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## CHARTERED TOWN PLANNER

Planning and Building Control Division  
Chichester District Council  
East Pallant House  
Chichester  
PO19 1TY

Wednesday, 31 January 2024

Dear Sir/Madam:

**Re: Change of use of agricultural land to private equestrian and erection of 1 no field shelter and 1 no stable building**

**78 Langford Cottage, Lavant**

**Heritage and Design Statement**

I have the pleasure of enclosing my client's planning application for the above development.

This application seeks to change the lawful use of the land tot eh south of the cottage from agricultural to private equestrian and to erect 2no small buildings comprising stables and a field shelter.

The former field to the south of the 4 cottages has been split into two ownerships with the applicant owning the western half. The shape of the field is triangular with post and rail fencing providing the central division and north boundary and a native roadside hedgerow with a few trees along the western boundary.

There is an existing access to then north west corner which serves both the field and the pair of cottages, 78 and 77.

The external material of the two buildings would be identical and comprise stained timber cladding and a black bitumen sheet roof.

The buildings are to be sited adjacent to the roadside boundary and this is considered to have the most natural screening and they have been sited slightly south of the access in order that they relates to the two trees and one shrub that are in the highway verge.

No alterations are proposed to the existing access.

Manure will be bagged and disposed of to a licenced tip.

There will be NO external lighting.

PLANNING APPLICATIONS .  
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The applicant has 2 horses and based upon a field of 15 acres and the British Horse Society ratio of 1-1.5 acres per horse for grazing the horses will be kept on the land and therefore their feed will be supplemented with hay. It is for this reason that the application includes the change of use of the land to equestrian.

77 and 78 Langford Cottages were listed as Grade II on 28 January 1986 and their description reads:

*Goodwood Estate numbers. One building of the type known locally as the Dukery style. Mid C19. Half H-plan. Two storeys. Four windows. Coursed flints with red brick dressings and quoins and dripstones over the windows. Tiled roof. Casement windows. Outer window bays project with gables over.*

### Planning Policy Context

Applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory development plan in this area is the South Downs Local Plan 2014-2033 and any relevant minerals and waste plans. Other plans considered:

The development plan policies and other material considerations considered relevant to this application are set out in section 7, below.

#### National Park Purposes

The two statutory purposes of the SDNP designation are:

- To conserve and enhance the natural beauty, wildlife and cultural heritage,
- To promote opportunities for the public understanding and enjoyment of the special qualities of their areas.

If there is a conflict between these two purposes, conservation takes precedence. There is also a duty to foster the economic and social wellbeing of the local community in pursuit of these purposes.

As the adjacent properties are listed buildings, Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 ("1990 Act") requires local planning authorities to have special regard to the desirability of preserving a listed building, its setting or any features of special architectural or historic interest when considering whether to grant listed building consent.

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires planning authorities, when considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

The need for the decision taker to attach considerable or special weight to the desirability of preserving the setting of listed buildings has been reinforced through two recent high court decisions of: *Barnwell Manor Wind Energy Limited vs. East Northamptonshire District Council et al* (2014); and *North Norfolk District Council vs. DCLG and Mack* (2014). The above statute and its subsequent and consistent interpretation in recent high court decision emphasises the need for the policies of the NPPF to be implemented whilst always having regard to the need to give special or greater weight to the preservation of the setting of a listed building.

## Planning Policy

### *Relevant Government Planning Policy and Guidance*

Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010 and The National Planning Policy Framework (NPPF), updated July 2021. The Circular and NPPF confirm that National Parks have the highest status of protection, and the NPPF states at paragraph 176 that great weight should be given to conserving and enhancing landscape and scenic beauty in national parks and that the conservation and enhancement of wildlife and cultural heritage are also important considerations and should be given great weight in National Parks.

### *National Planning Policy Framework (NPPF)*

The following National Planning Policy Framework documents have been considered in the assessment of the merits of this scheme being proposed:

- NPPF12 - Achieving well-designed places
- NPPF15 - Conserving and enhancing the natural environment
- NPPF16 - Conserving and enhancing the historic environment

The development plan policies listed below have been assessed for their compliance with the NPPF and are considered to be compliant with the NPPF.

