

Parish: Funtington	Ward: Funtington
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**FU/17/00535/FUL**

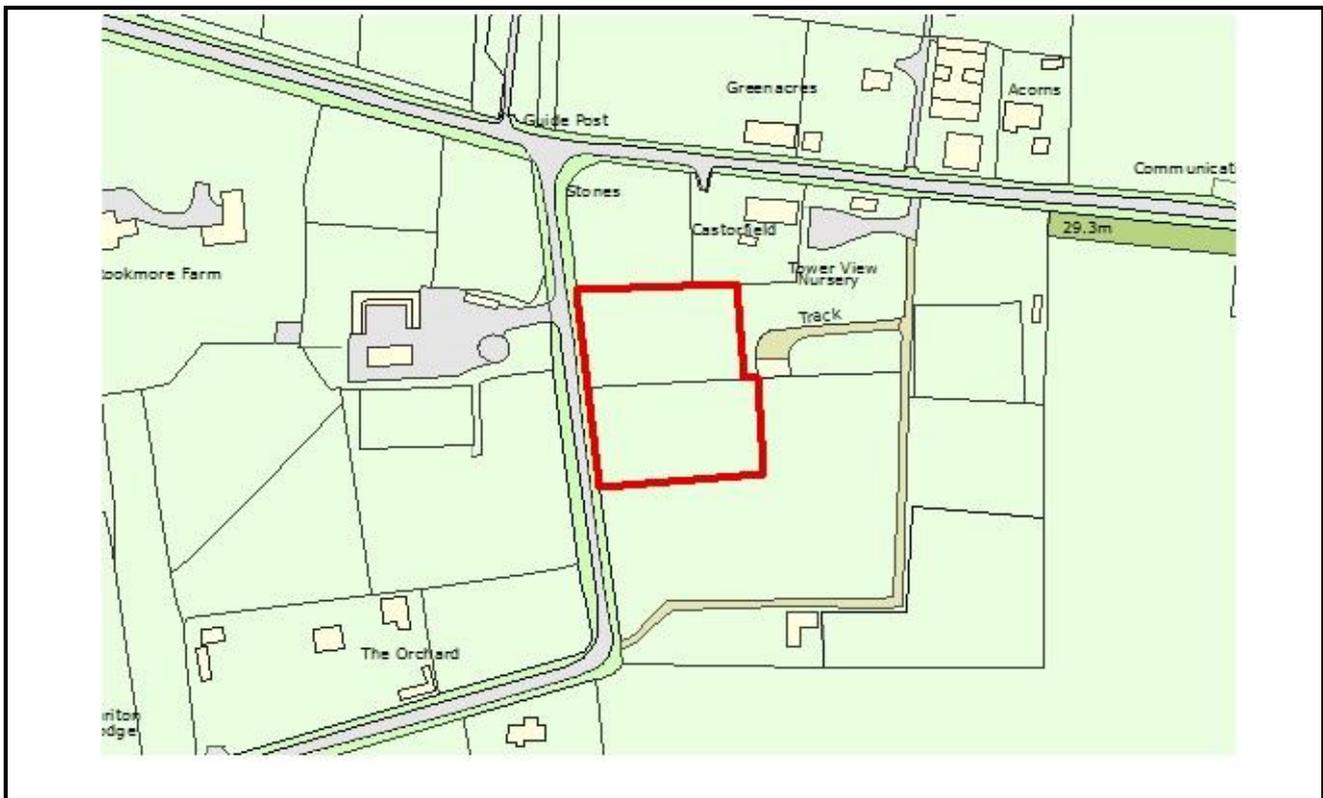
**Proposal** 6 no. stables, feed room and 2 no. holiday let units and associated parking and paddock.

