

**PLANNING APPLICATION REPORT**

**REF NO:** FN/36/11/

**LOCATION:** Soldiers Field Stables  
Soldiers Field Lane  
Findon

**PROPOSAL:** Regeneration of dilapidated stableyard & associated buildings, comprising 1 no. holiday cottage, 2 no. new dwellings (together with replacement dwelling, ancillary stables & storage barn as previously permitted under FN/37/09/) to include revised vehicular access arrangements to provide separate access for stables - amendment to refusal FN/83/10/ (This application is a Departure from the Development Plan & lies within the South Downs National Park Authority)

**SITE AND SURROUNDINGS**

**DESCRIPTION OF APPLICATION**

The proposal relates to amendments to part of the site which comprised planning permission FN/37/09. The area to the north where a 4 bed farmhouse, annexe, 8 x stables, and ancillary staff accommodation were approved is included in this application, but has already been approved although the staff annexe has been re-orientated.

This application involves alterations to the repositioning of the approved storage barn to the east, deletion of stables to serve the holiday lets, change in shape and design of the holiday cottages, deletion of detached garages and two holiday cottages and three bed cottage and amendment of four bed barn and garaging. The development is now located further from the western boundary in order that a new vehicular access and drive can be provided to serve the earlier approved development to the north.

**SITE AREA**

0.215 hectares.

**RESIDENTIAL DEVELOPMENT DEN**

18.6 dwellings per hectare.

**TOPOGRAPHY**

On slightly rising land. Land continues to rise gently outside of the site up to Cissbury Ring.

**TREES**

None of any significance affected by the proposed development.

**BOUNDARY TREATMENT**

Trees around boundary and on the periphery mainly Cupressus type trees to front boundary area. Gates to the site are approximately 2.5 metres high. There is some walling to the site entrance. Otherwise the existing buildings form boundaries of the site.

**SITE CHARACTERISTICS**

Former stable yard fallen into disrepair, informally occupied. Dwelling on site and many stables, the entrance to the site enters onto a courtyard. Buildings number some 14 on the site and high on fill the whole site with built form. Indeed, the areas between the buildings are generally concrete paths/access. Existing vehicular access into the site off of Soldiers Field Lane. One of the buildings on site fronts onto the Lane, also in poor condition. Most of the buildings are single storey although there is a two storey barn structure in the centre of the site which has vehicular access and walk way through it to the northern part of the site. The buildings effectively are on four sides of the site. Most are blockwork with corrugated roofs. Site very visible from the public right of way and in particular from Cissbury Ring.

**CHARACTER OF LOCALITY**

Within National Park and located outside the Built Up Area Boundary, adjacent to rights of way. However the site reads as if it were in the Built Up Area Boundary as the road that leads to the site has residential properties off to the south and west of the site. Most of the dwellings within the near locality are generally large, detached and 2 storey properties. There are public rights of ways and bridle ways leading off the site and close to the site. Cissbury Ring lies to the east of the site.

**RELEVANT SITE HISTORY**

|              |                                                                                                                                                                                           |                         |
|--------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|
| FN/33/95/CLE | Application for Certificate of Lawfulness for existing use as 2 No. residential caravans                                                                                                  | Refused<br>10-09-1996   |
| FN/59/01/    | Outline application for redevelopment of part redundant racing stables with 5 No. detached dwellings (Departure from the development plan)                                                | Withdrawn<br>12-12-2001 |
| FN/14/03/    | Demolition of a six bedroom detached dwelling and 1.605 sq mtrs (17.276 sq ft) of commercial buildings and the erection of four detached dwellings (Departure from the Development Plan). | Refused<br>10-09-2003   |
| FN/74/03/    | Change of use for the conversion of former stables and storage buildings to B1 business use and B8 storage use                                                                            | Refused<br>27-01-2004   |
| FN/45/59     | Outline application for detached houses or bungalows                                                                                                                                      | Refused<br>18-09-1959   |

