



SUPPORTING STATEMENT

Application for Certificate of Lawful Existing Use or
Development – Use of existing indoor riding arena
for dog agility training classes – Land at Ferring
Country Centre, Rife Way, Ferring, West Sussex
BN12 5JZ

October 2021 v.1

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1. Introduction

- 1.1 This supporting statement has been prepared by Ferring Country Centre in support of an application made to Arun District Council under section 191 of the Town & Country Planning Act 1990 for a certificate of lawful existing use and development (CLEUD) in respect of the use of an existing indoor rising for dog training and agility classes.
- 1.2 The application for a CLEUD is made in response to correspondence [REDACTED] from Arun District Council's planning compliance team dated 21 September 2021. That correspondence advises that planning permission does not exist for the use of the land at the Centre for dog agility training classes.
- 1.3 The statement sets out the case for considering whether the use of land for dog agility training classes in the absence of planning permission is now lawful by virtue of the fact that the land use has been ongoing for a period of greater than 10 years.

2. The site and the surrounding area

- 2.1 Ferring Country Centre is an independent charity providing access to training and development opportunities and associated care and support for adults with learning disabilities. The Centre was established in 1986 when a group composed of the parents of adults with learning disabilities acquired the site of a former riding school. The Centre was established to provide opportunities for its customers to engage in a range of activities beneficial to their physical and mental wellbeing and to their development of independent life-skills, including horticulture, animal husbandry and horse care and riding. The Centre now hosts a range services and facilities open to the general public that operate on a commercial basis, generating income streams that are independent of state support and allowing further investment in the facilities and services offered to our core customers.
- 2.2 The Centre occupies a site that extends to a total area of c.12.8 hectares of which the majority is comprised of fields in grazing use by the Centre's animals partitioned by a combination of post and rail and post and wire fencing. The site is located at the western end of Rife Way and lies to the immediate west of the settlement boundary of the village of Ferring. The site is dissected by the Ferring Rife, which separates four fields and the site access road to the east from the main part of the site to the west of the watercourse.
- 2.3 The developed area of the site extends to c.2.3 hectares and is situated in the eastern part of the site to the west of the Ferring Rife. The developed part of the site is occupied by a mixture of buildings and structures. The indoor riding arena, for which planning permission (ref. FG/28/93) was granted subject to conditions in 1993, has a footprint of c.970 square metres and is situated immediately to the west of the main building which houses the Centres offices, welfare and training facilities and the stables and associated storage areas. The building that houses the indoor riding arena is steel framed and clad and has an appearance characteristic of agricultural buildings. The indoor school is accessible from the stables situated in the main building.
- 2.4 The Country Centre is located within the East Preston to Ferring gap between settlements. That gap separates the village of Ferring in the east from that of East Preston in the west and includes land to the north of the A259 (Littlehampton Road) and the east of the A280 (Angmering Bypass) up to the borough boundary with Worthing to the east and with the South Downs National Park to the north. The land to the west and south of the Country Centre is predominantly in

agricultural use, interspersed with residential properties and land in private equestrian use. To the north the Country Centre is bounded by the Portsmouth to Brighton main rail line, beyond which is land in residential or retail use with the route of the A259 (Littlehampton Road) further north. To the east the Country Centre's land adjoins the Onslow Caravan Park and the settlement boundary of the village of Ferring. Access to the Country Centre is achieved via Rife Way which is subject to residential development and connects the centre to the main centre of the village of Ferring.

- 2.5 The Country Centre site is not subject to any landscape, ecological or heritage designations. The Ferring Rife and its associated corridor which separates the main part of the Centre to the west from the four fields and access road to the east is designated as a Site of Nature Conservation Importance (SNCI). The closest Listed Building from which the Country Centre and could be visible is situated 730 metres to the south and is separated from the Centre by intervening farmland of a flat and open character. The Country Centre is located c.1.1 kilometres to the south of the boundary of the South Downs National Park. The Country Centre site is dissected by a number of public footpaths.
- 2.6 Parts of the Country Centre site are located within the floodplain of the Ferring Rife, a main river that is subject to management by the Environment Agency. To the west of the Ferring Rife the south-eastern corner of the Country Centre site – the area occupied by the main car park – is subject to a combination of Zone 2 (0.1-1.0% AEP) and Zone 3 (>1.0% AEP) fluvial flood risk. The majority of the main site to the west of the Ferring Rife is classed as Zone 1 (<0.1% AEP) for fluvial flood risk. To the east of the Ferring Rife the fields to the south of the Country Centre access road as classed as Zone 3 (>1.0% AEP) for fluvial flood risk with those to the north of the access road and the road itself classed as a combination of Zones 3, 2 and 1.

3. The development

3.1 The development that is the subject of this application is the use of land (the indoor riding arena) at the Country Centre for the provision of dog agility training classes.

3.2 The application is made on the basis that condition 3 of planning permission ref. FG/28/93 for the construction of the indoor riding arena limits its use as follows:

“The proposed building shall be used for riding and training by and for the mentally handicapped and disabled only and for no other purpose.”

3.3 The indoor riding has been used for the provision of dog agility training classes by an external provider since October 2000. We therefore consider the 10 year rule applies in this instance as the activity constitutes a change of use from the uses for which permission was granted by planning permission ref. FG/28/93.

4. Case for approval of Certificate of Lawful Existing Use and Development

- 4.1 The following information is relevant to this application. Ferring Country Centre was established on the wider site within which the application site is located in 1986. The site was formerly used as a commercial riding school. In 1993 planning permission (ref. FG/28/93) was granted for the construction of a building to house an existing riding arena. That building is shown on plan ref. 1 and houses the established indoor riding arena. Condition 3 of Planning Permission ref. FG/28/93 limits the use of the indoor riding arena to the provision of riding and training for people with learning or physical disabilities.
- 4.2 In October 2000 the use of the indoor riding arena for dog agility classes commenced. The classes are run by an external provider, Highdown Agility. Letters from the former and current operators of Highdown Agility are attached in support of this application confirming that the use of the indoor riding arena for the provision of dog agility training classes has been continuous since October 2000.
- 4.3 In the interests of clarity and for the avoidance of doubt it should be noted that the Covid-19 global pandemic, which commenced in late 2019 and has been ongoing to date, resulted in temporary cessation of the use of the indoor riding arena for dog agility training. This was due to the need for all UK citizens to comply with Government guidance during the lockdowns that were introduced to reduce avoidable social contact and quell the spread of the Covid-19 virus. Dog agility classes have recommenced at the Centre throughout the pandemic period when permitted in accordance with Government guidance on the reopening of society.

5. Conclusion

- 5.1 Ferring Country Centre is seeking a CLEUD in respect of the use of the indoor riding arena for the provision of dog agility training classes. The use of the arena for such purpose commenced in October 2000 and has been ongoing since, excepting temporary cessations as required by Government in response to the Covid-19 global pandemic. Given the length of time for which the indoor riding arena has been used for dog agility training that use is now lawful.
- 5.2 The Country Centre therefore requests that this application be approved and a Certificate of Lawful Existing Use and Development be granted in respect of the use of the indoor riding arena for the provision of dog agility training classes.

