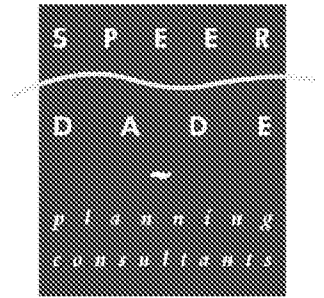


PLANNING STATEMENT

EASTLANDS, LITTLEHAMPTON ROAD FERRING BN12 6PB



1 INTRODUCTION

- 1.01 This statement accompanies a planning application for the erection of an equestrian dwelling and retention of a gazebo and two carports at this site.

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 main site comprises an approximately rectangular piece of land extending to about 0.4 ha, which is part of a 12 ha land holding owned by the applicants. The site is level, partly surfaced and partly 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 main 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 which were associated with construction of the barn.
- 2.03 The boundaries are marked by timber fences and substantial planting. At the eastern end of the site there is a row of evergreen trees and row of taller deciduous trees beyond that. On the boundary to the north of the proposed

siting of the dwelling are Populus Candicans Aurora (Ontario Poplar), currently about 7-8m high.

- 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. 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 bridleway 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 bridleway. There are various public rights of way on Highdown Hill.

Proposal

- 2.08 The dwelling would be located within the well-screened area, as envisaged at the time of the previous appeal (see following section), which was endorsed by the inspector.
- 2.09 The proposed dwelling would be a modest three-bedroom bungalow with low ridge height, designed to match the adjoining equestrian building. It would have a U shape with an open-plan living/dining/kitchen area served by windows in the south, west and north elevations. The bedrooms would be in the projecting wings with a utility/plant room in the north-east corner. The elevations would be clad in horizontal timber boarding and the pitched roof would be covered with tiles.
- 2.10 Energy and water saving measures could include:

- locally sourced materials, where possible
- maximising passive solar gain
- using a local contractor and trades people
- use of FSC timber
- insulation specification at least to meet current standards
- minimising thermal bridging
- low-energy light fittings
- individual area temperature control
- means to encourage natural ventilation
- AA rated appliances, where possible
- water efficient WCs
- water butts to collect rainwater
- low flow aerated taps
- implementation of a waste management scheme during construction, including re-use and re-cycling of materials

3 PLANNING BACKGROUND

Applications

- 3.01 According to the council's website record of planning applications, there have been a number of planning decisions at Eastlands. These include planning application FG/84/09 for a foaling unit and livery stables, 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.
- 3.02 Most relevant to this application is planning permission FG/84/15/PL, which was granted at appeal on 21 September 2016, for the temporary stationing of a residential caravan.
- 3.03 The inspector considered that the equestrian building, together with the existing tree planting, would sufficiently screen a single-storey dwelling with a low-pitched roof from Highdown Hill and the South Downs National Park. The inspector went on to say that the existing planting around the site would reduce any adverse effect on views from other directions, as would the fact that from many viewing points the new smaller structures would be seen against the bulk of the equestrian building (paragraph 9).

- 3.04 The inspector concluded that the scale and nature of the enterprise proposed does give rise to an essential need for a worker to live on the site (paragraph 16). The inspector declined to approve a permanent dwelling only because of what he perceived as an absence of a sufficient period of documented successful operation of the enterprise in its proposed form (paragraph 12).

Pre-application consultation

- 3.05 Pre-application consultation was undertaken between August and November 2019. The consultation included design, siting, size and layout of the proposed development.
- 3.06 The written response was dated 11th October 2019. The letter concluded that; *'were an application for planning permission to be submitted it would be likely to be approved subject to a Business Viability Statement'*.

4 FINANCIAL BACKGROUND

- 4.01 The following financial information is attached:

- Company accounts for the last three years, ending March 2017, March 2018 and March 2019, prepared by Chartered Accountants, MHA Carpenter Box – **appendices A, B & C**
- Email from MHA Carpenter Box, dated 5 December 2019, confirming that these accounts are the final published accounts – **appendix D**
- Letter from British Gas setting out solar panel Feed in Tariff payment between November 2017 and September 2019 – **appendix E**
- Budget building cost from supplier, Oakland Vale Limited – **appendix F**
- Spreadsheet demonstrating business viability and ability to fund the proposed development – **appendix G**

- 4.02 In connection with the Feed in Tariff payments, a faulty meter was changed at the end of 2017 and British Gas deleted its records prior to the installation of the new meter. British Gas informed the applicants that sunshine levels in the

South of England in 2017 were similar to those in 2018 and so the payments made in 2017 would have been similar to those made in 2018.

