

Report to Planning Committee

Date **15 June 2022**
By **Director of Planning and Environment**
Local Authority **Chichester District Council**
Application No. **SDNP/21/05833/FUL**
Applicant **Mrs Trina Stewart**
Application **Change of use of land for all weather turnout area for private equestrian use only (in association to permissions SDNP/18/00474/FUL & SDNP/21/03596/CND).**
Address **Part of Lower Diddlesfold Farm Known As Diddlesfold Manor Farm Lot 1 Diddlesfold Lane Northchapel West Sussex**

Recommendation: That the application be Approved for the reasons and subject to the conditions set out in section 10 of this report.

Executive Summary

Reason for committee referral: Parish objection - Officer recommends PERMIT

The proposal involves the provision of an all-weather turn-out area (AWTA) immediately south of the former dairy yard that is in the process of being redeveloped for mixed equestrian and agricultural use. Its function is to provide a complimentary facility to the private equestrian facilities already approved and is to allow the opportunity for horses to obtain outdoor exercise when ground conditions are unfavourable, or the health of the animals necessitates closer supervision. Although it would result in a loss of a small area of grassland and a minor intervention with existing levels, the proposal is well contained visually and it is concluded that there would be no adverse impact on the surrounding landscape character or relative tranquillity and would not result in overdevelopment or over intensification of equestrian activity over and above that already permitted on the site. Conditions, including provision of new planting, control over surfacing and lighting and limiting the use to non-commercial purposes only are considered reasonable and necessary and in that context, it is considered that the proposal accords with relevant national and local planning policies and is therefore recommended for approval.

1.0 Site Description

- 1.1 Lower Diddlesfold Farm is situated approximately 300 metres west of the village of Northchapel on the south western side of Diddlesfold Lane (also a public right of way), a single-track road leading off Hillgrove Lane. The holding originally extended to 116 acres (47Ha) and includes deciduous woodland and mixed grassland. The holding is classified as grade 3 (moderate to good). It has been recently split in two, with the pair of cottages and the majority of the agricultural land to the south and west of the cottages now in different ownership, leaving 10.8Ha of mainly mixed grassland and former agricultural buildings in the applicant's ownership.
- 1.2 The buildings on the applicants holding originally comprised several utilitarian agricultural buildings, including a timber-clad feed barn, large steel-framed barn and field shelter. In addition, there is a large expanse of concrete hardstanding (previously used as a silage clamp, and latterly for hay storage) and other extensive areas of concrete hardstanding around the buildings. These former buildings have since been replaced with a newly built agricultural barn/stable complex constructed in a traditional, vernacular design and the expanses of concrete removed.
- 1.3 Opposite the access to the farm buildings, on the north east side of Diddlesfold Lane is Diddlesfold Manor Farmhouse, a grade II listed building. Adjacent to it are a range of traditional farm buildings that most likely formed part of the original farmstead but have since been converted to residential use.
- 1.4 The surrounding landscape is gently undulating farmland (mainly pasture), with irregularly shaped field defined by natural hedgerow boundaries and interspersed with blocks of woodland.

2.0 Proposal

- 2.1 The proposal is to construct an all-weather turn-out area (AWTA) for horses immediately to the south of the nearly completed equestrian/agricultural building complex and adjacent to a recently permitted horse walker. The turn-out area is to provide a complimentary facility to the private equestrian facilities and is to allow the opportunity for horses to obtain outdoor exercise when ground conditions or the health of the animals are unfavourable.
- 2.2 The land where the AWTA is to be constructed slopes gently to the south and so a modest degree of cut and fill will be necessary in order to form a level surface. This will result in the southern edge of the AWTA being approximately 0.75 metre above natural ground level. The AWTA is to be enclosed by 1.5 metre high post and rail fencing.

