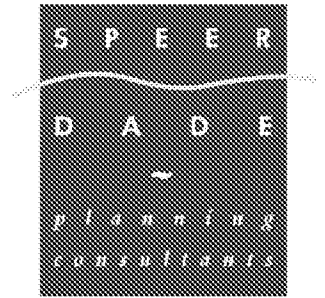


PLANNING STATEMENT

EASTLANDS, LITTLEHAMPTON ROAD FERRING BN12 6PB



1 INTRODUCTION

- 1.01 This statement accompanies a planning application for the temporary stationing of a residential caravan at this site. The site plan shows the preferred siting for the caravan.
- 1.02 This application is made after the refusal of outline planning application FG/26/15/OUT for the erection of a four bedroom equestrian dwelling. A number of points were raised by the council's agricultural consultant and this application, in particular the applicant's further statement, deals directly with those matters. Given the points raised in the previous application and importance of living on site to the continuation of the business, the applicant has decided to apply for a temporary dwelling.

2 LOCATION & DESCRIPTION

Location

- 2.01 The application site is on the north side of Littlehampton Road (A259) between the junctions with the A280 and A2700. The site is set back from the road about 200m.

Application site

- 2.02 The site comprises an approximately rectangular piece of land extending to about 0.4 ha, and the site of the existing caravan, which is part of a 12 ha land holding owned by the applicants. The main part of the site is level and mostly grass. At the south-western corner, there is a timber gazebo with timber deck and, in front of that, a pond. There is an access point into the application site

at the centre of the northern boundary with a stone chipping track leading to a similarly surfaced area at the eastern end of the site. At the eastern end of the site are two cart-style two-bay timber garages with hipped pitched roofs. An area of the site between the garages and access point is used currently for storage of items and equipment associated with construction of the barn. The application site includes the adjoining area where the caravan occupied by the applicant and a storage container are currently sited.

- 2.03 The boundaries are marked by timber fences and substantial maturing planting. At the eastern end of the site there is a row of evergreen trees and row of taller deciduous trees beyond that.
- 2.04 Access to Eastlands is via an access track from the northern carriageway of Littlehampton Road.

Surroundings

- 2.05 Immediately to the north of the application site is the surfaced car parking area for the equestrian business. In this area, there are horse lorries and equipment. Beyond that is the large equestrian building with a sand school at its western end. To the north of the building there are paddocks owned by the applicant. The land rises to the north up to Highdown Hill.
- 2.06 To the west is a paddock owned by the applicant and, beyond that, paddocks in other ownership. South-west of the application site is Lansdowne Nursery. To the south of the site is Highdown Vineyard. To the east is an area of land and then a number of commercial premises.

Public rights of way

- 2.07 The access drive to Eastlands and track which leads up towards Highdown Hill is a public footpath. A bridle way runs across the northern end of the applicant's ownership. The access road to the commercial premises east of the application site and the track which continues from that is a bridle way. There are various public rights of way on Highdown Hill.

3 PLANNING BACKGROUND

Eastlands

- 3.01 According to the council's website record of planning applications, there have been a number of planning applications at Eastlands. These include the following.
- 3.02 Planning application FG/84/09 for a foaling unit and livery stables was approved in October 2009, with amendments FG/43/11, FG/45/11/NMA and FG/21/12 approved in June 2011, April 2011 and April 2012. The officer's report in respect of FG/84/09 stated:

The proposal would blend into the landscape and the design of the building is appropriate to its stabling use and countryside location. ... It would be screened by a 10m wide landscaping strip to the north and east with trees and a native understorey comprising mainly indigenous species and the trees would be standard trees with 10 - 12 cm girth. ... To conclusively establish that a terraced area and planning scheme formed an effective way of ensuring that there would be no adverse visual effect when viewed from Highdown Hill, the Ancient Scheduled monument, public footpath 2138 or bridleway 2140, a report was commissioned by the applicant. The stable building was designed to fit within the area identified in the survey as 'not visible'. Screening of between 4m and 4.65m would be adequate to shield a building of 6m height.

