pm term time only) and a condition is proposed to control this to ensure that there is no impact on Dark Night Skies. The overall design of the building would be that of an agricultural barn. It is considered that the use of materials would be in keeping with the historic use of the wider site (agricultural and horticultural). Whilst the building will be higher, the justification for the height of the building is acceptable as it will provide a secure place for children to engage with physical activity within their school time. The building is also proposed on a part of the site which has experienced development already and is not considered green field land and would not be out of place.
- 8.15 The wildlife pond will be a maximum of one metre deep, irregular in shape and will have shallow shelves and a central island. Proposed planting will be species which attract a range of fauna. The viewing platform and shed are proposed to be made from timber with the shed being single storey. The overall design of these elements are not considered to have a negative impact on landscape. The scale and size of the shed is not excessive and would be subservient to development within the school area. The location of the pond has been informed by the Flood Risk Assessment which depicts that this is the wettest part of the application site
- 8.16 The storage barn proposed within the paddock is large in scale and massing, however the applicant has justified this need and this is covered above under principle. The design of the storage barn is a traditional barn which would be finished in timber. There are no proposed windows on the barn and with only access doors. It is not considered that this would be out of keeping to agricultural barns within the area and it serves a purpose for existing storage requirements on site.
- 8.17 The proposed car parking area is to provide an area for users of the paddock and is kept as close to the entrance as possible, details of the finishing have not been provided but this could be secured via condition. It is considered that the design is low impact due to its location to the entrance and provides a suitable area for parking requirements which would not add additional pressure on surrounding roads which do not have designated parking areas. The presence of the car park allows for the activities of the site to be fully contained and is not considered to have a significant impact on the landscape.
- 8.18 The track within the middle of the site is to be used to empty the septic tank, located in the upper left quadrant of the paddock and for access to the storage barn and car park. Final details of the materials of the track could be controlled via condition. Regardless, it is considered that the presence of the track and its length and width do not pose significant impacts on the landscape.
- 8.19 Overall the use of the top quadrants of the paddock for dog walking is not considered to have a negative impact on the landscape as it is a low intensity use of the land and the management of the quadrants would be conditioned. Concerns were raised regarding the use of dog walking and its impact on the tranquillity of the site and the wider National Park. Whilst there could be some noise from the dog walking, it is not considered that this would be above the norm of what would be expected by dog walkers within the public rights of way network and therefore not a negative impact on tranquillity of the area. It is recommended a condition is applied to control the operational times of this use to ensure that operation does not fall within antisocial hours. The proposed field shelter and toilet facilities are located where existing structures are and the cladding for both buildings are timber either Larch or Red Cedar which are considered acceptable in terms of natural materials and being subservient to the overall buildings on site and the school area. The use of toilets would remove portalooos which result in a negative impact on the landscape.
- 8.20 The applicant has already planted new Laurel hedging along the northern site boundary, the boundary of the school and paddock and along the south west boundary that is adjacent to the proposed wildlife pond and viewing platform. The submitted plans also detail further native hedgerow planting to supplement existing hedgerows. The existing hedgerow along the eastern boundary is proposed to remain as existing. Further landscaping, including species list, can be controlled via condition..
- 8.21 It is considered that overall the design of the proposals are sympathetic to the surrounding uses of the site and provide a clear distinction of school activities and the other proposals. The materials proposed are considered to be in keeping with buildings of a similar nature within the surrounding

area and overall the proposals are not considered to negatively impact the landscape. Therefore it is considered that the application accords with SD4, SD5, SD6 and SD7 of the South Downs Local Plan (2019).