3.0 Relevant Planning History

SDNP/16/01242/PRE - Replace 2 no. dwellings with 1 no. farmhouse dwelling with separate garage block and new access driveway. ADVICE GIVEN 16.06.2016

SDNP/16/01258/APNB - Agricultural barn. REFUSED 12.04.2016

SDNP/16/01972/APNB - Agricultural barn. No OBJECTION 14.06.2016

SDNP/16/03317/APNR - Track to farmland and buildings. REFUSED 01.08.2016

SDNP/16/05390/APNR - Proposed construction of an agricultural track. WITHDRAWN 17.11.2016

SDNP/17/00464/LDE - Existing lawful development. Breach of agricultural occupancy condition. CERTIFICATE GRANTED 15.08.2017

SDNP/17/05915/FUL - Demolition of existing dwellings and erection of 2no. replacement dwellings. WITHDRAWN 11.01.2018

SDNP/18/06056/FUL - Demolition of the existing dwellings and the erection of two replacement dwellings, including one with an agricultural tie APPLICATION WITHDRAWN 31.05.2019

SDNP/21/02470/DCOND - Discharge of condition 5 (Construction and Environmental Management Plan) from Planning Permission SDNP/18/00474/FUL. PERMIT 30.06.2021

SDNP/21/02653/DCOND - Discharge of conditions 3 and 4 to planning permission SDNP/18/00474/FUL. PERMIT 28.06.2021

SDNP/21/02268/FUL - Additional equestrian facilities - provision of horse walker and use of existing area of hardstanding to station trailer for the storage of stable waste. All to be used in association with planning permission reference SDNP/18/00474/FUL (as amended by SDNP/21/03596/CND). PERMIT 23.12.2021

4.0 Consultations

Parish Council Consultee

Northchapel Parish Council held a planning meeting on Thursday 6th January 2022 where this planning application was discussed. It objects to the application for the all-weather turnout area as follows:

The Parish Council has not objected to any of the previous applications but feels this land is now starting to be over developed for private equestrian use. It objects to the change of use of land from agricultural to equestrian. The applicant stated in the planning application they only wanted to graze horses on the land, this is permitted on agricultural land, therefore, the Parish Council sees no need to have a change of use on the land.

CH - Environmental Strategy

Further comment

The ecologist has provided clarification on the need for further (reptile) surveys and am satisfied that the works may proceed using a precautionary approach

Original comment

The lighting scheme for the site will need to take into consideration the presence of bats in the local area and the scheme should minimise potential impacts to any bats using the trees, hedgerows and buildings by avoiding unnecessary artificial light spill through the use of directional light sources and shielding.

Can the ecologist please confirm if reptile surveys are required? We assume that a precautionary approach is suitable for this site given the relatively small area of suitable habitat to be affected by the development.

The enhancements detailed in Preliminary Environmental Assessment (Aug 2021) are suitable for the site and would be a welcome addition to the scheme.

5.0 Representations

1 Third party objection

Works already commenced
Visually intrusive from adjacent dwelling
Inadequate tree protection
Impact on local landscape - levels modified
Potential increase in surface water runoff.

2 Third Party support

Proposed AWTA will avoid damage to ground in wetter months
Enables controlled supervision of horses recovering from injury or undergoing specialist treatment
Horses are highly trained dressage horses requiring additional care

6.0 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 is the **South Downs Local Plan 2014-2033** and any relevant minerals and waste plans. Other plans considered:

- N/a

The development plan policies and other material considerations considered relevant to this application are set out in section 7, below.

National Park Purposes

The two statutory purposes of the SDNP designation are:

- To conserve and enhance the natural beauty, wildlife and cultural heritage,
- To promote opportunities for the public understanding and enjoyment of the special qualities of their areas.

If there is a conflict between these two purposes, conservation takes precedence. There is also a duty to foster the economic and social well being of the local community in pursuit of these purposes.

7.0 Planning Policy

Relevant Government Planning Policy and Guidance

7.1 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), updated 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 and that the conservation and enhancement of wildlife and cultural heritage are also important considerations and should be given great weight in National Parks.