- 3.03 According to the report, the South Downs Joint Committee consultation response included:

The open grassed areas on the lower slopes of Highdown Hill do contribute to its character, and it is a pity that this development would result in their further loss and fragmentation. However, I consider that the amenity of Highdown Hill is due more to its elevated position and consequent views, and the lack of development actually on the Hill itself. There are also other large scale buildings in the vicinity, as well as the residential areas to the south. ... It is not considered, therefore, that the proposed development need have such an impact on the National Park as to warrant an objection, provided there are certain safeguards. ...

- 3.04 Planning application FG/22/10 to remove condition 7 of FG/84/09, in effect to station a mobile home, was refused in June 2010. Planning application FG/104/10 for temporary siting of a caravan and storage container was approved in October 2010. Planning application FG/41/14/PL, in effect to allow retention of a mobile home on the site for occupation by the owner, was approved in July 2014. Planning application FG/110/14/PL for two carports and a gazebo was refused in October 2014.
- 3.05 Outline planning application FG/26/15/OUT for the erection of a four bedroom equestrian dwelling was refused on 7 April 2015. Three reasons were given which in summary were that it had not been demonstrated that there was an essential need for the dwelling, the proposal would be an intrusion in the countryside and the Angmering to Worthing gap would be harmed.

Other sites

- 3.06 Planning permission FG/99/00 for the erection of a worker's cottage at Highdown Vineyard (south-east of the application site) was granted at appeal in April 2001.
- 3.07 Outline Planning permission FG/49/99 for one dwelling to replace a mobile home for an agricultural worker at Lansdowne Nursery (south-west of the application site) was granted at appeal in December 1999 and was renewed (FG/103/02) in November 2002.
- 3.08 Planning permission FG/80/00 for an agricultural chalet bungalow and garage at McIntyres Nursery (east of the application site) was granted at appeal in April 2001.

4 PLANNING POLICY

NPPF

- 4.01 Relevant guidance in the NPPF includes the following paragraphs:
- 7 three dimensions to sustainable development: economic, social and environmental
 - 14 presumption in favour of sustainable development; approving development proposals that accord with the development plan

- 17 proactively drive and support sustainable economic development; secure good standard of amenity for occupants; conserve and enhance natural environment
- 28 support economic growth in rural areas; promote the development of land-based rural businesses
- 55 avoid new isolated homes in the countryside unless there are special circumstances such as the essential need for a rural worker to live permanently at or near their place of work in the countryside
- 187 local planning authorities should look for solutions rather than problems
- 197 local planning authorities should apply the presumption in favour of sustainable development in assessing and determining development proposals

PPS7 Annex A

- 4.02 Although this guidance was cancelled when the NPPF was published, it has been referred to in appeal decisions where it has been given some weight as a material consideration. The guidance sets out criteria including a functional test, for example, workers needed to be on hand day and night in case animals require essential care at short notice, evidence of a firm intention to develop the enterprise, the business has been planned on a sound financial basis, the need cannot be met by existing dwellings and other planning requirements, such as access and countryside impact would be satisfied.

Local Plan 2003

- 4.03 The proposals map shows the site to be outside the Built-up Area.
- 4.04 Policy GEN2 states that outside the Built-up Area boundaries, development will not be permitted unless it is consistent with other local plan policies. Policy GEN3 says that the countryside will be safeguarded for its own sake and development will not be permitted unless for the diversification of the rural economy or is in accordance with other plan policies referring to a specific use or type of development.

Arun Local Plan 2011-2031 Publication Version October 2014

- 4.05 Policy C SP1 states that, outside the Built-up Area boundary, the countryside will be safeguarded for its own sake and development will not be permitted

unless it is for operational needs of agriculture or diversification of the rural economy, or in accordance with other policies in the plan.