Ecology

- 8.22 The ecologist has objected on the lack of information. The historic use of the site has seen intensive nursery management, grazing by horses and rough mowing to maintain the paddocks. Given that the character of the land and the ground conditions are not generally changing, plus hedgerows and trees are being maintained the proposed uses are unlikely to materially alter the characteristics. The dog walking use is also likely to be fairly low key. On this basis it is considered that the ecological appraisal is not required, as a matter of judgement. The proposals include the creation of two habitats, one being the wildlife pond and the other being the wildflower meadow, both being proposed to be located in the bottom two quadrants of the paddock. The current paddock conditions are perennial ryegrass, dandelion, broadleaf dock and common nettle. The proposal includes the addition of new native trees, hedges and orchard to work alongside the wildlife pond and wildflower meadow.
- 8.23 The wildlife pond would be fed by harvested rainwater from the adjacent school buildings and would replace a pond which was removed on a residential property and thus providing an area for displaced wildlife.
- 8.24 With the addition of hedgerow and tree planting that is already taking place on the site, there will be additional creations of wildlife corridors so that ecology can move freely around the site. Some of the proposed species for this are hawthorn, spindle, hazel, field maple, blackthorn, black poplar and pedunculated oak.
- 8.25 In addition to this there is proposed planting to the rear of the sports building to be pollinator focused species, hedgehog nests and insect stumps within the existing tree clump. The proposed barn will have two bat tiles and a barn owl box. An additional eight bird boxes will be attached to buildings and trees within the site.
- 8.26 The County Ecologist has raised an objection on the absence of a Preliminary Ecological Appraisal, however given the nature of the current use of the site it is not considered that the application could not be determined without this information and the appraisal could be conditioned to also include measures to secure ecological enhancements including demonstration of a minimum of 10% biodiversity net gain and compliance to SD2 (ecosystem services) of the South Downs Local Plan (2019).
- 8.27 Overall, it is considered that the applicant has demonstrated clear proposals to increase the biodiversity and ecosystem services on the site and as such accords with SD2, SD9 and SD11 of the South Downs Local Plan (2019) and therefore acceptable.
- 8.28 With regards to dark night skies, there are rooflights proposed for the sports building, however this will not be used during hours of darkness (explicitly 9am to 4pm which are school hours and would be conditioned for term time only). There is proposed internal lighting for the wildlife pond building but the applicant stated that this will be used between the hours of 9am to 7pm, and a condition can be applied to mitigate this through the use of blinds. There are proposed security lighting for the buildings and this could be conditioned to ensure compliance with dark night skies. As such it is considered that the proposal accords with SD8 of the South Downs Local Plan (2019).

Highways and Access

- 8.29 There have been many concerns raised through representations in relation to the impact on highway safety and regarding the access of the site through the increase of vehicles visiting. It is not considered that there would be a substantial increase of vehicle movements to the site, and these would be further controlled by the booking system proposed by the applicant for the dog walking area. This is also something that can be adequately conditioned. Furthermore, the Highway Authority have not raised an objection but have requested conditions regarding the securing of the correct visibility splays for this development in connection to the speed limit of the local roads and this can be conditioned. It is appreciated that local representations are concerned about the degradation of the surface of the local road network, however due to the low intensity of the site it is not considered that the securing of a planning obligation via a S106 for the maintenance of the roads is required.

Drainage

- 8.30 The application is supported by a flood risk assessment which shows that the lower end of the site by the access off of Wharf Lane, and the proposed pond and wildlife area falls within Flood Zone 3 and Flood Zone 2. The applicant has considered this when planning the layout of their proposals and this is one of the main reasons why the storage barn has been moved as a result of pre-application advice. In terms of surface water drainage, Arun District Council Drainage Officer have raised no objection. The wildlife pond and wildflower meadow are in the area which is at most risk of flooding and this will allow the site to have an additional function in terms of flooding without damaging nearby residential properties or conflict with the proposed structures on site. It is recommended that there are suitably worded conditions to ensure that the development continues to pose no risk to increased flood risk.