The following policies of the South Downs Local Plan are relevant to this application:

- Core Policy SD1 - Sustainable Development
- Core Policy SD2 - Ecosystems Services
- Strategic Policy SD4 - Landscape Character
- Strategic Policy SD5 - Design
- Strategic Policy SD6 - Safeguarding Views
- Strategic Policy SD8 - Dark Night Skies
- Strategic Policy SD9 - Biodiversity and Geodiversity
- Development Management Policy SD11 - Trees, Woodland and Hedgerows
- Strategic Policy SD12 – Historic Environment
- Strategic Policy SD19 - Transport and Accessibility
- Development Management Policy SD24 - Equestrian Uses
- Strategic Policy SD25 - Development Strategy

### *Partnership Management Plan*

The Environment Act 1995 requires National Parks to produce a Management Plan setting out strategic management objectives to deliver the National Park Purposes and Duty. National Planning Policy Guidance (NPPG) states that Management Plans "contribute to setting the strategic context for development" and "are material considerations in making decisions on individual planning applications." The South Downs Partnership Management Plan as amended for 2020-2025 on 19 December 2019, sets out a Vision, Outcomes, Policies and a Delivery Framework for the National Park over the next five years. The relevant policies include:

- Partnership Management Plan Policy 1

## Planning Assessment

### *Principle of development*

Development plan policies and in particular the NPPF places 'great weight' on conserving the landscape and the scenic beauty of national parks, which have the highest status of protection. This is in line with the first purpose of a National Park, which is to conserve and enhance the natural beauty, wildlife and cultural heritage of the area.

The application site is located outside of a defined settlement boundary within the South Downs National Park. In these areas there is a general principle of development constraint. Therefore, in accordance with South Downs Local Plan (SDLP) policy SD25(2) development outside of a settlement boundary is only acceptable in exceptional circumstances where it complies with relevant policies in the Local Plan, responds to the context of the relevant broad area; there is an essential need for a countryside location; or it is an appropriate reuse of a previously developed site. All such development must also conserve and enhance the special qualities of the National Park.

Support for equestrian development, which is usually provided in countryside locations, is provided through SDLP policy SD24, subject to the following criteria which require that proposals:

- a) Are of a scale and/or an intensity of equestrian use compatible with the landscape and the special qualities;
- b) Demonstrate good design which is well located and responds to local character and distinctiveness;
- c) Re-use existing buildings wherever feasible and viable;
- d) Locate new buildings, stables, yard areas and facilities adjacent to existing buildings provided they respect the amenities and activities of surrounding properties and uses;
- e) Are well located to existing utilities and transport infrastructure, including vehicular and field accesses, tracks and bridleways;
- f) Provide new or supplementary landscape features including hard and soft treatments and planting, consistent with local character; and
- g) Demonstrate a conservation-based land management approach.

The overall acceptability of the proposal, however, is dependent on how far it meets the relevant criteria of SD24, in particular in relation to the siting and design of the development and impacts on the landscape character in this part of the National Park. These and other matters including setting of the listed buildings, ecology and neighbour amenity are considered in more detail below.

### *Design, visual impact and Impact on the wider landscape*

SDLP policy SD4 outlines that development proposals will only be permitted where they conserve and enhance landscape character, demonstrating that they are informed by the landscape character and reflecting the context and type of landscape in which the development is located.

SDLP Policy SD5 requires that developments respect the local character; through sensitive and high quality design that makes a positive contribution to the overall character and appearance of the area.

SDLP policy SD6 states that development proposals will only be permitted where they preserve the visual integrity and scenic quality of the National Park and preserve key views. This includes views from public rights of way.

SDLP policy SD24 states of equestrian uses that they are compatible with the landscape in terms of intensity of use, and that any associated development is of good design that responds to local character and distinctiveness.

To support SD24 with more detailed commentary and analysis the Authority has produced the Equestrian Technical Advice Note (TAN). The TAN provides general figures for appropriate minimum grazing density of 1-1.5 acres per horse to ensure that proposed sites are not overgrazed, and landscape character can be preserved. This reflects the recommended ratio of The British Horse Society (BHS) of two horses per hectare on permanent grazing (1-1.5 acres per horse).