5 PLANNING POLICY

NPPF

5.01 Relevant guidance in the NPPF includes the following paragraphs:

- 11 presumption in favour of sustainable development; approving development proposals that accord with the development plan
- 79 avoid new isolated homes in the countryside unless there are special circumstances such as a) the essential need for a rural worker to live permanently at or near their place of work in the countryside
- 83 enable sustainable growth and expansion of business in rural areas; enable the development of land-based rural businesses

Planning Practice Guidance

5.02 Housing needs of different groups, paragraph 10, says that relevant considerations when applying NPPF paragraph 79a could include the degree to which there is confidence that the enterprise will remain viable for the foreseeable future.

Arun Local Plan 2011-2031

5.03 The proposals map shows the site to be outside the Built-up Area and within the Angmering to Worthing Gap Between Settlements.

5.04 Policy SD SP2 says that development should be focused within the Built-Up Area. Policy C SP1 states that development will be permitted where it is for the diversification of the rural economy or in accordance with other policies in the plan.

5.05 Policy SD SP3 permits development within a Gap Between Settlements where it would not undermine the physical and/or visual separation of settlements, would not compromise the integrity of the gap and cannot be located elsewhere.

- 5.06 Policy LAN DM1 requires development within the setting of the South Downs National Park to have special regard to the conservation of that setting, including views into and out of the Park.
- 5.07 Policy H DM3 sets out criteria for permanent rural workers' dwellings. These include:
- a. There is a clearly established existing functional need
 - b. The unit and the activity concerned have been established for at least three years, have been profitable for at least one of them, are currently financially sound, and have a clear prospect of remaining so
 - e. The size is commensurate with the established functional requirement
 - f. The siting meets the identified functional need and is well-related to existing farm buildings
- 5.08 Policy D DM1 concerns aspects of design and lists factors such as character, appearance, trees and woodland, solar gain and scale.
- 5.09 Policy D DM2 applies the nationally described space standards.
- 5.10 Policy ENV DM4 concerns protection of protected trees and those contributing to local amenity. Policy ENV DM5 seeks net gains in biodiversity such as including bat or bird boxes in developments.
- 5.11 Policy ECC SP2 expects all residential development to be energy efficient.

Ferring Parish Neighbourhood Plan 2014-2029

- 5.12 Policy 1A allows for development outside the built-up area boundary which accord with development plan.
- 5.13 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.
- 5.14 Policy 10 encourages sustainable drainage design.

6 ASSESSMENT

Main issues

6.01 Having regard to the preceding factors, the main issues are:

- Principle
- Financial test
- Design
- Size of dwelling
- Landscape
- Trees
- Biodiversity
- Flood risk and drainage
- Sustainable construction
- Bin storage/waste collection

Principle

- 6.02 The principle of a permanent dwelling was established in the previous appeal, subject only to our client showing a sufficient period of successful operation. This has now been done.
- 6.03 Development plan policy H DM3 permits rural workers' dwellings subject to criteria, which will be explored below. Paragraph 79 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.
- 6.04 Paragraph 83 of the NPPF encourages rural business. Neighbourhood plan policy 7 provides encouragement of existing rural business in this location, subject to detailed criteria. The proposed development would support rural business.
- 6.05 A permanent dwelling would be acceptable, in principle, if the business has been established for at three years, has been profitable for at least one of those years and is currently financially sound and has a clear prospect of remaining so.

Financial test

- 6.06 The company accounts show the business has been profitable in each of the three complete trading years since the appeal decision was issued. The profits have increased year-on-year. In addition to trading income, the applicants also receive Feed-in Tariff from the solar panels on the roof of the equestrian building.
- 6.07 The applicant has obtained a building cost for the construction of the proposed bungalow and ascertained a likely mortgage rate on a loan of that amount.
- 6.08 The attached spreadsheet summarises the company accounts and shows adjustments to profits to add the Feed-in Tariff and deduct mortgage interest on the projected building costs. The spreadsheet demonstrates that the business is currently viable and would remain viable if it has to fund the construction of the proposed dwelling.
- 6.09 The applicant has run equestrian businesses at Eastlands and, before that, at the nearby Hangleton Farm, for well over 30 years. The applicant has a long record of trading successfully in the equestrian industry.
- 6.10 The equestrian business has been established for over three years, has been profitable for each of those years, is currently financially sound and has a clear prospect of remaining so. The profits of the business could cover mortgage repayments and so could sustain a dwelling of the size and type proposed. The proposal is in accordance with local plan policy H DM3 and with PPG.

Design

- 6.11 The proposed dwelling has been designed to match the equestrian building. The distances to other buildings are such that the dwelling would not be seen together with other structures. The traditional building form and materials are appropriate to a rural area. The main aspect of the dwelling would be to the south, thereby maximising potential for solar gain. The designs of the gazebo and carports are consistent with that of the proposed dwelling. The character, appearance and scale of the design reflects the context and complies with local plan policy D DM1.