**Site** Rookmore Riding And Carriage Driving School Scant Road East Hambrook Funtington PO18 8UB

**Map Ref** (E) 479654 (N) 106996

**Applicant** Mrs J Hinds

**RECOMMENDATION TO PERMIT**



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**1.0 Reason for Committee Referral**

1.1 Parish Objection - Officer recommends Permit

## **2.0 The Site and Surroundings**

- 2.1 The site is located within the parish of Funtington to the west of the small settlement of West Ashling. It is an area of land laid to grass, with sporadic mature trees and small outbuildings to the north and east of the site. Access is taken from Scant Road East, to the west of the site - a no through road. Fencing, mature trees and native planting form the predominant boundary treatment to the site.
- 2.2 To the west is the associated Rookwood Riding and Carriage Driving School, divorced from the application site by Scant Road East. To the south of the application site lies pastoral land and established gypsy and traveller pitches to the east and south east. To the north there is a small paddock land on which a number of agricultural items are stored.

## **3.0 The Proposal**

- 3.1 The application seeks the construction of a single storey stable block and two tourism units, for use in connection with equestrian tourism linked to the main riding school. It would comprise of an L shape stable block to the north of the site. The stables would measure 26m in length, incorporating 6 stables and a feed store. It would be predominantly horizontally timber clad with parts of the west and south elevation finished in brick and flint. Slate roof tiles would provide the finished roof covering to the building.
- 3.2 Also proposed are two semi-detached residential tourism lets to the south east of the stables. The design of these seeks to reflect a Sussex Barn, with a barn hipped tiled roof and timber clad elevations, set on a brick plinth. At ground floor there would be an open plan living/kitchen/dining room and shower room, with a bedroom above on a mezzanine level. These would be self-contained, but linked to the use of the equestrian facilities at the main equestrian unit. There would be provision for off road parking to the front of the buildings.

## **4.0 History**

4.1 No history for application site.

4.2 Planning History for Rookmoore Riding School; on adjacent land

02/00381/FUL	PER	Replacement stable yard, revised scheme.
93/01752/FUL	REF	Barn for the storage of hay, straw, horsebox, jumps and associated items.
94/00707/OUT	REF	Barn for storage and riding lessons.
97/00495/FUL	PER	Replacement stable yard.
86/00040/CH	PER	Extension of approved livery stable and farriers use to include riding school use.

85/00060/CH	PER	Use of existing building as livery stables and construction of new building for use as farriers workshop.
09/05057/FUL	PER	Minor Material Amendment - Various design amendments to replacement stable yard approved under FU/02/00381/FUL.
10/02565/FUL	PER	Change of use and alteration of 6 no. horse boxes to 2 no. equestrian holiday/residential tuition lets.
10/04866/NMA	PER	Change internal layout and change size of one window. (Non-Material Amendment to FU/10/02565/FUL).
12/03131/FUL	PER	Extension to sand school.
15/03697/ELD	PER	Single attached dwellinghouse over two floors.
17/00535/FUL	PDE	6 no. stables, feed room and 2 no. holiday let units and associated parking and paddock.

## 5.0 Constraints

Listed Building	NO
Conservation Area	NO
Rural Area	YES
AONB	NO
Tree Preservation Order	NO
South Downs National Pa	NO
EA Flood Zone	NO
Historic Parks and Garder	NO

## 6.0 Representations and Consultations

### 6.1 Parish Council

Funtington Parish Council has to object to this application because of its proximity to the sites of other applications of a somewhat similar nature to which it has objected. The establishment to which the site is proposed to form part is well run and even though the application site is on the opposite side of Scant Road East it is immediately adjacent and its development as proposed would be a great enhancement of the area. The Parish

Council would not, therefore, wish to be obdurate in its objection provided the development is strictly supervised and is not permitted to "morph" into a less appropriate use.

#### Additional Information

Following additional information provided by the agent, the Parish Council were re-consulted on 26 June 2017, however no further comments have been received.