Neighbour Amenity

- 8.31 A number of concerns are raised regarding the impact the proposals would have on the neighbouring amenity of the village. The main concerns (which are not already addressed) involve noise pollution, loss of views, and invasion of privacy and overbearing nature of development.
- 8.32 The proposed uses for the paddock are considered low key, especially given the distance from the residential buildings. The use of a wildlife pond and dog walking area (2 bookings for dog walking at any one time, one per field) are not activities which would emit large amounts of noise. Additionally, the use and noise associated with the school sports building would be contained within the building and is a sufficient distance away from neighbouring properties. It is not considered therefore that a noise assessment will be required.
- 8.33 Concerns regarding the privacy are focused mainly on the use of the wildlife viewing platform and shed, however these are approximately 18.6m from the nearest residential boundary and this boundary has already received additional planting to enhance the boundary treatment. Furthermore, the proposed wildlife shed would be single storey, and the nearest residential property's habitable rooms and garden would not be overlooked. It is not considered that this use would increase overlooking on the residential garden than what is already experienced on site. The additional planting on the boundary would further protect the amenity of the neighbouring property and garden area. The sports building is well screened from the nearby residential properties and does not have any proposed windows and therefore there is no concern of this part of the school overlooking any residential property. The proposed storage barn also does not have any windows and has two roller shutter doors instead and therefore there is no potential for this barn to overlook any residential property.
- 8.34 The position of the storage barn has been placed out of the flood risk zone. It also doesn't back on to any neighbouring built structures but does face an extensive private amenity area. However, given the size of this amenity area and the size of the barn, albeit it is a large structure, it is not considered this would cause an overbearing nature on the nearby neighbouring areas.
- 8.35 Overall it is not considered that any of the proposals would negatively impact the neighbouring amenity and suitable conditions would be applied to control lighting, noise, and use of the site to further protect neighbouring amenity.

Other Matters

- 8.36 A number representations raise concerns about the elements of this proposal which are retrospective (the internal track and the base for the viewing shed and storage building for the school). It is noted that these elements were raised with the SDNPA Enforcement Team and as such, the development of these operations ceased whilst the application has been progressed. Within the planning legislation there are measures to allow for applicants to submit planning applications to address enforcement matters and should this application be refused the Case Officer will work with the Enforcement Team to further consider the breaches of planning.
- 8.37 Concerns have been raised about the vision of the application and many are concerned that this application is a gateway application for a campsite (for caravans, tents etc.), however the SDNPA must assess the current application. Any further proposals would require a new full application to be assessed. In relation to tourism, it is noted within local representations that tourism would not be welcome within the village of Warningcamp, the proposals do not propose any tourism use.

- 8.38 A request was made within a representation to require an Environmental Impact Assessment for this proposal. The SDNPA have informally screened this application against the thresholds within the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 and can confirm that the proposals do not require an Environmental Impact Assessment.
- 8.39 A request for Historic England to be consulted regarding these proposals and their potential impact on Arundel Castle was received within a representation. The site does not fall within the setting of Arundel Castle and is a substantial distance from it at 1.20km to the south east, therefore it was not considered necessary to consult Historic England on this application.

9. Consultation

- 9.1 The application has been assessed in relation to the Development Plan, the NPPF, National Park Purposes and duty, material planning considerations and relevant legislation. The proposals represent sustainable development in regard to social, economic and environmental considerations. There are no material considerations of sufficient weight which would justify refusing permission and there is the potential for gains in biodiversity on the site.
- 9.2 In light of the above assessment, the application is recommended for approval subject to the conditions below in 10.2

10. Reason for Recommendation

- 10.1 That planning permission be granted subject to the conditions set out in paragraph 10.2 of this report. The particularly relevant conditions to this proposal are Conditions 3, 4, 5, 11, 12, 13, 14 and 15. The remaining conditions would be considered broadly standard and usual in terms of planning applications of this type.

10.2 List of Conditions

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).
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.