- 4.06 Policy LAN DM1 says that development will be permitted where landscape character is conserved or enhanced and it does not have a negative impact upon the setting of, or upon views into and out of South Downs National Park.
- 4.07 Policy H DM3 sets out criteria for temporary agricultural and forestry dwellings, which will be granted if a new dwelling is essential to support a new activity:
- a. Evidence of a firm intention and ability to develop the enterprise
 - b. Demonstrate a functional need; essential for the proper functioning for one or more workers to be readily available at most times
 - c. Evidence the enterprise has been planned on a sound financial basis
 - d. Functional need could not be fulfilled by another existing dwelling on the unit or other accommodation in the area
- 4.08 Policy SD SP3 aims to protect gaps between settlements, including the defined gap between Angmering and Worthing where the site falls. Development will be permitted if, amongst other circumstances, it cannot be located elsewhere.

Ferring Parish Neighbourhood Plan 2014-2029

- 4.09 Policy 7: Land North of Littlehampton Road, encouragement of existing rural business, says that the neighbourhood plan will support development where visual impact is minimised, new buildings are located as part of the existing clusters of buildings and measures are proposed to improve the setting and/or screening of the development within its wider setting of the National Park.

5 ASSESSMENT

Main issues

- 5.01 Having regard to the preceding factors, the main issues are:
- Principle
 - Functional test
 - Financial planning

- Intention
- Existing dwellings
- Landscape
- Access
- Flood risk and drainage
- Gap

Principle

- 5.02 The site is in the countryside where new dwellings would not normally be permitted. However, paragraph 55 of the NPPF allows for new dwellings in the countryside where there is an essential need for a rural worker to live at a place of work. Draft policy H DM3 of the emerging local plan allows for agricultural dwellings and sets out criteria which are broadly consistent with former guidance in PPS7 Annex A.
- 5.03 Paragraph 28 of the NPPF encourages rural business, neighbourhood plan policy 7 provides encouragement of existing rural business in this location, subject to detailed criteria, and local plan policy GEN3 allows for diversification of the rural economy. The proposed development would support rural business.
- 5.04 A temporary dwelling would be acceptable, in principle, if it would meet an essential need for a worker to live at the equestrian business. For convenience, the criteria of cancelled Annex A of PPS7 are used in the following assessment but limited weight can be attached them because they are not in the NPPF or PPG. The criteria are similar to those in draft local plan policy H DM3 but since this does not reflect government policy and has not yet been tested through examination, little weight is attributed to it.

Functional test

- 5.05 The applicant's statements explain why it is essential for someone to be on hand day and night for the proper functioning of the enterprise. The number and nature of the horses concerned and foaling require care at short notice, year round and at all times of day and night. The need to protect horses from theft or injury also contributes to the welfare grounds. The essential need is supported by The Arundel Equine Hospital, other equine enterprises and numerous customers of the business. It is clear from the applicant's evidence that the proposed business could not thrive without on-site accommodation.

The applicant has explained why a shift system would not be viable or practical. The functional test would be met.

- 5.06 When granting planning permission for the livery and foaling unit (FG/84/09), it is clear from the officer's report that the council understood 24 hour presence at the unit was required. At that time, the applicant also owned Hangleton Farm and, as a result of the council's opposition to a dwelling being provided initially at Eastlands, came up with a plan to service the livery and foaling unit from Hangleton Farm.

Financial planning

- 5.07 The business that operates the Eastlands equestrian unit, run by the applicant for over 30 years, previously operated an equestrian business from the adjoining Hangleton Farm. Therefore, the applicant and his business have a long record of trading successfully in the equestrian industry, prior to the financial crisis and recession. The applicant has produced a financial projection for Eastlands, based on his long experience and knowledge of the equestrian industry. This shows that the enterprise is expected to generate a good level of profit, even after allowing for wages of four full-time workers. The profits shown could also cover re-payments on a dwelling in due course.
- 5.08 The applicant's equestrian business has been established for many years and was profitable for many years before the recession. The applicant's statements demonstrate a clear business model to provide services to a niche at the top end of the equestrian market. The indications of demand for the services suggest very good prospects for generating the levels of income and profit anticipated.