## **7.0 Planning Policy**

### The Development Plan

7.1 The Development Plan for the area comprises the Chichester Local Plan: Key Policies 2014-2029 and all made neighbourhood plans. There is no made neighbourhood plan for Funtington Parish at this time

7.2 The principal planning policies relevant to the consideration of this application are as follows:

- Policy 1: Presumption in Favour of Sustainable Development
- Policy 2: Development Strategy and Settlement Hierarchy
- Policy 3: The Economy and Employment Provision
- Policy 30: Built Tourist and Leisure Development
- Policy 39: Transport, Accessibility and Parking
- Policy 40: Sustainable Design and Construction
- Policy 45: Development in the Countryside
- Policy 47: Heritage
- Policy 48: Natural Environment
- Policy 49: Biodiversity
- Policy 50: Development and Disturbance of Birds in Chichester and Langstone Harbours Special Protection Areas
- Policy 55: Equestrian Development

### National Policy and Guidance

7.3 Government planning policy now comprises the National Planning Policy Framework (NPPF), paragraph 14 of which states:

At the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking:

*For decision-taking this means unless material considerations indicate otherwise:*

- *Approving development proposals that accord with the development plan without delay; and*
- *Where the development plan is absent, silent or relevant policies are out-of-date, granting planning permission unless any adverse impacts of doing so would significantly or demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in (the) Framework indicate development should be restricted.*

7.5 Consideration should also be given to paragraph 17 (Core Planning Principles), section 3, 7 and 11.

#### Other Local Policy and Guidance

7.6 The aims and objectives of the Council's Sustainable Community Strategy are material to the determination of this planning application. These are:

- A1 - A strong local economy where businesses can thrive and grow
- A2 - Employees with good skills relevant to local employers, prepared for national and international competition and with well-paid and secure jobs
- B1 - Managing a changing environment
- B2 - Greener living
- C2 - Encourage healthy and active lifestyles for all
- C3 - A culturally enriched and empowered community

The aims and objectives of the Chichester in Partnership Community Strategy 2016-2029 which are relevant and material to the determination of this planning application are:

- Maintain low levels of unemployment in the district
- Prepare people of all ages and abilities for the work place and support the development of life skills
- Support local businesses to grow and become engaged with local communities
- Encourage and support people who live and work in the district and to adopt healthy and active lifestyles
- Increase the number of volunteers and trustees in the community/voluntary sector
- Encourage partner organisation to work together to deliver rural projects and ensure that our communities are not isolated
- Support and promote initiatives that encourage alternative forms of transport and encourage the use of online services
- Promote and increase sustainable, environmentally friendly initiatives in the district

## **8.0 Planning Comments**

### Assessment

ii) Principle

8.2 The site is located within the rural area away from any defined settlement boundary. Policy 45 seeks to ensure that new development within the rural area is that which meets an essential, small scale and local need which cannot be met within or immediately adjacent to existing settlements. The proposal seeks to provide an equestrian tourism use to an existing established equestrian site. The proposed use would allow the expansion of

the existing business and for that reason it is a use that requires a countryside location as set out under policy 45 of the Chichester Local Plan 2014-2029.

iii) Assessed need for a tourism let

8.3 In addition to policy 45 above, policy 30 of the CDLP seeks to ensure that new tourism developments are directed towards settlement hubs and service villages, ensuring visitors are close to transport networks and facilities. The policy sets out that in the countryside, planning permission for new tourism buildings would have to meet set criteria;

1. Be of a scale appropriate to the location and demonstrate they require a rural location and cannot be accommodated elsewhere, or the proposal is associated with the expansion of an existing facility; and
2. Support the objectives of rural regeneration/diversification.

8.4 The proposal is aimed at a niche tourism market in partnership with an existing equestrian use which is located in the rural area, it is therefore considered to require a countryside location and support the objectives of rural diversification. The proposed tourism units would provide self-contained units of accommodation and associated stabling for those visiting with horses, in relation to the existing equestrian use. The agent has set out that the units are targeted towards occupiers staying with their horses for tuition at the equestrian unit, hacking the South Downs or as a base to stay when competing in events in the area Residents would have complete access to the sand school and are able to receive tuition and advice during their stay. There is a network of bridleways in the locality, which are frequently utilised by the equestrian unit.

