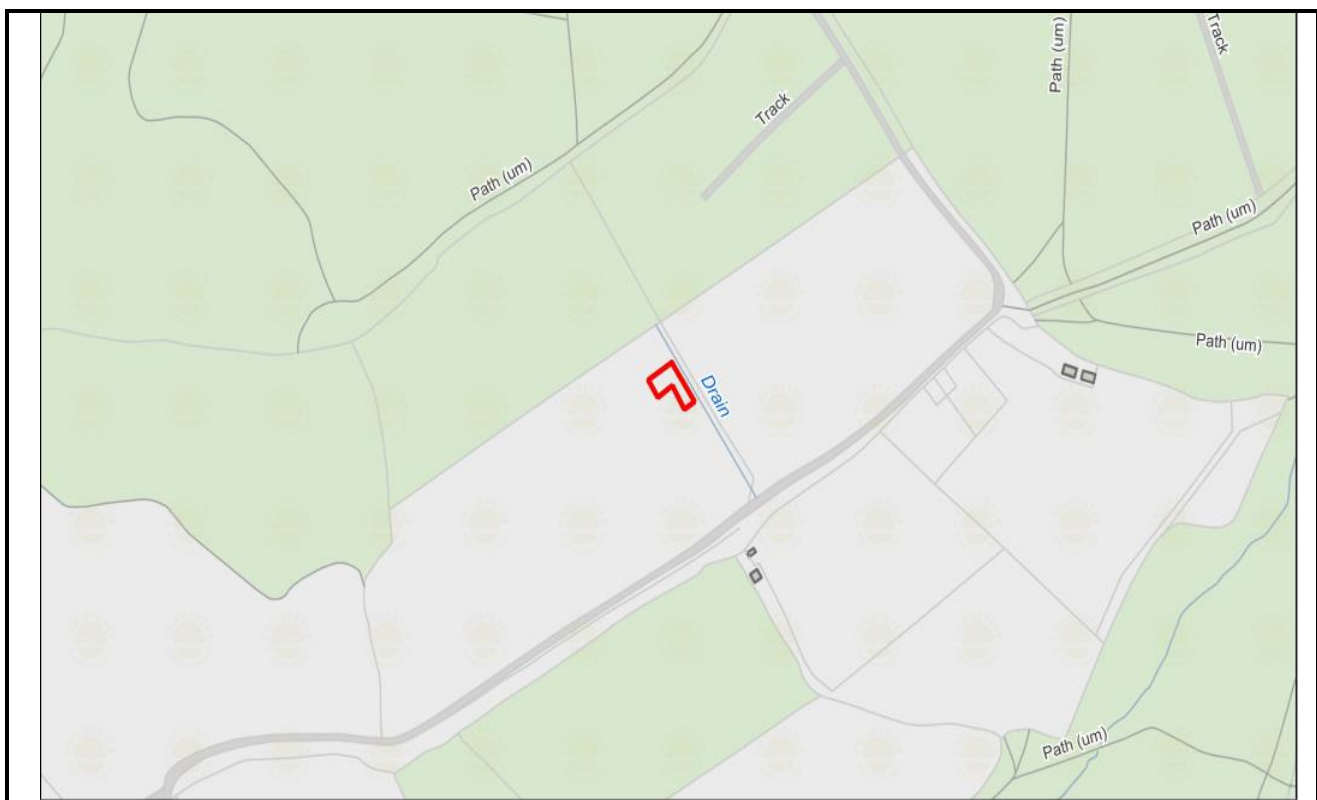


Parish: Plaistow And Ifold	Ward: Loxwood
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PS/21/02127/FUL

Proposal	Erection of L-shape stable block providing two stables, open hay barn and muck heap.		
Site	Plot 1B Land At Sparrowood Farm Shillinglee Road Plaistow West Sussex		
Map Ref	(E) 499524 (N) 130439		
Applicant	Mr and Mrs Morren-Jeffs	Agent	Mr Stephen Andrews