|           |                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                  |
|-----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------|
| FN/74/04/ | Demolition of a 6 bedroom detached dwelling and 1.605m2 of commercial buildings and the erection of 4 detached dwellings. Departure from the Development Plan.                                                                                                                                                                                                                                                              | Refused<br>11-05-2005<br><b>Appeal: Dismissed<br/>24 07 2006</b> |
| FN/37/09/ | Regeneration of dilapidated stable yard and associated buildings comprising replacement dwelling with ancillary stable yard and storage barn, 3 no. holiday cottages and 2 no. residential dwellings. (Departure from the Development Plan)                                                                                                                                                                                 | Approve Cond<br>12-08-2009                                       |
| FN/83/10/ | Regeneration of dilapidated stable yard & associated buildings comprising 3no. holiday cottages & a new residential dwelling (together with replacement dwelling & ancillary stable yard & storage barn as previously permitted under ref FN/37/09) in lieu of 2no. detached dwellings & to include revised vehicular access arrangements to provide separate access to serve stables - Departure from the Development Plan | Refused<br>11-03-2011                                            |
| FN/6/67   | Block of 6 stables                                                                                                                                                                                                                                                                                                                                                                                                          | Approve<br>10-03-1967                                            |
| FN/4/70   | Stable boys accommodation                                                                                                                                                                                                                                                                                                                                                                                                   | Approve<br>24-04-1970                                            |
| FN/24/70  | Racing stables                                                                                                                                                                                                                                                                                                                                                                                                              | Approve<br>05-06-1970                                            |
| FN/28/70  | Racing stables                                                                                                                                                                                                                                                                                                                                                                                                              | Approve<br>10-07-1970                                            |
| FN/34/71  | Staff accommodation                                                                                                                                                                                                                                                                                                                                                                                                         | Approve<br>24-07-1971                                            |
| FN/41/72  | Additional stabling                                                                                                                                                                                                                                                                                                                                                                                                         | Approve<br>04-08-1972                                            |
| FN/5/73   | Racing stables                                                                                                                                                                                                                                                                                                                                                                                                              | Approve<br>02-03-1973                                            |

## REPRESENTATIONS

### Representations received:

Findon Parish Council

No objection, but are greatly disappointed and saddened by the proposed alterations from the previous approval FN/37/09. Commercial aspect has been reduced. Likely that there will

be a request in the future to change the holiday let to permanent residency.

One letter of representation:

South Downs Society:

No objection. Request additional planting of indigenous trees and shrubs would be beneficial to provide visual screening of the site from the surrounding countryside.

**Comments on Representations received:**

A landscaping condition is suggested. Whilst the number of holiday lets has been reduced this is offset by the amount of the development and footprint of the building in this rural location which has consequently been reduced.

**CONSULTATIONS**

WSCC Local Development Divis.

**Consultations responses received:**

County Highways:

No highway objections. Informations and conditions should be applied as suggested under FN/37/09.

County Archaeologist:

No objections

**Comments on Consultation responses:**

Comments noted.

**POLICY CONTEXT**

Designation applicable to site:

Designation applicable to site:

National Park

Outside the Built-up Area Boundary

Public Right of Way

**DEVELOPMENT PLAN POLICIES**

South East Plan:

[SEPTSR2](#)  
[SEPTSR5](#)  
[SEPC2](#)

Rural Tourism  
Tourist Accommodation  
South East Plan- Policy C2 The South Downs

Arun District Local Plan:

[GEN3](#)  
[GEN7](#)  
[GEN12](#)  
[DEV5](#)  
[DEV34](#)

Protection of the Countryside  
The Form of New Development  
Parking in New Development  
Horse Related Development  
Tourist Accommodation and Attractions

**PLANNING POLICY GUIDANCE**

PPS1  
PPS3  
PPS7

Delivering Sustainable Development  
Housing  
Sustainable development in rural areas

**SUPPLEMENTARY POLICY GUIDANCE**

XXX3  
XXX6

Good Planning Practice Guide on Tourism  
Interim Affordable Housing Policy

**POLICY COMMENTARY**

The above policies combine to describe the criteria against which the application will be assessed

particularly with regard to visual and residential amenity.

#### **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 have no materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties, nor would it have an 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 site lies within a National Park and outside the Built-Up Area Boundary as defined by the Arun District Local Plan, where development not essential for agriculture, forestry, mineral extraction or disposal of waste, quiet informal recreation, rural diversification or essential community needs would likely be refused.

The current application will provide a mix of residential and tourism, in the form of a 4 bed farmhouse, a 3 bed cottage, new 4 bed dwelling and a 3 bed holiday cottage, stabling and annexe. The cottage would have a detached garage and parking for the holiday cottage is in the form of parking spaces. The proposal is in line with the quiet informal recreation, and rural diversification matters as outlined within the related policies.

##### **PREVIOUS USES:**

The site history is of importance for the determination of the proposal, for as can be seen, the original use related to a racing stable use. Indeed the site is laid out with and is virtually all covered with related stable buildings and structures. Areas not covered with buildings being concreted/tarmacked generally for access links.

The racing stables use has ceased some years ago and in consequence, the buildings have fallen into a poor condition. Since 2001, applications have been submitted to redevelop the site and have either been withdrawn or refused. The proposals for each of the applications were considered not to offer any benefits from the development, particularly in relation to the landscape of the National Park to outweigh any harm to the countryside location.

