

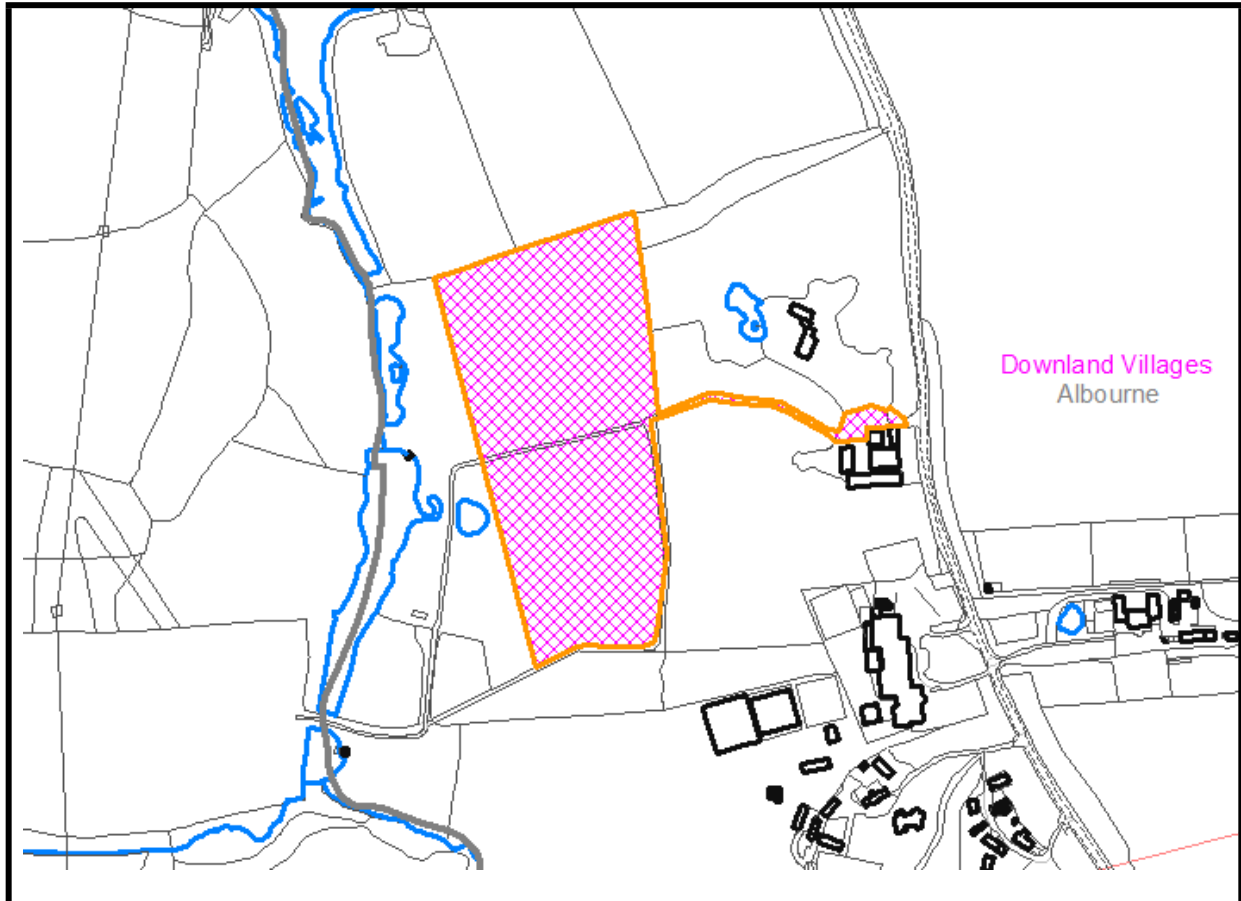
District Planning Committee



Recommended for Permission

21st August 2025

DM/25/0090



©Crown Copyright and database rights 2025 Ordnance Survey 100021794

Site:	Land At Eastwood Farm Shaves Wood Lane Albourne West Sussex
Proposal:	Change of Use of land to equestrian, erection of equestrian facilities including indoor arena, stables, outdoor arena, horse walker, re-surfacing of existing track, creation of balancing / ecology pond, associated earthworks and provision of a soft landscaping scheme. Amended Arboricultural Impact Assessment and Appendix received on 28.02.2025. Amended Landscape drawings and Ecology related information received on 30.05.2025.
Applicant:	Mr And Mrs T Cullum Cina
Category:	Smallscale Major Other
Target Date:	22nd August 2025

Parish:	Albourne
Ward Members:	Cllr Geoff Zeidler /
Case Officer:	Rachel Richardson

Link to Planning Documents:

<https://pa.midsussex.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=SQ0WL1KT04L00>

1.0 Purpose of Report

- 1.1 To consider the recommendation of the Assistant Director for Planning and Sustainable Economy on the application for planning permission as detailed above.