RECOMMENDATION TO PERMIT



**NOT TO
SCALE**

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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 application site (known as Plot 1B Sparrowoods Farm) is situated outside of any settlement boundary area. The specific site of development comprises a small parcel of agricultural land (approximately 2.06 hectares) situated within a wider arrangement of agricultural fields that once formed part of the agricultural holding of Sparrowoods Farm. These plots have now been sold off to form smaller units, including the application site.
- 2.2 The application site is located to the south of Shillinglee Road and is accessed via a single track lane (approximately 0.9km in length) leading to Sparrowoods Farm. Either side of the access track is Chiddingfold Forest which is a designated Site of Special Scientific Interest (SSSI) and comprises ancient woodland. Sparrowoods Farm is situated to the south of the SSSI and comprises a large number of predominantly agricultural fields with a farmhouse situated to the south. Sparrowoods Farm is very open in character with the visual landscape predominantly broken up by mature hedgerows where any form disrupts the open character. A Public Bridleway 636 runs east to west through the heart of the farm and the application site abuts the bridleway to the south.

3.0 The Proposal

- 3.1 Planning permission is sought for the erection of an L-shape stable block providing two stables, muck heap and hayloft.
- 3.2 There is no change of use of the land proposed. The principle of equestrian use of the site is established under planning permission reference 19/02145/FUL. This granted consent for a change of use to a mixed agricultural and equestrian use which allowed the use of land for grazing and hay-making and for equestrian exercise purposes.
- 3.3 The stable building would be sited in the north-eastern corner of the field and would be constructed of timber cladding and dark colour corrugated roofing material. The stable building would be sited against the backdrop of mature woodland and landscaping, with trees and landscaping obscuring the wider views of the stable building.
- 3.4 The proposed L-shaped building would be approximately 12.5 metres wide and 7.9 metres deep (at the deepest point) with a ridge height of 3.5 metres. The hayloft would be open-sided.

4.0 History

19/02145/FUL	PER	Change of use of agricultural land to mixed agricultural/equestrian use.
19/02903/FUL	REF	Erection of stable barn and (25m x 50m) manege including fencing, solar photovoltaic panels and muck heap.
20/00019/REF	DISMIS	Erection of stable barn and (25m x 50m) manege including fencing, solar photovoltaic panels and muck heap.

5.0 Constraints

Listed Building	NO
Conservation Area	NO
Rural Area	YES
AONB	NO
Tree Preservation Order	NO
EA Flood Zone	
- Flood Zone 2	NO
- Flood Zone 3	NO
Historic Parks and Gardens	NO

6.0 Representations and Consultations

6.1 Parish Council

Plaistow and Ifold Parish Council's letter of 19th August 2021 (attached for ease of reference) continues to represent the view of the Council in relation to this planning application. The Council notes that the size of the structure has been reduced; nevertheless, the Parish Council maintains its original objection for the reasons stated in the attached letter. The Parish Council notes that there are currently no permanent structures permitted on any land plots at Sparrowood Farm and all structures are of a temporary nature and are moveable on skids.

The Parish Council's Planning & Open Spaces Committee considered the above application at its meeting on 18th August 2021 and objects for the following reasons. The proposal must be considered in line with Policy 55 of the Chichester Local Plan: Key Policies 2014 - 2029 ('the Local Plan'). The Parish Council respectfully draws the Planning Officer's attention to criterion 3 and 6 of Policy 55, which require any equestrian development to have "minimal visual impact on the landscape" and must be "compatible with its surroundings".

It is the Parish Council's view that the proposed development would have an adverse impact upon the open countryside setting of the area, which benefits from open fields and ancient woodland. There are no other permanent structures in the surrounding area; all other buildings are fully mobile and can be removed. If the Local Planning Authority (LPA) were to grant this application, it would set a precedent for the approval of other permanent structure applications in the future which would permanently alter the character and appearance of this area. Such alterations to the character and appearance of this area would undermine Policy 48 of the Local Plan, which seeks to mitigate the impact of development on the natural environment. The Parish Council asserts that the current application is incompatible with criterion 2 of Policy 48, in that it does not recognise the "distinctive local landscape character and sensitively contributes to its setting and quality".