Intention

- 5.09 The applicant's statements show he has made substantial investment in building the livery and foaling unit and associated facilities to a very high standard and creating the enterprise. The applicant's track record in the equestrian industry demonstrates his ability to develop the enterprise.

Existing dwellings

- 5.10 There is no dwelling or building suitable for conversion to a dwelling at Eastlands. The applicant's statements explain in great detail why his previous premises at Hangleton Farm had to be sold, why it was not possible to retain

some or part of them and why it was necessary to include the dwellings there with the remainder of the holding. Consequentially, the essential need for 24 hour presence at Eastlands cannot now be met from Hangleton Farm. The applicant has also explained why a dwelling needs to be close to the unit, that is, within sight and sound and within the range of monitoring equipment. This would preclude a worker living in an existing dwelling farther away, for example south of Littlehampton Road, and would have precluded living in the Hangleton Farm dwellings, had that been feasible.

Landscape

- 5.11 In views from the footpath to the west, a caravan would be screened by the planting on the southern and western application site boundaries. To the extent it would be seen, it would be against the backdrop of the evergreen and taller deciduous trees to the east, closely associated with the equestrian building and in context with the building at Highdown Vineyard.
- 5.12 From the north, the caravan would be screened by the planting on the north side of the equestrian building and, while that planting continues to establish, by the building itself. In views from the north, there are various large-scale and less well screened buildings visible in the vicinity, as well as the residential areas to the south.
- 5.13 In views from the bridleway to the east, the caravan would be screened by the buildings and planting behind the buildings on the west side of that access road.
- 5.14 From Littlehampton Road to the south, the caravan would be screened by trees and hedges adjoining the road and by the establishing planting on the southern application site boundary. To the extent it would be seen, it would be against the equestrian building beyond.
- 5.15 The adjoining equestrian building was deemed to be acceptable in the landscape. A caravan located close to the equestrian building, would have much less impact.
- 5.16 The proposal would comply with the criteria of policy 7 of the neighbourhood plan, with paragraph 17 of the NPPF and with draft local plan policy LAN DM1.

Access

- 5.17 The existing access point and drive would be used. The level of vehicle movements generated by a dwelling would be likely to be less than it would be without a dwelling. Mr & Mrs Ellis would be travelling to the unit every day and there would be additional journeys for out of hours visits. In any event, the number of movements generated by a dwelling would be small relative to that generated by the equestrian activity.

Flood risk and drainage

- 5.18 According to the council's flood plan map and the Environment Agency website, the area is liable to flood risk. Foul drainage would be to the existing Kingspan Klargester sewage treatment plant, which serves the equestrian building and has sufficient operational capacity to accommodate the discharge from the proposed caravan. The applicant has an Environment Agency environmental permit for the treatment plant.

Gap

- 5.19 A dwelling to serve the enterprise needs to be adjacent to the livery and foaling unit. One of the circumstances in which draft policy SD SP3 allows development in gaps between settlements is where it cannot be located elsewhere. That is the case here.

6 CONCLUSIONS

- 6.01 Paragraph 55 of the NPPF requires only that there is an essential need for a rural worker to live permanently at or near his or her place of work in the countryside to justify a dwelling. The applicant has demonstrated this to be the case. Twenty-four hour presence is necessary to provide essential care for horses and for foaling. Despite it not being a requirement of government policy, the applicant has shown comprehensively why retaining some or part of Hangleton Farm was not a solution. The proposal meets the criteria of cancelled Annex A of PPS7 and draft local plan policy H DM3.
- 6.02 The proposal represents sustainable development, contributing to the rural economy and the success of an existing business, and thereby supporting a vibrant community, without having an unacceptable impact on the

environment. The consequence of not being able to live on site would be to jeopardise the future and existence of the business. The presumption in favour of sustainable development applies.

- 6.03 The application proposal would not conflict with development plan policy and there are no material considerations which indicate planning permission should be withheld.

18 May 2015

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