National Planning Policy Framework (NPPF)

7.2 The following National Planning Policy Framework documents have been considered in the assessment of this application:

- NPPF01 - Introduction
- NPPF02 - Achieving sustainable development
- NPPF12 - Achieving well-designed places
- NPPF04 - Decision-making
- NPPF06 - Building a strong, competitive economy
- NPPF11 - Making effective use of land
- NPPF - Conserving and enhancing the natural environment

7.3 It is also necessary to have regard to s.66 of the Planning (Listed Buildings and Conservation Areas) act 1990.

7.4 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 following policies of the **South Downs Local Plan** are relevant to this application:

- Core Policy SD1 - Sustainable Development
- Core Policy SD2 - Ecosystems Services
- Strategic Policy SD4 - Landscape Character
- Strategic Policy SD5 - Design
- Strategic Policy SD7 - Relative Tranquillity
- Development Management Policy SD24 - Equestrian Uses

Partnership Management Plan

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

- Partnership Management Plan Policy 1
- Partnership Management Plan Policy 3
- Partnership Management Plan Policy 50

8.0 Planning Assessment

- 8.1 The main issues are considered to be the effect of the proposed development on the character and appearance of the surrounding area, including relative tranquillity.
- 8.2 Planning permission for the redevelopment of the former dairy complex for a mixed agricultural/private equestrian use has been granted under reference SDNP/18/00474/FUL. That development is now well advanced with the demolition of the former agricultural buildings and the construction of new agricultural/equestrian buildings in a traditional, vernacular design. Therefore it is considered that the principle of the proposed development is acceptable. Policy support for equestrian development is set out in policy SD24. This states that development proposals for equestrian development will be permitted where they are of a scale and or intensity of use compatible with the landscape, responds well to landscape character and distinctiveness and are located adjacent to existing buildings.
- 8.3 The applicant's original intention was to construct this all weather turn-out area (AWTA) west of the permitted building complex. However, this would have resulted in a visually unacceptable encroachment into an undeveloped part of the holding and not supported by officers, so that option was withdrawn. The location in this application was chosen because of its close proximity to the existing built form, including a recently permitted horse walker, where its modest scale and limited intervention with existing levels would have a minimum impact on the wider landscape character.
- 8.4 The AWTA is relatively small scale, measuring 25m x 20m and amounting to 500 square metres in area. The gentle fall in levels southward will mean a modest amount of cut/fill is necessary to ensure a levelled surface. Detailed section drawings indicate that the AWTA would be raised above natural ground levels by 0.75 metres at the southern margin. Sensitive grading of the margins will ensure that this change will not appear as an abrupt change in landscape terms. The surfacing medium is proposed to be the same as approved for the much larger manege to the west of the AWTA. This is to ensure that the colour palette remains as neutral as possible in landscape terms. A condition requiring a sample of the material to be submitted and approved by the LPA prior to the use commencing is suggested to ensure consistency with that objective.
- 8.5 The location of the AWTA will extend the equestrian activity associated with the redeveloped complex marginally further southward into a small area of a field currently laid to pasture. Diddlesfold Lane passes the site to the east but is set a slightly lower level than the application site, so public views of the proposed development are limited. It is intended to enclose the AWTA with 1.5 metre high post and rail fencing, which is likely to be the most visible aspect of the development when viewed from Diddesfold Lane. However, such views that can be obtained would be seen in the context of new and existing agricultural and equestrian buildings and existing vegetation, including several notable retained Oak trees. Longer distance views of the site may be obtained from various points along Hillgrove Lane, but once again would be seen in context with other, related development adjacent to the site. Additional planting is proposed and a condition requiring details of a landscaping scheme is proposed. In landscape terms, it is concluded that the development would not result in any adverse impact on the character and appearance of the surrounding area.