Additionally, the site has permitted mixed use for both equestrian and agricultural purposes. The Parish Council notes that this application does not represent any agricultural use, and this is of concern.

The Parish Council has included with this letter of objection the Parish's PRoW Map and respectfully wishes to draw the Planning Officer's attention to the two recently dismissed appeals for the applicant's site and also for neighbouring land at Sparrwood Farm: APP/L3815/W/20/3271133 and APP/L3815/W/21/3267356 respectively.

6.2 Natural England

Designated sites (European) – no objection subject to securing appropriate mitigation

6.3 WSCC Highways

The LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 111), and that there are no transport grounds to resist the proposal.

6.4 CDC Environmental Strategy Officer

Bats

The hedgerows on site are used by bats for commuting and foraging and will need to be retained and enhanced for bats. This will include having a buffer strip around the hedgerows (5m) and during construction, fencing should be used to ensure this area is undisturbed. Any gaps should also be filled in using native hedge species to improve connectivity. Conditions should be used to ensure this. 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. We require that a bat box is installed on a building or tree onsite facing south/south westerly positioned 3-5m above ground.

Dormice

The hedgerows on site are used by dormice for commuting, foraging and nesting and will need to be retained and enhanced for dormice. This will include having a buffer strip around the hedgerows (5m) and during construction fencing should be used to ensure this area is undisturbed. Any gaps should also be filled in using native hedge species to improve connectivity. Conditions should be used to ensure this.

Hedgehogs

Any brush pile, compost and debris piles on site could provide shelter areas and hibernation potential for hedgehogs. If any piles need to be removed outside of the hibernation period mid-October to mid-March, inclusive. The piles must undergo soft demolition. A hedgehog nesting box should be installed within the site to provide future nesting areas for hedgehogs

Nesting Birds

Any works to the trees or vegetation clearance on the site should only be undertaken outside of the bird breeding season which takes place between 1st March - 1st October. If works are required within this time an ecologist will need to check the site before any works take place (within 24 hours of any work). We would like a bird box to be installed on the building / and or tree within the site.

6.5 Third Party Representations

No third party representations 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 (CLP), the CDC Site Allocation Development Plan Document and all made neighbourhood plans.

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

Chichester Local Plan: Key Policies 2014-2029

Policy 1: Presumption in Favour of Sustainable Development

Policy 2: Development Strategy and Settlement Hierarchy

Policy 25: Development in the North of the Plan area

Policy 42: Flood Risk and Water Management

Policy 45: Development in the Countryside

Policy 48: Natural Environment

Policy 49: Biodiversity

Policy 55: Equestrian Development

Chichester Local Plan Review Preferred Approach 2016 - 2035 (Regulation 19)

7.3 Work on the review of the adopted Local Plan to consider the development needs of the Chichester Plan Area through to 2039 is now well advanced. Consultation on a Preferred Approach Local Plan has taken place. Following detailed consideration of all responses to the consultation, the Council has published a Submission Local Plan under Regulation 19, which was approved by Cabinet and Full Council for consultation in January 2023. A period of consultation took place from 3rd February to 17th March 2023, and the Submission Local Plan is expected to be submitted to the Secretary of State for independent examination in Summer 2023. In accordance with the Local Development Scheme, it is anticipated that the new Plan will be adopted by the Council in 2024. At this stage, the Local Plan Review is an important material consideration in the determination of planning applications, the weight that can be attached to the policies contained therein is dependent on the significance of unresolved objection attributed to any relevant policy, commensurate with government policy at paragraph 48 of the NPPF (2021).

National Policy and Guidance

7.4 The revised National Planning Policy Framework was published in July 2021. Paragraph 11 of the revised Framework states that plans and decisions should apply a presumption in favour of sustainable development, and for decision-taking this means:

- c) approving development proposals that accord with an up-to-date development plan without delay; or
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in this Framework that protect areas of assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

7.5 Consideration should also be given to Sections 1 (Introduction), 2 (Achieving sustainable development), 12 (Achieving well-designed places), 14 (Meeting the challenge of climate change, flooding and coastal erosion) and 15 (Conserving and enhancing the natural environment). The relevant paragraphs of the National Planning Practice Guidance have also been taken into account.