The Inspector in the 2004 appeal for 4 no. large residential dwellings with no associated tourist, agricultural or forestry use, considered that the existing buildings would be readily noticeable in the mid distance views from Cissbury Ring and at other viewpoints along adjoining bridleway network, and that the proposed dwellings would benefit the mid-distant views such as Cissbury Ring. However he concluded that the proposal conflicted with the development plan policies for

residential development in the countryside and that the small benefits arising from the scheme were insufficient to outweigh this harm and conflict with policy.

Subsequent to the 2004 appeal an application was approved to regenerate the dilapidated stable yard and associated buildings comprising replacement dwellings with ancillary stable yard and storage barn, 3 no. holiday cottages and 2 no. residential dwellings (FN/37/09)/

**VISUAL AMENITY AND IMPACT ON LANDSCAPE AND COMPARISON WITH PREVIOUS APPROVAL FN/37/09:**

This current application seeks to amend the 2009 approval by changing the southern section of the site.

The existing development on the site currently covers the land with hard surfacing and buildings. From public footpaths including the important views from Cissbury Ring, the buildings have a utilitarian appearance and detract from the natural beauty of the landscape. The removal of these buildings would enhance both the landscape and the National Park.

In the previous approval FN/37/09 the design of the proposed buildings reflected typical rural structures and the use of materials such as clay roof tiles, flint or timber weather boarded elevations, also enhanced the locality. The rear perspective of the roofs of the buildings generally had no windows, preventing glare onto the countryside views and this continued the appearance of typical rural structures.

A later scheme FN/83/10 sought amendment to part of the original application. Whilst the amount of development was reduced it no longer reflected the existing built form on the site or contributed positively to the visual amenities and rural character of the area. The large dwellings were considered excessive in the surroundings and prominent and obtrusive in the wider landscape and the design would not be compatible within its rural setting.

This proposal has reverted to a layout that is more in keeping with its rural location and the previous approval and retains adequate space around the building, some stabling and tourism is included in the scheme, albeit the holiday cottages are reduced in number.

**RESIDENTIAL AMENITY:**

Findon village lies within the National Park and contains many residential properties which contribute to the ambience of its setting. The proposal is accessed off an existing lane which has residential properties off of it. The minimum distance of these dwellings from those proposed is some 20m and in many instances considerably further.

A 20m separation has been provided to the rear of the site and Stables ; the Holiday Cottage and Storage Barn section all respect this distance. All are principally single storey and will be screened by a landscaped section. Thereby it is not considered that the buildings would result in unacceptable overshadowing, or overbearing on the residential properties to the west.

**AFFORDABLE HOUSING:**

The proposal generates a request for a commuted sum payment in respect of affordable housing. The application is the subject of a planning obligation in respect of £22,516.00. The extant farmhouse dwelling has not been included in the calculations.

**CONCLUSION:**

The site is a brownfield site as defined in Annex B of PPS3 within the National Park and countryside, and will be providing a linked group of buildings comprising 3 no. dwellings and 1 tourist related cottage with an equine link. There is an existing sand school and grazing paddocks to the north and east will remain (these are outside of the application site).

The single storey tourist part of the proposal conforms with development plan policies as it provides horse related tourist accommodation which would need a countryside location.

The proposal provides a similar amount of built form on the site to that previously approved but by way of generally separate buildings with amenity land around each which visually reduces the prominence of the development in the landscape.

A benefit would accrue from the replacement to the run down and inappropriate buildings on the site and when viewed in from outside of the site, particularly Cissbury Ring the proposal would not detract from visual amenity or be prominent and obtrusive in the landscape. It would conserve and enhance the rural character of the National Park.

The proposal would foster economic and social well-being within the National Park by providing some employment opportunities and would not conflict with the statutory purposes of the National Park under section 61 of the Environment Act 1995 namely (1) conserving and enhancing the natural beauty, wildlife and cultural heritage of the National Park; (2) promoting opportunity for the understanding and enjoyment of the special qualities of areas by the public.

The proposal differs from the earlier approval in that two of the holiday cottages and stables have been deleted from the proposal, a detached garage is being provided to serve the cottage and the garages are now linked to the four bed 'barn' dwelling. The change in the holiday cottages has reduced the footprint of the building, and changed the small one bed units to a three bed family holiday property. A holiday/commercial element has therefore been retained as part of the scheme.

This application aims to clearly separate the stables, farmhouse and holiday cottages vehicular access from that to serve the single new dwelling. There would be no additional traffic movements resulting and the proposal would enhance the setting of the new dwelling and screen the principal accessway from open countryside and views to the east.

It is therefore recommended for approval subject to the following conditions.