Uses

3. The school indoor sports building hereby approved shall only be used in connection with the existing school, currently known as My Choice School, and between the hours of 09:00 to 16:00 (Monday to Friday only) during the school terms.
Reason: In the interests of local amenity.
4. The use of the dog walking areas hereby approved (as shown on plan 2020/11/02 rev. D) shall only be used between the hours of 09:00 to 19:00 hours on any given day. The use shall be undertaken in full accordance with the Management Plan pursuant to condition 15.
Reason: In the interests of local amenity.
5. The use of the wildlife pond area and viewing platform and outbuilding hereby approved shall only be used for the private enjoyment of the landowner. This shall not preclude any associated persons or groups permitted by the landowner to use this area, such as local wildlife groups and artists. The wildlife pond area shall not be used as publically available open space.
Reason: In the interests of local amenity.

Specific conditions relating to each aspect of the proposed development

School Sports Building - Materials

6. Prior to commencement of the hereby approved school indoor sports building, a full schedule of all materials and finishes and samples of such materials and finishes to be used, including but not limited to external walls, windows, roofs and rainwater goods of the dwellings, have been

submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in full accordance with the approved details and retained thereafter.

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.

Storage Barn - Materials

7. Prior to the erection of the hereby approved storage barn, a full schedule of all materials and finishes and samples of such materials and finishes to be used, including but not limited to external walls, windows, roofs and rainwater goods of the dwellings, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in full accordance with the approved details and retained thereafter.

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.

Viewing Platform and Shed - Materials

8. Prior to commencement of the hereby approved viewing platform and outbuilding, a full schedule of all materials and finishes and samples of such materials and finishes to be used, including but not limited to external walls, windows, roofs and rainwater goods of the dwellings, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in full accordance with the approved details.

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.

General Site Wide Conditions

Drainage

9. No development shall commence until full details of the proposed means of foul drainage disposal have been submitted to and approved in writing by the Local Planning Authority. Thereafter all development shall be undertaken in full accordance with the approved details and no use of any of the development shall be take place until the approved works have been completed in full. The foul drainage system shall be retained and maintained as approved thereafter.

Reason: In order to secure a satisfactory means of drainage.

10. No development approved by this permission shall commence until details of surface water drainage, which shall follow the principles of sustainable drainage as far as practicable, have been submitted to and approved by the Local Planning Authority. Thereafter all development shall be undertaken in full accordance with the approved details and no use of any of the development shall be take place until the approved works have been completed. The surface water drainage system shall be retained as approved thereafter.

Reason: To ensure a satisfactorily means of drainage.

Landscaping

11. Notwithstanding the details shown on the approved plans, no development shall commence until a detailed scheme of hard landscape works has been submitted to and approved in writing by the Local Planning Authority. All approved works shall be implemented in full accordance with the approved details and retained thereafter. The scheme design shall include the following details:

- a) Schedule of surfacing materials
- b) Litter bins, dog foul bins and tree grilles/surface treatment and guards;

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

12. Notwithstanding the details shown on the approved plans, no development shall commence until a full detailed soft landscape scheme of planting proposals has been submitted to and approved in writing by the Local Planning Authority. All such approved work shall be fully implemented in the first planting season following commencement of the development hereby permitted and

completed in full accordance with the approved details. The scheme shall follow the principles of the submitted Soft and Hard Landscaping Layout (ref: 2020/11/17) and 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) Layout of planting to show plant species, nursery planting sizes, locations, densities and numbers;
- c) 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;
- d) Grass specification for dog walking, for seeding or turfing as appropriate;
- e) Wildflower Meadow species mix
- f) Planting bed species mix
- g) Wildlife pond planting species mix
- h) 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.);
- i) A timetable for implementation of the soft and hard landscaping works.

The scheme of Soft and Hard Landscaping works shall be implemented in full accordance with the approved details and timetable. Any plant which dies, becomes diseased or is removed within the first five years of planting, shall be replaced with another of a similar type and size, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To conserve and enhance biodiversity and in the interests of amenity and landscape character.

13. No development shall commence until an Ecological Enhancement Plan is submitted to and approved in writing by the Local Planning Authority. This Plan shall accord with the ecological enhancement measures as detailed within the submitted Design, Planning and Access Statement (dated 19/10/2021), plus details of the site achieving a 10% increase in Biodiversity Net Gain. The development shall thereafter be undertaken in full accordance with the approved details and retained in perpetuity in a condition suited to their intended purpose.