- 8.6 The proposal is a complimentary facility to the approved equestrian use and the animals that are to be kept there. It is intended to allow horses to be turned out for exercise or recuperation when ground conditions elsewhere on the holding are unfavourable. It is not intended to facilitate an increase in the number of animals or use of the site generally. Given the small-scale nature of the AWTA, it is likely that only a small number of horses would be able to use the facility at any one time. Therefore it is concluded that relative tranquillity would not be adversely affected by the development.
- 8.7 The applicant has also advanced a series of ecological enhancements to the wider holding as an adjunct to this application. These will include compensatory provision of reptile hibernacula, provision of bat boxes in the adjacent and related development and planting of species-rich hedgerows to create a feature of value for foraging bats, birds and invertebrates. In turn, these support the ecosystem services objectives of the Local Plan through increased carbon storage through new planting, joined up and enhanced habitats for wildlife and indirectly supports opportunities to improve people's health and well-being through its ancillary role in supporting the approved equestrian facility.

9.0 Conclusion

- 9.1 The proposal would result in a modest extension of equestrian use southward and a loss of a small area of grassland. The proposal is well-related to the approved equestrian/agricultural redevelopment of the former dairy yard immediately to the north of the site. It is acknowledged that there will be a modest intervention with natural levels, but the development is well contained visually and it is concluded that there is no adverse impact on the surrounding landscape character and would not result in overdevelopment or over intensification of equestrian activity over and above that already permitted on the site. Any minor adverse impact is capable of mitigation through appropriate conditions, including provision of new planting, control over surfacing and lighting and limiting the use to non-commercial purposes only.
- 9.2 On balance, it is considered that the proposal accords with relevant national and local planning policies and is therefore recommended for approval.

10.0 Reason for Recommendation and Conditions

It is recommended that the application be Approved for the reasons and subject to the conditions set out below.

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.

3. Prior to the development hereby permitted being brought into use, a detailed scheme of planting proposals shall be submitted to and approved in writing by the Local Planning Authority. All such work as may be approved shall then be fully implemented in the first planting season, following commencement of the development hereby permitted and completed strictly in accordance with the approved details. Any plants or species which within a period of 5 years from the time of planting die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless otherwise agreed in writing by the Local Planning Authority.

The scheme design shall include the following details:

- a) Layout of planting to show plant species, nursery planting sizes, locations, densities and numbers
- b) Tree pit designs for each size of tree planting proposed including guying/support method, tree pit size, details of backfill material, irrigation design, surface treatment according to location;
- c) Areas of grass & specification for seeding or turfing as appropriate

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

4. The development shall not be brought into use until details of the composition, materials and final surface colour of the surfacing medium of the all-weather turnout area have been submitted to and approved by the SDNPA. The development shall be completed in accordance with the approved details prior to its first use.

Reason: To control the development in detail in the interests of the character and appearance of the surrounding landscape.

5. Access and egress for traffic connected with the development hereby approved shall be from the main point of access to the site immediately to the south east of the existing (refurbished) barn and from no other location.

Reason: To ensure that traffic movements associated with the development do not have an adverse impact on the established residential amenities of nearby properties

6. Notwithstanding any indication to the contrary 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 development hereby permitted shall be used only for private, non-commercial, equestrian purposes only and for no other purpose.

Reason: To prevent the stables and associated storage barns from being used for commercial purposes to the detriment of the locality with respect to increased activity and vehicle movements.

7. No external lighting shall be installed on the building or within the site 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 interests of nighttime amenity, tranquillity and protect and conserve the International Dark night Skies.

8. Prior to the commencement of the development hereby permitted, measures of the protection of the trees to be retained as outlined in the submitted Arboricultural method statement shall be implemented.

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

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 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.