2.0 Executive Summary

- 2.1 Full planning permission is being sought for change of use of land to equestrian, including erection of equestrian facilities such as an indoor arena, stables, outdoor arena, horse walker, re-surfacing of existing track, creation of balancing / ecology pond, associated earthworks and provision of a soft landscaping scheme.
- 2.2 Planning legislation holds that the determination of a planning application shall be made in accordance with the Development Plan unless material considerations indicate otherwise. It is therefore necessary for the planning application to be assessed against the policies in the development plan and then to take account of other material planning considerations including the National Planning Policy Framework (NPPF). The Development Plan in this instance consists of the Mid Sussex District Plan (MSDP), the Site Allocations Development Plan Document (SADPD) and the Albourne Neighbourhood Plan (ANP).
- 2.3 Courts have confirmed that the Development Plan must be considered as a whole, not simply in relation to any one individual policy. It is therefore not the case that a proposal must accord with each and every policy within the Development Plan.
- 2.4 Policy DP12 in the MSDP is the starting point and this policy allows for development in the countryside provided it maintains or where possible enhances the quality of the rural and landscape character.
- 2.5 Under Policy DP12, the proposal must also be supported by another adopted development plan policy.
- 2.6 DP14 of the Mid Sussex District Plan supports sustainable growth and the vitality of the rural economy. The application has demonstrated the need for the provision of high-level training facilities for show jumping and the creation of equine employment it will support.
- 2.7 The scheme has evolved and has been carefully designed, as per the application proposal, following advice from the South Downs National Park Authority (and other consultees). The SDNPA suggested retention and re-use of existing farm buildings

in order to reduce the need for further development whilst also protecting soils in the ancient woodland and its buffer. It is considered that the principle of providing new equestrian facilities within well designed new buildings on a less sensitive part of the holding (and outside of the South Downs National Park), which is well screened by trees, is supported under DP14 and at a national level through paragraph 88 of the NPPF.

- 2.8 DP18 requires that development within land that contributes to the setting of the South Downs National Park will be permitted where it does not detract from or cause detriment to the visual and special qualities, inter alia, of the National Park. Development should not adversely affect transitional open green spaces by virtue of location, scale, form and design. ANP policy ALC2 has a similar ethos and para 189 of the NPPF advises that great weight has been given to conserving and enhancing landscape and scenic beauty of the National Park. It is acknowledged that the proposed buildings are of a significant scale in terms of their overall scale however, their consolidated layout and muted external appearance, through the choice of appropriate materials will not appear incongruous in this well screened location.
- 2.9 The landscape evidence baseline of the site is set out comprehensively in the accompanying LVA by Furse Landscape Architects. There are very limited views of the application site due to the fact that the site is surrounded by woodland. The only views achievable are from the north looking southwards from a short section of public footpath. The site is otherwise comprehensively screened by existing mature trees and woodland. It is considered that the landscaping mitigation measures proposed would have a neutral / slight adverse at Year 5, neutral at Year 10 and Slight Positive at Year 15. Overall, this is an improvement on the current landscape effect and is positive in the planning balance. It is considered that the landscape character and setting, as well as the Dark Night Sky Zone E1b: Transition Zone of the SDNP, would be conserved and enhanced in accordance with DP18 and ALC1 and ALC2 of the ANP as well as national policy in the NPPF.
- 2.10 The proposal would also enhance the existing lower ecological value of the site through its native planting scheme and ecological pond. The proposed BNG is more than double the mandatory requirement and this is considered positive in the planning balance.
- 2.11 Notwithstanding the above, the SDNPA have objected to the proposed development, but their comments were received prior to the submission of the landscape rebuttal letter and supporting photographs. This is considered negative in the planning balance.
- 2.12 It is considered that the proposed equestrian facilities would not result in significant harm on nearby residential amenities. The closest residential property is 400m to the north of the application site. This is positive in the planning balance.
- 2.13 There are no objections raised from Mid Sussex District Councils' flood risk and drainage engineers, tree and landscape consultants, and the local highway authority at West Sussex County Council in relation to transport matters. It is proposed to use the existing, albeit altered, access and there is sufficient parking and turning. The ecology, and landscape consultants at Place Services also raised no objections. This is all considered positive in the planning balance.
- 2.14 The proposed development is not likely to have a significant adverse effect on the Ashdown Forest SPA and SAC. This is positive in the planning balance.