Size of dwelling

- 6.12 The nationally described space standards specify a minimum gross internal floor area for a four-bedroom, six-person, single-storey house of 99 sq m. The proposed dwelling would be 170 sq m and so would meet the requirement of local plan policy D DM2. The applicant requires a three-bedroom dwelling to accommodate his family and to provide a spare bedroom for any overnight stays for employees, horse owners and/or vets when care is needed through the night. As noted above, the enterprise can sustain financially the size of dwelling envisaged. A three-bedroom bungalow would be an appropriate size in relation to the needs of the unit and would accord with local plan policy H DM3 e.

Landscape

- 6.13 The planning permissions for the equestrian building included a landscaping scheme which has been implemented. The applicant advises that the approved planting scheme was an integral and important part of gaining planning permissions FG/84/09 and FG/21/12. Three parties worked together on the scheme; the council's planning officers, the council's landscape design team and the county's arboricultural department.
- 6.14 The applicant commissioned a specialist land surveyor to produce a report which identified the height and density of planting required to completely screen the site when viewed from all aspects. The county council produced a list of hedging plants and trees to be used, all of which were native to this country and predominant in the locality. Consideration was also given to the location of the stable barn and dwelling in terms of non-invasive root structures, so that neither the trees nor the buildings would be compromised in the short or long term. The landscape design team produced the planting scheme to meet the various requirements and its implementation was completed in 2014. No further planting would be necessary.
- 6.15 In views from the footpath to the west, a single storey dwelling would be screened by the planting on the southern and western application site boundaries. To the extent it might 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.
- 6.16 From the north, the dwelling would be screened by the planting on the north side of the equestrian building and by the equestrian 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.

- 6.17 In views from the bridleway to the east, the dwelling would be screened by the buildings and planting behind the buildings on the west side of that access road.
- 6.18 From Littlehampton Road to the south, the dwelling would be screened by trees and hedges adjoining the road and by the established planting on the southern application site boundary. To the extent it might be seen, it would be against the equestrian building beyond.
- 6.19 The adjoining equestrian building was deemed to be acceptable in the landscape. This suitably-designed, single-storey dwelling, located close to the equestrian building, would have much less impact.
- 6.20 The inspector in respect of FG/84/15/PL stated that a single-storey building on the application site would be acceptable in landscape terms.
- 6.21 The proposal would comply with the criteria of policy 7 of the neighbourhood plan and with local plan policies SD SP3 and LAN DM1.

Trees

- 6.22 The applicant advises that the trees which would be closest to the proposed dwelling, on the northern application site boundary, are *Populus Candicans* Aurora. These were recommended for their screening quality and because their root system is not aggressive or invasive to building foundations. Once established, their root system (even if severely damaged) regenerate quickly with no adverse effect on the trees.

Biodiversity

- 6.23 The application site is already maintained as if it was garden and the western part comprises regularly mown grass. There is a gazebo and ornamental pond at the far western end of the site and a large surfaced area and two cart-shed garages at the eastern end. No buildings would need to be demolished or trees or hedges removed.

- 6.24 The council's ecology consultant advised, in an email dated 11 December 2019, that if the dwelling is to be built on the hard standing, the consultant did not consider an ecological survey is required.
- 6.25 The only external lighting proposed would be a light over the front door. This could be a directional light with shielding to minimise artificial light spill.
- 6.26 Bird boxes and bat boxes could be put up in some trees surrounding the application site to encourage wildlife, thus providing net gain in biodiversity in accordance with local plan policy ENV DM5. This can be secured by condition.

Flood risk and drainage

- 6.27 According to the council's flood plan map and the Environment Agency website, the area is not 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 dwelling. The applicant has an Environment Agency environmental permit for the treatment plant. Surface water would discharge to a sustainable drainage system formed of Polystorm Cell Crates, for which a percolation test has already been carried out.

Sustainable construction

- 6.28 The proposed dwelling would, as a minimum, comply with current building standards and incorporate the energy and water efficiency measures set out at paragraph 2.10. The proposal would comply with local plan policy ECC SP2.

Bin storage and collection

- 6.29 The applicant, who already lives on the site with his family, currently takes bins from the buildings area to the entrance on Littlehampton Road for collection. The same arrangement would continue under this proposal. The site layout plan shows the location of bin storage.

7 CONCLUSIONS

- 7.01 The proposal meets the criteria of local plan policy H DM3, NPPF paragraph 79a and PPG, Housing needs of different groups, paragraph 10. The principle of erecting a permanent dwelling and retaining the gazebo and carports was established in the previous appeal, subject only to the applicant showing a sufficient period of successful operation. The financial information submitted demonstrates the successful operation of the business and its ability to fund the proposed development.
- 7.02 The application proposal would accord with development plan policy and there are no material considerations which would indicate planning permission should be withheld. The presumption in favour of sustainable development which accords with the development plan applies.

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