7.6 The following documents are material to the determination of this planning application:

- Surface Water and Foul Drainage SPD

7.7 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:

- Encourage and support people who live and work in the district and to adopt healthy and active lifestyles
- Promote and increase sustainable, environmentally friendly initiatives in the district

- Influence local policies in order to conserve and enhance the qualities and distinctiveness of our area

8.0 Planning Comments

8.1 The main considerations are:

- i. Principle of development
- ii. Design and Impact upon Visual Amenity/Character of Area
- iii. Ecological considerations
- iv. Ancient Woodland
- v. Water Neutrality

Assessment

i. Principle of Development

8.2 The application site is located in the rural area outside of any Settlement Boundary, which is defined as the 'Rest of the Plan Area'. Policy 45 of the Local Plan states that development will be granted where it requires a countryside location and meets the essential, small scale, and local need which cannot be met within or immediately adjacent to existing settlements. Planning permission will be granted for sustainable development in the countryside where it can be demonstrated that all the following criteria have been met:

1. The proposal is well related to an existing farmstead or group of buildings, or located close to an established settlement;
2. The proposal is complementary to and does not prejudice any viable agricultural operations on a farm and other existing viable uses;
3. Proposals requiring a countryside setting, for example agricultural buildings, ensure that their scale, siting, design and materials would have minimal impact on the landscape and rural character of the area.

8.3 Policy 55 - Equestrian Development, also needs to be taken into consideration as the proposed works are for an equestrian stable building. The policy requires that all the following criteria have been considered:

1. There is adequate land for the number of horses kept;
2. Existing buildings are reused where possible but where new buildings are necessary, these are well-related to existing buildings, appropriate to the number of horses to be kept and the amount of land available;
3. There is minimal visual impact on the landscape caused by the proposed development either individually or cumulatively;
4. It does not result in the irreversible loss of the best and most versatile agricultural land;

5. There is an agreed comprehensive scheme of management for any ancillary development including lighting, storage, waste disposal, manèges and sub division of fields;

6. The proposal, either on its own or cumulatively, with other horse related uses in the area, is compatible with its surroundings, and adequately protects water courses, groundwater and the safety of all road users;

7. The proposal does not lead to the need for additional housing on site; and

8. The proposal is well related to or has improved links to the existing bridleway network, with no impact on the bridleway capacity to accommodate the growth.

8.4 The principle of equestrian use of the site is established under the permission 19/02145/FUL. This granted consent for change of use to a mixed agricultural and equestrian use, which allowed the use of land for grazing and hay-making and for equestrian exercise purposes. No operational development was granted under the previous permission. Therefore, as the site has lawful equestrian use, a barn or other associated development for equestrian purposes can be considered acceptable in principle, subject to being of an acceptable scale, siting and design, respecting the above sensitive areas, and complying with development plan policies and any other material considerations. The principle of development is considered to be both sustainable and acceptable in accordance with Policies 2 and 45 of the CLP.

Design and Impact upon Visual Amenity/Character of Area

8.5 Policy 55 of the Local Plan allows for horse-related development to be granted where it can be demonstrated that the criteria set out in the policy have been met. There is no change of use proposed as part of this application.

8.6 Criteria 2 requires the re-use of buildings where possible, there are no existing buildings on-site which could be used for the proposed stable building and hay storage. Criteria 3 requires that there would be a minimal visual impact upon the landscape caused by the development. The stable building has been reduced in scale during the course of the application. The building would be low in height and would be sited in the north-eastern corner of the site. The building would be sited against the backdrop of mature landscaping which would reduce the visual impact of the stable building.

8.7 Sparrowoods Farm is very open in character, with the visual landscape predominantly broken up by mature hedgerows where any form disrupts the open character. This landscape is enjoyed by those using Public Bridleway 636 which runs east to west through the heart of the farm and the application site abuts the bridleway to the south.