2.15 The proposed development is therefore compliant with policies DP12, DP14, DP17, DP18, DP21, DP26, DP29, DP37, DP38, DP39 and DP41 of the Mid Sussex District Plan, and Policies ALC1 and ALC2 of the Albourne Neighbourhood Plan. The application proposals also accord with the principles of the Mid Sussex Design Guide.

2.16 Therefore, taking all the points into consideration, there are compelling reasons to approve this application. Subject to the imposition of suitable conditions, it should be approved as per the recommendation A below.

3.0 Recommendation

Recommendation A

3.1 It is recommended that planning permission be approved subject to the suggested conditions set in Appendix A.

4.0 Summary of Representations

22 Letters of representation have been received all in support of the proposal. Their comments are summarised as below:

- Top class facilities are required for high level showjumpers. This is a great facility for the family.
- The facilities are essential for exercising horses during the wet season and the outdoor arena is key for training over a full BSJA & FEI-standard showjumping course.
- There is a lack of suitable alternative equestrian facilities in the area for this high standard of training and competition for showjumping.
- The layout and design respects the natural landscape whilst maintaining biodiversity
- It makes a good use of the land without negatively affecting anyone nearby.
- It's good to see the farm kept as one unit instead of being split up.
- Buildings are well hidden by the existing woodland and would not be visible from the road or any direction in the wider landscape.
- No impact on adjoining property at Oatfield Cottage.
- There has been a substantial amount of permitted development to the commercial buildings next door and the proposed development will have no more of an impact.
- The traffic related to the equestrian proposal will be negligible compared to existing farm traffic which includes tractors and agricultural machinery.
- This would be an amazing facility.

- This will provide work and opportunities for the local equine community.
- The proposal will bring this run down site back into positive use which would benefit the local area.

5.0 Summary of Consultees

- 5.1 Full details of the consultation responses summarised below can be viewed in Appendix B of this report.

South Downs National Park Authority

(17.03.2025) Objection.

NatureSpace Partnership

The applicant requires a license to conduct works on the site either by way of a District Licence or a European Protected Species License.

Horsham District Council

Views awaited.

WSCC Highway Authority

No objection

MSDC Ecology Consultant

Recommends approval subject to conditions

MSDC Landscape Consultant

The revised design includes considerable landscape mitigation measures which will reduce the landscape and visual effects of the proposed works.

MSDC Drainage

No objection subject to planning conditions.

MSDC Trees and Landscape Officer

No objection.

6.0 Albourne Parish Council Observations

- 6.1 Following receipt of amended drawings Albourne Parish Council has no further comments to their original response of no objection.

7.0 Introduction

- 7.1 Planning permission is sought for a change of use of land to equestrian, including the erection of equestrian facilities for an indoor arena, stables, outdoor arena, horse walker, re-surfacing of existing track, creation of balancing / ecology pond, associated earthworks and provision of a soft landscaping scheme.

8.0 Relevant Planning History

WK/008/79 Agricultural Buildings to be used for the storage of agricultural produce. Approved 9 July 1979.

AE/003/85 Construction of covered yard / barns. Approved 15 April 1985.

AE/009/86 Construction of farmhouse, Approved 18 March 1987

DM/23/0520 Discharge of Section 52 legal agreement linked to application AE/009/86 at Eastwood Farm (Cross Boundary Application) Approved 10 January 2024.

SDNP/23/00827/MPO Removal of restrictive covenant associated with Section 52 Agreement attached to AE/009/86 which requires the dwelling to be occupied in conjunction with the use and occupation of the whole of the land as an agricultural unit (Cross Boundary Application). Approved 11 January 2024.

9.0 Site and Surroundings

- 9.1 The site is located predominantly within Mid Sussex District (all the proposed built form) and within a countryside location. The access, existing hardstanding parking area and track are sited within the South Downs National Park. The woodland to the south / east is classified as ancient woodland. With the exception of the southeast corner, the site lies within the red zone for great crested newts.
- 9.2 The site is part of the 120-acre land holding of East Wood Farm and is located on the western side of Shaves Wood Lane in Albourne. The site is located to the south and west of East Wood Farmhouse. Vehicular access is achieved via an existing gated entrance off Shaves Wood Lane and along an existing track to the fields to the west of the farmhouse.
- 9.3 East Wood Farmhouse is a large detached five bed property with garages and outbuildings. The replacement of the dwelling is subject to a separate planning application.
- 9.4 There is a yard and redundant farm buildings adjacent to the access on the southern side of the track, but this is outside of the red edged boundary and application site.
- 9.5 Wickwoods Country Club (David Lloyd Health Club) and Hotel adjoins the site to the south. Albourne Wine Estate lies to the northeast. Approximately 400m away and to the north of the site is Honeybourne Farm and Oatfield Cottage. Public Footpath 2545 also lies around 400m to the north of the site. There is intervening vegetation between the site and these properties and the footpath. To the east of the East Wood Farm is the Singing Hills Golf Club and Restaurant.

