PLANNING APPLICATION REPORT

DESCRIPTION/ ADDRESS -	Erection of 6no. stables, feed/hay store comprising 2 buildings together with tack room and store for livery purposes. (Re-submission FG/53/05). South Downs Nursery, Hangleton Lane, Ferring

THE SITE AND ITS SURROUNDINGS

DESCRIPTION OF APPLICATION	The erection of stables on agricultural land along a single track bridleway.
SITE AREA	1.4 hectares
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Rising ground, undulating
TREES	Several trees on site, non-worthy of a Tree Preservation Order.
BOUNDARY TREATMENT	Wire fencing
SITE CHARACTERISTICS	Barn to left of site, to rear of trees is paddock area. The approach lane narrows significantly at the site.
CHARACTER OF LOCALITY	Rural with livery stable at the bottom end of Hangleton Lane before the single track lane begins.

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
CON/FG/3/86	Buildings, caravan, condition of land and its use.	Allowed 10.06.92
FG/53/05	Erection of 6no. stables, feed/hay store comprising 2 buildings together with tack room and store for livery purposes.	Refused 14.06.05

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
Ferring Parish Council	Objection: The existing infrastructure is not capable of sustaining the proposed development. Access to the site is only available via the existing bridleway which is narrow, steep, unmettled and unsuitable for passing. Surface water run off already causes flooding.
Ferring Conservation Group	Objection: The site is not served by any legitimate access for vehicles – the north end of the land is a footpath and bridleway, any development would result in flooding at the southern end of the lane.
9 letters of objection	Objection: It will create flooding problems. Additional traffic would be dangerous. Any flood lighting would be detrimental to the environment. When the site was used by MacIntyres there was a time restriction imposed by an Inspector. The land has no right of access as it is not on a public highway.

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
County Highways	Advice: Hangleton Lane is tarmaced up to 250m south of the site. Thereafter it is a track only wide enough for one vehicle to pass. The Public Rights of Way Officer has registered concerns about any increase in the use of the lane by vehicles. However the supporting information states that the site was previously used as part of the former nursery. As a result historically there have been movements in association with that use. Therefore the previous grounds of objection would be difficult to sustain at appeal. Additional Comment: It is understood that a condition will be imposed to prevent mud and slurry being discharged onto the lane. We cannot insist that the applicant ugrade the culvert as it cannot be demonstrated that this proposal will worsen the drainage. It is understood that water runs off the Downs to the north and cascades down the lane.
District Council's Engineers	Hangleton Lane has a history of flooding and is dependent of 3 small diameter outlet pipes for the removal of run off. Unless the horse droppings are trapped efficiently they will block the road drainage outlet. The applicant has not demonstrated how run-off from any paved areas will be dispersed. West Sussex Highways may wish to comment.
Environment Agency	No objection subject to conditions controlling animal waste.

POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Outside Built-up Area Boundary

DEVELOPMENT PLAN POLICIES

West Sussex Structure Plan : DEV1, LOC1, LOC2, DEV3, NE8, NE14
Arun District Local Plan : GEN3, GEN4, GEN7, GEN16, DEV5

PLANNING POLICY GUIDANCE

PPS 1 - Delivering Sustainable Development
PPS 7 - Sustainable Development in Rural Areas
PPG 13 - Transport

POLICY COMMENTARY

The above policies combine to describe the development control criteria against which all proposals will be determined by the authority particularly with regard to the effect on the countryside.

COMMENT ON CONSULTATION RESPONSES

Noted

COMMENT ON REPRESENTATIONS RECEIVED

Whilst it is accepted that the north end of Hangleton Lane is single track, the applicant has supplied sufficient information to state that this access has been previously used for a garden contractor as a result of an appeal CON/FG/3/86.

ASSESSMENT OF PROPOSAL

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 PPS7 states that equestrian activities should be encouraged to help diversify rural economics. The former use of the land is agricultural therefore livery activities are a diversification of an agricultural use.

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

The proposal to erect new stables for livery purposes will not cause any demonstrable harm. The area is already one of livery stables to the south of the site and there are paddocks on site for grazing horses. The buildings would be well screened by hedging. Whilst it is acknowledged that Hangleton Lane at this point is a single track lane which is difficult for vehicles, pedestrians and horses to negotiate, County Highways do not wish to raise an objection given an Inspectors decision previously on the site when this access was used as part of MacIntyres agricultural business. Given this history County Highways would not wish to defend a refusal at appeal. Government policy is to recognise that agricultural practices have changed and that farmers need to diversify into related activities in order to maintain rural economics. PPS 7 encourages equestrian activities. A livery or any equestrian activities is recognised as a diversification and therefore it is recommended that the application is approved subject to the conditions set out overleaf.