The proposed stable store and hay barn building is of a typical agricultural/equestrian style and would not be out of keeping for the rural location of the site. The location in the north west corner of the site also keeps the structure relatively close to other development in the form of adjacent residential properties and provides some screening in wider views through the trees and shrubs of the roadside / field boundary.

The application is proposing the keeping of two horses on a 1.5-acre site. This is less than the guidance where two horses would require between 2-3 acres. As such the proposed intensity of the use exceeds the carrying capacity of the site. It is for this reason that planning permission is required since if the horses were self-sufficient and grazing that would remain an agricultural use of the land.

That said, the shortfall in land is minimal, at its minimum, just 0.5 acre. It is therefore considered that the level of feed required will be minimal and as a result there will not be any of the negative landscape impacts associated with overly intense equestrian uses, that could harm the special qualities of the National Park, such as over grazing, poaching and expanses of bare ground, which can lead to the degradation of the appearance of the land.

As indicated above the shortfall in the area of grass as a primary food source is minimal, and therefore the supplementary feeding with hay would be low with the expectation that just two deliveries of hay would be required each year. Any other supplementary feeds would be brought in by the applicant in her car. Accordingly, traffic movements would not be materially different. It is for these reasons that the number of horses and intensity of equestrian use proposed for this site would therefore conserve landscape character of the area and would not be detrimental to the special qualities of the National Park.

There is a current hardsurfaced access to the highway and this does not need to be altered. There would be no additional formalisation of the entrance. As a result the use would not be detrimental to the rural character of the road and as such would be in compliance with SD21.

In broad terms the overly intensive use of the site would not be intensive and there would be no change to the site access. The low profile and appropriate use of materials together with the siting close to the historic roadside hedged boundary would ensure that the proposed development will conserve and enhance the landscape character of the area or the special qualities of the National Park. For these reasons the proposed development is in full compliance with SDLP policies SD4, SD6, SD21 and SD24, the SDNPA Equestrian TAN and the National Park's first purpose.

### *Setting of listed buildings*

The two cottages were listed as being a historic element of the Goodwood Estate being originally built to house estate workers. In this regard their setting is one of open countryside in agricultural use.

Whilst the immediate use changes to equestrian it is a countryside use and will be low key in scale. The two buildings are minimal in scale and have been sited to be away from the listed cottages. Their design is something that you would expect to see in the countryside.

For these reasons I consider that the setting of the listed cottages will be preserved through this proposed development, thus ensuring compliance with SD12.

### *Biodiversity*

No scrub or hedge clearance is required to facilitate the works. In order to ensure no overall net loss in biodiversity due to the erection of outbuildings and intensive management of the field as a result of grazing, a Biodiversity Enhancement Strategy will be provided and I suggest that this is secured via a planning condition. At the present time it is suggested that it requires the following measures:

- Planting of a minimum of 2no. native trees
- Installation of a bat box
- Installation of a bird box
- Installation of a log pile in a suitable corner of the field for reptiles.

### *Neighbour Amenity*

SDLP policies SD5 and SD24 requires proposals to have regard for the amenity of surrounding properties. The proposed development including the storage of muck in bags to be disposed of on a regular basis has been carefully considered to ensure that it is away from 77 and 78 Langford Cottages in order to ensure that it does not result in detrimental amenity impacts on the occupiers of these two properties.

### *Dark Night Skies*

The South Downs National Park has been designated an International Dark Night Skies reserve. As such, a primary aim is to reduce any light pollution associated with new development. Particular care will be taken where sites are within sensitive areas, for example where located in one of the 3 core zones of the Dark Night Skies Reserve.

The application site is located within a Dark Night Skies Intrinsic Zone of Darkness. The proposal includes no external lighting. The internal lights would only be required for a limited time during the early morning and evening in the winter. On this basis I consider that the proposed development will accord with SDLP policy SD8.

## Conclusion

I trust that, therefore, in the light of the submissions that I have set out above, the case officer will be able to recommend that planning permission be granted for this sensitive small-scale scheme as it accords with the provisions of the development plan for the reasons that I have set out above.

If, however, there are any queries concerning the proposal please do not hesitate to contact me.

Yours sincerely,



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