8.5 The application site is adjacent to the established main equestrian use (on the other side of Scant Road East) and the operation and its customers would rely upon the facilities at the main site. The agents supporting information is that a similar operation is currently taking place at the existing main equestrian site (albeit there is no record of planning permission for that use). The agent advises this has an occupancy rate of 85%, which fluctuates when there are events in the area. Whilst the use would be reliant on the motor car to visit the site, many journeys would be done directly from the site on horseback once arrived. It is likely that occupiers would be reliant on the car for journeys further afield, however due to the niche market and that the proposal is for a diversification of an existing equestrian use, the low levels of traffic to and from the site by car would be acceptable for a use associated with the existing business. It is proposed that conditions are attached ensuring the building would be for a tourism use that remains in connection with Rookmore Riding School.

8.6 Overall it is considered that due to the requirement for a countryside location for the proposed use and that it would allow for the diversification of the existing business, the proposal would meet the requirements of policy 30 and 45 of the CDLP, subject to conditions restricting the use to be tied to Rookmore Riding School.

iv) Impact on visual amenity and character of the area

8.7 The proposal would seek to contain the development to the north east of the site and utilise an existing access. The agent advises that the land around the existing yard is in full use for pasture, sand school, parking and other associated equestrian uses. As such there would be insufficient or suitable space to provide for the proposed use on the main

site. The proposed site is currently an underused parcel of land in the same ownership and whilst separated by a road, it would still be able to retain links with the main equestrian unit. Furthermore, there are a number of structures on the land in poor condition and the proposal would allow the tidying up of the land and thereby improving the visual appearance of the area.

- 8.8 Stabling is proposed to the north-east corner of the application site, set in an L shape. The building that would house the two tourism lets is proposed to the eastern side of the site. Throughout the course of the application the design and form of the tourism units have been revised to better reflect the rural proportions and design of a former agricultural building on the site. Amendments were sought to the design which would now allow the proposed buildings to sit more subserviently in the landscape and respond positively to the visual amenities and character of the rural area.
- 8.9 The proposed buildings would be constructed with a combination of brick/flint detailing and timber clad elevations. The stables would have a low-pitched slate roof and the tourism units a tiled roof. The materials would be reflective of the countryside location.
- 8.10 Overall, the design and form of the buildings would be reflective of the rural location. Their siting in the land to the northern corner would ensure that they are well contained in the site and grouped together, so as to avoid appearing isolated in the plot. Furthermore, the boundary treatments to the roadside and the proposed equestrian use taking place would be a use compatible with the countryside location. The proposal would therefore comply with policy 30, 48 and 55 of the CDLP.

v) Impact on neighbouring amenities

- 8.11 To the east and south of the application site there are a number of established gypsy and traveller pitches. These are generally well screened from the wider area and the application site. The proposed tourism units would be set approx.7m from the eastern boundary and would contain first floor accommodation. This accommodation would however be served by a high level rooflight, which would mitigate any overlooking that may exist and could be made subject to a condition to remain as such. The separation distance to the eastern boundary would be 7m, this combined with the boundary treatments would mitigate the potential for any overbearing impact.
- 8.12 No details have been provided about waste storage on the site and it would be important to secure details via a condition to ensure that that it is not located within close proximity of the neighbouring residential properties.

vi) Highways

- 8.13 The site would utilise the existing access, which has good visibility splays and a gate set back from the highway allowing clearance of the road, which it is proposed to retain. There would be provision of a hardstanding area to facilitate the parking of vehicles and horseboxes. It is proposed that conditions be applied to any permission to ensure that this be provided prior to first occupation of the development.

vii) Other Matters

8.14 The site is located on the periphery of a source protection zone. Whilst there is no statutory obligation to consult the EA, it would still be important to control the storage and disposal of waste in an appropriate manner so it would prevent ground water contamination. Furthermore, details of any hardstanding, to ensure it is permeable would also be required.