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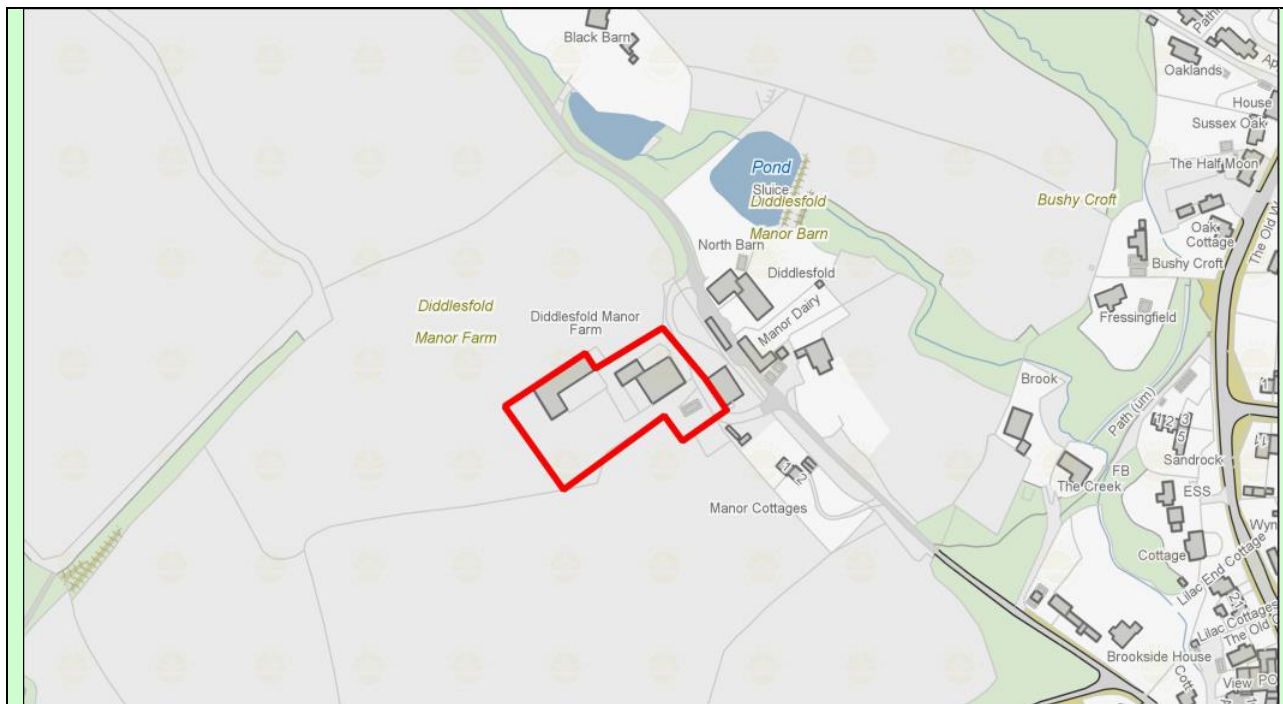
Appendices Appendix 1 - Site Location Map
Appendix 2 – Plans Referred to in Consideration of this Application

SDNPA Consultees Parish Council, Environmental Strategy

Background Documents NPPF, South Downs Local Plan, South Downs Management Plan

Appendix 1

Site Location Map



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Appendix 2 – Plans Referred to in Consideration of this Application

The application has been assessed and recommendation is made on the basis of the following plans and documents submitted:

Plan Type Reference	Version	Date Received	Status	
Plans - PROPOSED FENCING NORTH-WEST ELEVATION	300		22.11.2021	Approved
Plans - TREE SURVEY & ROOT CONSTRAINTS PLAN	BJH 01/02		22.11.2021	Approved
Plans - SITE LOCATION PLAN	010		22.11.2021	Approved
Plans - BLOCK PLAN	101		22.11.2021	Approved
Plans - PROPOSED SECTIONS	300 SECTION		22.11.2021	Approved

Reasons: For the avoidance of doubt and in the interests of proper planning.