8.8 The appearance and design of the stable would be in keeping with the character of the rural area, and therefore it would not appear overly intrusive within the landscape. It would read as a rural structure that would commonly be found in a rural area, particularly one where there is a network of bridleways and equestrian uses are not uncommon. The rest of the site will remain undeveloped. The majority of the land will therefore remain open and the view unobstructed by buildings, structures and solid forms of means of enclosure.

- 8.9 The muck heap would be sited behind the stable, on a concrete base to minimise wider views. The landscaping and stable building would obscure most views of this muck heap, however in any event, this is considered to be in keeping with the equestrian nature of the site and would therefore accord with Policies 45 and 55 of the CLP. Once horses are stabled, the muck heap will be used alongside regular harrowing. The muck heap will regularly be removed by a professional muck removal company.
- 8.10 The proposal, overall, is considered to result in minimal visual impact on the landscape due to the siting, size, design, use and materials of the stable building. The proposed planting would also serve to ameliorate some of the impact. It is therefore considered that the development, taken as individual elements, and as a whole, would not result in harm to the visual amenity of character of the locality that would warrant refusal of the application.

Ecological Considerations

- 8.11 Policy 49 of the CLP asserts that the biodiversity value of the site is safeguarded and demonstrable harm to habitats or species which are protected or which are of importance to biodiversity is avoided or mitigated.
- 8.12 The proposed muck heap is sited approximately 15 metres south of the Chiddingfold SSSI. The proposal would not encroach into the SSSI and, therefore, the main concern is considered to be the risk of contamination from the ancillary muck store area. This concern can be sufficiently mitigated by an appropriate design and maintenance strategy which can be secured via condition. Officers also note that there is no change of use of the land and therefore the level of muck produced is not proposed to be intensified, the muck will instead be collected on the concrete base and moved out and/or re-purposed.
- 8.13 The CDC Ecologist has commented that the hedgerows on site are used by bats for commuting and foraging and has recommended that the habitat be protected during construction. This could form a condition should the scheme be approved. The NPPF makes provision for the LPA to secure ecological enhancements. This will take the form a bird box, nesting box and bat box which could be secured through condition.
- 8.14 No external lighting has been proposed and any future lighting could be controlled via condition in the interest of protecting bats and other wildlife.
- 8.15 Overall, subject to compliance with conditions, the proposal would be unlikely to have an unacceptable ecological impact.

Ancient Woodland

- 8.16 The site is situated in close proximity to ancient woodland which is located approx. 16 metres north of the proposal. The Forestry Commission and Natural England standing advice on ancient woodland has been considered, along with paragraph 174(b) of the NPPF. The proposal would ensure a separation zone of at least 15 metres exists from the stable to the ancient woodland, as recommended by standing advice. Furthermore, a condition requiring an appropriate design and maintenance strategy for the muck store area would ensure that contamination of the ancient woodland should not occur as a result of the proposal. Subject to the imposition of conditions, the proposal would not have an adverse or unacceptable impact upon ancient woodland.

Water Neutrality

- 8.17 The application site is located within the Sussex North Water Resource Zone. Development must not result in the net increase in water demand. The application proposes a stable block to be used as an ancillary building to the existing equestrian use of the wider site. Since February 2020, four horses have been kept on the land. Prior to this, the land was used for cattle grazing. Four horses would continue to graze the land as a result of the proposal and therefore there would be no net increase in water usage or demand. The development would therefore be water neutral. Natural England have confirmed they raise no objection with the proposal on this basis.

Conclusion

- 8.18 Based on the above it is considered that the development proposed is acceptable in principle and due to its size, siting, use and appearance the proposal would not have an adverse impact upon the character and visual amenity of the location, and it would be acceptable in all other respects. The proposal complies with the NPPF and the Chichester Local Plan and therefore the application is recommended for approval.

Human Rights:

- 8.19 The Human Rights of all affected parties have been taken into account and the recommendation to permit, is considered 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 be carried out in accordance with the plans listed below under the heading "Decided Plans"

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

3) Notwithstanding any details submitted, no development shall take place, above slab level, 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 and the surfacing material of the access and hardstanding 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.