8.15 Due to the rural location of the site, it would be appropriate to require the details and approval of any proposed external lighting in the interests of protection of wildlife. A landscaping scheme would also be appropriate, to ensure any supplementary planting to boundaries and soften the development.

Community Infrastructure Levy

8.16 This development is liable to pay the Council's CIL charge for the creation of new floorspace.

Conclusion

8.17 Based on the above assessment it is considered the proposal by reason of allowing the diversification of the existing equestrian business and the requirement for a countryside location, alongside the design, form and location of the proposed buildings, would comply with development plan policies 30, 45, 48, 55 and therefore the application is recommended for approval.

Human Rights

8.18 In reaching this conclusion the Human Rights of the applicants and nearby occupiers have been taken into account when reaching this recommendation and it is concluded that the recommendation to permit is justified and proportionate.

**RECOMMENDATION**

**PERMIT** subject to the following conditions and informatives:-

1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

2) The development hereby permitted shall not be carried out other than in accordance with the approved plans:

Reason: To ensure the development complies with the planning permission.

3) Notwithstanding any details submitted **no development/works shall commence** until a full schedule of all materials and finishes and samples of such materials and finishes to be used for external walls and roofs of the building(s) have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved schedule of materials and finishes unless otherwise agreed in writing by the Local Planning Authority.

Reason: To enable the Local Planning Authority to control the development in detail in the interest of amenity and to ensure a development of visual quality. It is considered necessary for this to be a pre-commencement condition as such details need to be taken into account in the construction of the development and thus go to the heart of the planning permission.

4) **No development shall commence** until plans of the site showing details of the existing and proposed ground levels, proposed finished floor levels, levels of any drives, and parking areas and the proposed completed height of the development and any retaining walls have been submitted to, and approved in writing by, the Local Planning Authority. The details shall clearly identify the relationship of the proposed ground levels and proposed completed height with adjacent buildings. The development thereafter shall be carried out in accordance with the approved details.

Reason: To ensure that a satisfactory relationship results between the new development and its countryside location. It is considered necessary for this to be a pre-commencement condition as these details relate to the construction of the development and thus go to the heart of the planning permission.

5) **No development shall commence** until details of the proposed overall site-wide surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The design should follow the hierarchy of preference for different types of surface water drainage disposal as set out in Approved Document H of the Building Regulations and the SUDS Manual produced by CIRIA. Winter ground water monitoring to establish highest annual ground water levels and Percolation testing to BRE 365, or similar approved, will be required to support the design of any Infiltration drainage. The surface water drainage scheme shall be implemented as approved unless any variation is agreed in writing by the Local Planning Authority. No building shall be occupied until the complete surface water drainage system serving that property has been implemented in accordance with the approved surface water drainage scheme.

Reason: The details are required pre-commencement to ensure that the proposed development is satisfactorily drained with all necessary infrastructure installed during the groundworks phase.

6) Prior to the insertion of any external lighting, full details including manufacturer specifications and location, shall first be submitted to and approved in writing by the local Planning Authority.

Reason: In the interests of visual amenity of this countryside location and the protection of wildlife.

7) Prior to the laying of any hardsurface full details, including colour of the hard surface shall first be submitted to and approved in writing by the Local Planning Authority and thereafter carried out in accordance to the approved details.

Reason: In the interests of visual amenity of this countryside location.

8) **No part of the development hereby permitted shall be first occupied** until the vehicle parking and turning spaces have been constructed in accordance with the approved plan. These spaces shall thereafter be retained for their designated use.

Reason: To provide adequate on-site car parking and turning space for the development.

9) Notwithstanding the details on the plans and application form, Prior to first occupation of the tourism lets hereby permitted details of any proposed boundary treatments to the site, including between the tourism lets and to the paddock land shall first have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include;

- (a) scaled plans showing the location of the boundary treatments and elevations, and
- (b) details of the materials and finishes.