**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 10/157/LocC, 10/157/SK01A, 10/157/P01, 10/157/p03, 10/157/p05, 10/157/p07, 10/157/p06A, 10/157/p04 and 10/157/p02.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN7 of the Arun District Local Plan.

- 3 Details of screen walls and/or fences shall be submitted to and approved by the Local Planning Authority and no dwellings/buildings shall be occupied until such screen walls and/or fences approved have been erected.

Reason: In the interests of amenity in accordance with policy GEN7 of the Arun District Local Plan.

- 4 The buildings shall not be occupied until the parking spaces, turning facilities, and garages shown on the submitted plans have been provided and constructed. The areas of land so provided shall not thereafter be used for any purpose other than the parking, turning and garaging of vehicles.

Reason: To ensure that adequate and satisfactory provision is made for the accommodation of vehicles clear of the highways in accordance with policy GEN7 of the Arun District Local Plan.

- 5 The 'Storage Barn' shown on the plans hereby permitted shall be used only as an ancillary barn for the 'The Farmhouse/Stables Courtyard' and shall not be used as a private commercial use or for no other purpose without the prior permission of the Local Planning Authority in an application on that behalf.

Reason: To safeguard the amenities of the countryside location and neighbouring properties in accordance with policy GEN7 of the Arun District Local Plan.

- 6 Notwithstanding the provisions of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order, 1995 (or any Order revoking or re-enacting this Order) no extensions (including porches or dormer windows) to the development hereby permitted, shall be constructed or buildings shall be erected within the curtilages unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason: In order to control the development in the interests of the character and appearance of this building group which is within a National Park and outside the built-up area, as defined, where normally only that development essential in the interests of agriculture/forestry is permitted in accordance with policy GEN7 of the Arun District Local Plan

- 7 No development shall take place unless and until there has been submitted to and approved by the Local Planning Authority a scheme of landscaping/hard and soft/, which shall include indication of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development.

Reason: In the interests of amenity and of the environment of the development in accordance with policy GEN7 of the Arun District Local Plan.

- 8 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the

buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of amenity and of the environment of the development in accordance with policy GEN7 of the Arun District Local Plan.

- 9 The 'Holiday Cottage' hereby approved, shall be occupied solely as holiday accommodation for individual lets for up to, and no more than, 28 consecutive nights, and shall at no time be occupied, let or sold as a separate residential dwelling.

Reason: To preserve the availability of the accommodation as holiday lets in accordance with policy DEV34 of the Arun District Local Plan and to prevent the establishment of a permanent dwelling in accordance with policy GEN7 of the Arun District Local Plan.

- 10 The first floor Staff Annex with 'Stables Courtyard' hereby permitted shall be occupied solely for purposes incidental to the occupation and enjoyment of 'The Farmhouse' and 'Stables Courtyard' as a dwelling and shall not be used as a separate unit of accommodation.

Reason: To accord with policies GEN7 of the Arun District Local Plan and to prevent the establishment of an additional independent unit of accommodation which would give rise to an over-intensive use of the site and lead to an unsatisfactory relationship between independent dwellings.

- 11 No development shall be carried out unless and until a schedule of materials and finishes to be used for external walls and roofs of the proposed buildings have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the building.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with policy GEN7 of the Arun District Local Plan.

- 12 INFORMATIVE: The applicant is advised to contact West Sussex County Council Legal Services (01243 642105) to obtain the necessary information to enter into a Section 59 Agreement under the 1980 Highways Act. This Agreement is required due to the traffic that would be generated during the building works and to provide a means of making good the public highway following the cessation of construction traffic and building work upon the site.

- 13 INFORMATIVE: The applicant is advised that should protected bat species be present work must stop and Natural England informed. A licence may be required from Natural England before works can re-commence, Natural England will advise.

- 14 INFORMATIVE: The application is subject to a legal agreement relating to an affordable housing contribution.

- 15 INFORMATIVE: Summary of Reasons for Grant Article 22(1) General Development

Procedure Order 1995

**SUMMARY**

This planning permission is granted because it complies with the policies listed below in that the development would not cause any material adverse effect on the AONB, the visual or countryside amenity on the surrounding area and its character and there are no material considerations to indicate otherwise.

**RELEVANT POLICIES**

SOUTH EAST PLAN: SEPC3, SEPTSR2, SEPTSR5, SEPC2

LOCAL PLAN: GEN3, GEN7, GEN12, AREA9, DEV5, DEV34, XXX6

NATIONAL POLICIES: PPS1, PPS3, PPS7, and Good Planning Practice Guide on Tourism

This is only a summary of reasons for granting to comply with Article 22 and full reasons appear in the Officer report.