Reason: To protect biodiversity

14. No development shall commence until a site-wide detailed Landscape and Ecological Management Plan (LEMP) is submitted to and approved in writing by the Local Planning Authority. The LEMP shall include, but not necessarily be restricted to, details of measures to retain existing boundary features; long term objectives and management responsibilities; the management regime of the landscape scheme; management plan for any grazing and/or mowing regime, measures to enhance ecology through the provision of landscape species. The LEMP shall be for a for a minimum period of 5 years including arrangements for its implementation. The approved measures shall thereafter be implemented in full and maintained in accordance with the approved details.

Reason: to conserve and enhance flora and fauna.

15. Prior to the dog walking area being brought into use, a site management plan for this area shall be submitted to and approved in writing by the Local Planning Authority. This management plan shall include, but not be limited to the following:
- a) Capacity numbers for the site, including details of the booking system
 - b) Site rules
 - c) The management for the removal of all waste from the site (including dog waste)
 - d) Land management in terms of proposed regime of grazing and/or cutting, mowing and any reseeding

The development shall then be undertaken in full accordance with the approved management plan unless otherwise agreed in writing by the Local Planning Authority.

Reason: Interest of local amenity

External lighting

16. No development above slab level of any building shall commence until details of the external lighting including location, specification and operation (e.g. sensor controlled) are submitted to and approved in writing by the Local Planning Authority. Lighting scheme shall be installed, maintained and operated in full accordance with the approved details.

Reason: To conserve dark night skies.

Highways/access/parking

17. The approved site access on Wharf Lane shall be implemented to provide an access width of 4.8m, with the gates set back 5m from the carriageway edge, and achieved minimum visibility splays of 2.4m x 25m in each direction, in accordance with the approved plans. The lines of sight splays shown on the approved plans (ref. 2020/11/12) shall be kept free of any obstruction exceeding 1 metre in height above the adjacent carriageway and shall be subsequently maintained thereafter.

Reason: To provide satisfactory access and in the interests of highway safety.

Construction

18. No development shall take place, including any works of demolition, until a Construction 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 throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters:

- a) An indicative programme for carrying out the works;
- b) Details of the arrangements for public engagement/consultation both prior to and continued liaison during the construction works;
- c) Measures to minimise the noise (including vibration) generated by the construction process to include hours of work, proposed method of piling for foundations, the careful selection of plant and machinery and use of noise mitigation barrier(s);
- d) Details of any floodlighting, including location, height, type and direction of light sources and intensity of illumination;
- e) The parking of vehicles of site operatives and visitors
- f) Loading and unloading of plant and materials, including permitted times for deliveries;
- g) Storage of plant and materials used in constructing the development;
- h) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- i) The provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulations Orders);
- j) Measures to control the emission of dust and dirt during construction;
- k) A scheme for recycling/disposing of waste resulting from demolition and construction works i.e. no burning permitted.

Reason: To protect the amenity of local residents.

19. No demolition/construction activities shall take place other than between the hours of 08:00 to 18:00 hours (Monday to Friday), 08:00 to 13:00 on Saturdays with no work on Sundays or Bank/Public Holidays.

Reason: To protect the amenity of the local residents.

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 provision of advice from the SDNPA Development Management Officer and SDNPA Historic Buildings Officer during the application and the opportunity to provide additional information to add additional value as identified by SDNPA Officers and consultees.

TIM SLANEY

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SDNPA Consultees: Director of Planning & Legal Services
Background Documents: [Current Application Documents](#)
[South Downs Partnership Management Plan](#)
[South Downs Local Plan](#)
[National Planning Policy Framework](#)
[Sustainable Construction SPD](#)
[Ecosystem Services Technical Advice Note](#)
[Dark Skies Technical Advice Note](#)
[Draft Design SPD](#)