4) Prior to the stables being brought into use, the following ecological enhancements shall be provided:

- a) A hedgehog nesting box should be installed within the site to provide future nesting areas for hedgehogs
- b) a bird box shall be installed on the building
- c) a bat box shall be installed on the stable buildings onsite facing south/south westerly.

Thereafter the ecological enhancements shall be retained in perpetuity.

Reason: To ensure that the protection of ecology and/or biodiversity is fully taken into account during the construction process in order to ensure the development will not be detrimental to the maintenance of the species.

5) Prior to first use of the building hereby permitted a method of disposal of stable waste shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented prior to first use of the building and shall thereafter be maintained and operated in accordance with the approved scheme in perpetuity.

Reason: In the interests of amenity and of preventing pollution.

6) The development hereby permitted shall not be first brought into use until a fully detailed landscape and planting scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a planting plan and schedule of plants noting species, plant sizes and proposed numbers/densities, in particular shall include details of the boundary planting on the north boundary, and the proposed watering infrastructure and regime. In addition, all existing trees and hedgerows on the land shall be indicated including details of any to be retained, together with measures for their protection in the course of development. The strategy should also detail how the level of impact on the ancient woodland will be managed. The works shall be carried out in accordance with the approved details and in accordance with the recommendations of the appropriate British Standards or other recognised codes of good practice. The approved scheme shall be carried out in the first planting season after practical completion or first occupation of the development, whichever is earlier, unless otherwise first agreed in writing by the Local Planning Authority. Any trees or plants which are removed, die, or become seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved unless otherwise first agreed in writing by the Local Planning Authority.

Reason: In the interests of the biodiversity/visual amenity of the locality and to enable proper consideration to be given to the impact of the proposed development on existing trees/hedgerows/Special Areas of Conservation

7) The hedgerows on site are used by bats for commuting and foraging and shall be retained and enhanced for bats. A buffer strip around the hedgerows measuring 5m shall be maintained and during construction fencing should be used to ensure that any hedgerows are undisturbed. Any gaps shall also be filled in using native hedge species to improve connectivity.

Reason: To ensure that the protection of ecology and/or biodiversity is fully taken into account during the construction process in order to ensure the development will not be detrimental to the maintenance of the species.

8) Any works to the trees or vegetation clearance on the site should only be undertaken outside of the bird breeding season which takes place between 1st March - 1st October. If works are required within this time an ecologist will need to check the site before any works take place (within 24 hours of any work).

Reason: To ensure that the protection of ecology and/or biodiversity is fully taken into account during the construction process in order to ensure the development will not be detrimental to the maintenance of the species.

9) Any brush piles, compost and debris piles on site could provide shelter areas and hibernation potential for hedgehogs. These piles must be removed outside of the hibernation period mid-October to mid-March inclusive. The piles must undergo soft demolition.

Reason: In the interests of protecting biodiversity.

10) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order) no external illumination shall be provided on the site other than in accordance with a scheme that shall first have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the proposed location, level of luminance and design of the light including measures proposed to reduce light spill. Thereafter the lighting shall be maintained in accordance with the approved lighting scheme in perpetuity.

Reason: In the interests of protecting wildlife and the character of the area.

11) 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 development hereby permitted shall be used only as private, non-commercial, stabling and for no other purpose.

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

12) There shall be no burning of horse manure and/or stable waste (arising from the stables and stores hereby permitted) on the application site at any time.

Reason: In the interests of amenity and of preventing pollution.

13) 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) no materials shall be stacked, stored or deposited in the open on the site at any time.

Reason: To ensure that the visual appearance of the area is not adversely affected.

Decided Plans

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

Details	Reference	Version	Date Received	Status
PLAN - Location and Site Plans	001		28.04.2022	Approved
PLAN - Proposed Site Plan	002		28.04.2022	Approved
PLAN - Proposed Stable Block Floor Plan	003		28.04.2022	Approved
PLAN - Proposed Roof Plan	004		28.04.2022	Approved
PLAN - Proposed Elevations	005		28.04.2022	Approved

For further information on this application please contact Sascha Haigh on 01243 534734

To view the application use the following link - <https://publicaccess.chichester.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=QVZ865ERKJS00>