Thereafter the boundary treatments shall be maintained as approved in perpetuity.

Reason: In the interests of neighbouring and visual amenity

10) Notwithstanding any indication shown on the approved plans and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order) prior to the first occupation of the development hereby approved the rooflight windows hereby permitted in the **eastern** roof plane shall be constructed, in accordance with the submitted plans, with a cill height of not less than 1.7 metres above internal floor height, and shall subsequently be retained in that condition.

Reason: To protect the privacy of the occupants of the adjoining residential properties.

11) Notwithstanding the details provided in the application, the use hereby permitted shall not be brought into use until the method of disposal of waste arising from the keeping of horses has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented before the use commences and shall thereafter be maintained and operated in the approved manner in perpetuity.

Reason: In the interests of amenity and of preventing pollution, in this sensitive location, which is in close proximity to a Source Protection Zone and a Nitrate Vulnerable Zone.

12) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order) the proposed accommodation shall be used for holiday accommodation in connection with the equestrian operations at Rookmore Riding and Carriage Driving School only and shall not be used for any individual's main or sole residential dwelling and for no other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by the Town and Country Planning (Use Classes)(Amendment)(England) Order 2015, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order). A register of all occupiers, detailing dates, names and usual addresses, shall be maintained by the owner and shall be kept up to date and available for inspection at all reasonable hours by the Local Planning Authority. Any occupation of the units by a single party for a consecutive period exceeding 1 month shall be required to provide evidence of their place of primary accommodation.

Reason: To ensure that the accommodation is only used as holiday / tourist accommodation, since the site lies within an area where additional residential properties and tourism lets would not normally be permitted and to prevent the creation, by conversion, of inappropriate units of accommodation, possibly leading to over intensive use of the site.

13) Notwithstanding the provisions of Part 2 Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order, 2015 (or any Order revoking ,re-enacting or modifying that Order) no fence, wall or other means of enclosure shall be erected, constructed or established on the land edged in red on the approved plans, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To secure the protection of the open countryside location

14) Notwithstanding any indication shown on the approved plans and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order) the stable development hereby permitted shall be used only in connection with the Rookmore Riding and Carriage Driving School and shall at no time be separated.

Reason: To prevent the stables from being used independently from the main equestrian site, in the interests of protection of the rural location.

15) Any discharge of washings from the use hereby approved, must first drain into a soakaway or treatment system so that any discharge to ground is at least 10 metres from any watercourse.

Reason: To control pollution of water in this sensitive location within proximity to the Source Protection Zone and a Nitrate Vulnerable Zone.

## INFORMATIVES

- 1) The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
  
- 2) The developer's attention is drawn to the provisions of the Wildlife and Countryside Act 1981, the Conservation (Natural Habitats etc) Regulations 1994, and to other wildlife legislation (for example Protection of Badgers Act 1992, Wild Mammals Protection Act 1996). These make it an offence to kill or injure any wild bird intentionally, damage or destroy the nest of any wild bird intentionally (when the nest is being built or is in use), disturb, damage or destroy and place which certain wild animals use for shelter (including badgers and all bats and certain moths, otters, water voles and dormice), kill or injure certain reptiles and amphibians (including adders, grass snakes, common lizards, slow-worms, Great Crested newts, Natterjack toads, smooth snakes and sand lizards), and kill, injure or disturb a bat or damage their shelter or breeding site. Leaflets on these and other protected species are available free of charge from Natural England.

The onus is therefore on you to ascertain whether any such species are present on site, before works commence. If such species are found or you suspected, you must contact Natural England (at: Natural England, Sussex and Surrey Team, Phoenix House, 32-33 North Street, Lewes, East Sussex, BN7 2PH, 01273 476595, [sussex.surrey@english-nature.org.uk](mailto:sussex.surrey@english-nature.org.uk)) for advice. For nesting birds, you should delay works until after the nesting season (1 March to 31 August).

For further information on this application please contact Caitlin Boddy on 01243 534734