

Recommendation Report for Planning Permission

REF NO: BN/113/19/PL

LOCATION: Highground Barn
Highground Lane
Barnham
PO22 0BU

PROPOSAL: All-weather practice arena to support existing equestrian training yard.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to construct an all weather practice arena to support an existing equestrian training yard.
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	The site is boarded by trees and low level fencing.
SITE CHARACTERISTICS	The site comprises around 18 acres of grass turn out paddock with the stable yard to centre and the main dwelling to the south of the site.
CHARACTER OF LOCALITY	The property is situated to the end of a rural lane surrounded by fields. Situated outside the built up area boundary however with residential properties nearby.

RELEVANT SITE HISTORY

BN/15/03/	Alterations to approved application BN/8/00/ in accordance with condition 4.	ApproveConditionally 04-06-03
BN/22/00/	Stable block.	ApproveConditionally 18-08-00
BN/8/00/	Conversion of barn to form 1 No dwelling	ApproveConditionally 29-03-00

Relevant planning history noted.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Barnham & Eastergate Parish Council

No objection

No representation received from nearby occupiers.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted.

CONSULTATIONS

Southern Water Planning

Engineers (Drainage)

Engineering Services Manager

CONSULTATION RESPONSES RECEIVED:

Southern Water - It is possible a sewer could be crossing the development site and ownership should be investigated before works commence.

Engineers (Drainage) - Apply standard condition related to surface water drainage.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted. Drainage condition has been agreed with the agent and will be applied.

POLICY CONTEXT

Designation applicable to site:

Outside built up area boundary

A.S.C.(Adverts)

DEVELOPMENT PLAN POLICIES

[Arun Local Plan 2011 - 2031:](#)

DDM1 D DM1 Aspects of form and design quality

DSP1 D SP1 Design

CSP1 C SP1 Countryside

EQUDM1 EQU DM1 Equine Development

[Barnham & Eastergate Neighbourhood Plan 2014](#) Quality of design

[POLICY ES5](#)

PLANNING POLICY GUIDANCE:

NPPF National Planning Policy Framework

NPPG National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area.

Barnham and Eastergate have a 'made' Neighbourhood Plan with policy ES5 of relevance to the application.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is considered to comply with relevant Development Plan policies in that it would not have a materially adverse impact on the residential amenities of nearby properties nor would it have a significant adverse impact upon the established character of the surrounding area.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

PRINCIPLE

The application site is situated outside of the built up area boundary as defined by SD SP2 of the Arun Local Plan. The proposal is however for alterations within the plot of an existing dwellinghouse and the proposal is in accordance with C SP1 of the Local Plan, as it is in accordance with D DM1 of this plan. Development can be in accordance with C SP1 if it refers to a specific use or type of development that is covered by another policy. In this case, the key policy considerations are deemed to be D DM1 of the Arun Local Plan and Policy ES5 of the Barnham and Eastergate Neighbourhood Plan.

DESIGN AND VISUAL AMENITY

The proposal is situated to the rear of existing dwelling and as such is not visible from the wider street scene. The land currently forms a turn out paddock for horses with direct access to existing stables. The application will construct an all weather practice arena for the horses to train on. The arena will consist of a all weather surface material, beige in colour, being predominately sand. There will be a low level timber edge board as a boundary to the arena approximately 0.1m in height and therefore views are minimal.

The site will be around 30m in width by 60m in depth, however is situated around 85m from the rear of

the nearest neighbouring property and as such is not considered to give rise to significant visual change.

Policy EQU DM1 states non residential planning permission will be granted provided that;

- a. It will make use of existing buildings wherever possible and that new buildings are of a high standard of design and blend into the landscape in terms of their siting, design and materials.
- b. It is well related to the existing bridleway network and can accommodate the scale of the development.
- c. The associated access and parking is acceptable.
- d. The cumulative impact would not have an adverse impact upon the character, appearance or amenities of the area, taking into account the level of activities.
- e. There will be no detrimental impact on water quality.
- f. Sufficient land is available for grazing and exercise.

The development is considered to comply with the EQU DM1 in such that it is accessed from existing stable building. The site is accessed via an existing track which connects to the stable yard. It is considered the arena will reduce vehicle movements as the horses are currently transported to train whereas it can now be done on site. parking is available on site at the stable yard. There is sufficient land available for grazing and exercise and retained around the arena as not to adversely impact upon the amenities of the area.

Due to the scale of the development, it is not considered to adversely impact the visual amenity of the area and accord with D DM1 and D DM4 of the Arun Local Plan.

RESIDENTIAL AMENITY

Due to the type of the development proposed and its siting it is not considered to result in adverse impacts upon amenity and accord with D DM1 of the Arun Local Plan.

SUMMARY

The proposed development is deemed to accord with the relevant development policies and as such is recommended for approval subject to the following conditions and informatives

HUMAN RIGHTS ACT

The Council in making a decision should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as Arun District Council to act in a manner, which is incompatible with the European Convention on Human Rights.

Consideration has been specifically given to Article 8 (right to respect private and family life) and Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for approval of the grant of permission in this case interferes unreasonably with any local residents' right to respect for their private and family life and home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for approval is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

In assessing this proposal the following impacts have been identified upon those people with the following protected characteristics (age, disability, gender reassignment, marriage and civil partnership,

pregnancy and maternity, race, religion or belief, sex or sexual orientation).

The proposal would have a neutral impact on the protected characteristics.

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

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

- 2 The development hereby approved shall be carried out in accordance with the following approved plans
 - Site Location Plan - L100
 - Proposed Site Plan - L102
 - All weather surface details - L1.3

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 of the Arun Local Plan.

- 3 Development shall not commence, other than works of site survey and investigation, until full details of the proposed surface water drainage scheme have 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 systems as set out in Approved Document H of the Building Regulations, and the recommendations of the SuDS Manual produced by CIRIA. Winter groundwater monitoring to establish highest annual ground water levels and winter Percolation testing to BRE 365, or similar approved, will be required to support the design of any Infiltration drainage. No building / No part of the extended building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order in perpetuity.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies W SP1, W DM1, W DM2 and W DM3 of the Arun Local Plan. This is required to be a pre-commencement condition because it is necessary to implement the surface water drainage system prior to commencing any building works.

- 4 **INFORMATIVE:** Infiltration rates for soakage structures are to be based on percolation tests undertaken in the winter period and at the location and depth of the proposed structures. The percolation tests must be carried out in accordance with BRE365, CIRIA R156 or a similar approved method and cater for the 1 in 10 year storm between the invert of the entry pipe to the soakaway, and the base of the structure. It must also have provision to ensure that there is capacity in the system to contain below ground level the 1 in 100 year event plus 40% on stored volumes, as an allowance for climate change. Adequate freeboard must be provided between the base of the soakaway structure and the highest recorded annual groundwater level identified in that location. Any SuDS or soakaway design must include adequate groundwater monitoring data to determine the highest winter groundwater table in support of the design. The applicant is advised to discuss the extent of groundwater monitoring with the Council's Engineers.

Supplementary guidance notes regarding surface water drainage are located here <https://www.arun.gov.uk/surfacewater> on Arun District Councils website. A surface water

drainage checklist is available here <https://www.arun.gov.uk/drainagechecklist> on Arun District Councils website, this should be submitted with a Discharge of Conditions Application.

- 5 **INFORMATIVE:** Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure)(England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.