10.0 Application Details

- 10.1 The application seeks to change the use of the site from agricultural to equestrian use, while at the same time seeking to change the use of the field to the west of the

house from agricultural to equestrian as the field will be utilised for top competition horses. The land will be used to keep, graze, ride and train the horses.

10.2 The proposed development includes:

- The construction of an indoor arena;
- The construction of stables;
- The formation of an outdoor arena;
- The construction of a covered horse walker;
- The re-surfacing of the existing track;
- The creation of an ecology pond;
- Associated hard and soft landscaping.

10.3 The site location plan (drawing no. PL.001) illustrates the layout of the proposed development within the red edged boundary. The land edged in blue lies outside of the application site but within the same ownership. The proposed pond is in the northwestern corner of the site, immediately to the south and diagonally arranged on a north-west to south-east axis is the proposed outdoor arena, alongside the outdoor arena adjacent to the south western side would be the new courtyard stables, which face directly towards the proposed new indoor riding arena situated further to the south east. The proposed horse walker would sit alongside the indoor riding arena on its western side.

Indoor Arena

10.4 The proposed indoor arena will measure 60m by 25m and will be sited within a building measuring 68m by 26m with a ridge height of 9.3m.

Stables

10.5 Two stable wings are proposed on the northwest side of the indoor arena, measuring 12.9m in width by 25.2m in length and would have ridge heights of 5.2m. Each stable wing will provide six stables, a feed store, tack / rug room and wash down / shoeing / heat lamp areas. The welfare portion of the Arena building comprises the following:

- Open plan seating area with Kitchenette;
- Sanitary Accommodation;
- Office Accommodation.

10.6 A separate isolation block of stables (Courtyard Stables) is proposed and will consist of six stables and two mare and foal boxes, feed and hay store and rug, tack and laundry room. The stable block is proposed to be built in a 'U' shape with a courtyard and will measure 23m by 25.3m, with a ridge height of 4.4m. The layout of the stables is typical for such a stabling function, the depth of the building being determined by the stable dimensions.

Outdoor Arena

10.7 This will measure 45m by 80m, with a 1.5m high post and rail fence around the periphery. The surface of the arena would consist of a sand and fibre mix by Day Equestrian. An outdoor arena of this size is required to provide enough space to create a full British Show Jumping Association (BSJA) course of show jumps with enough space for horses to land and turn safely.

Covered Horse Walker

- 10.8 This will measure 22 metres in diameter, with a ridge height of 7.3m. The structure is of the proprietary type; these being purposely designed by specialists to provide the required function. A horse walker is key to keeping stabled horses fit, healthy and moving especially in the winter when turnout in paddocks is restricted due to the wet ground conditions. The arrangement of the building is standard, allowing for the controlled movement of the horse around the horse walker.
- 10.9 Materials for the equestrian facilities will comprise traditional local brick and timber in the main but are specifically described below in the design assessment of the report.

Re Surfacing of Existing Track

- 10.10 Drawing no 001A shows that the existing farm track will be retained and resurfaced using a no dig method (St Aubyn detail). This will comprise a MOT type 1 or stoned surface finish.

Ecology Pond

- 10.11 Amended landscape drawing no 003 A. The pond is an irregular oval shape measuring approximately 58m in a north-south direction and around 37m wide (east-west). It would be bordered by seeded emorsgate and meadow mixture (wild flowers and grasses) bullrush and woodland planting surrounding the outer edges to the east, west and southern side.

Hard and Soft Landscaping

- 10.12 The development proposals are landscape led and have been amended to address consultee comments. They comprise a comprehensive package and in summary include a variety of woodland planting, structural tree planting 3 to 4m high within the courtyard area, wildflower meadow areas, native species hedge planting with scattered trees, retention of mature vegetation and rough grasses. Also, native and ornamental species shrub and ground cover planting and rain garden areas, as well as a balancing pond reed bed for drainage (alongside the menage), inter alia.
- 10.13 Hard surfacing proposals include porous block paving (marshalls priora or similar in a natural grey colour). Rubberised safety block paving in areas to be regularly walked by horses and specialist menage surfacing. An equestrian post and rail fence of 1.5m high will be erected around the southern edge of the proposed horse walker, the turnout paddocks to the east, outdoor riding arena (menage) and long the edge of the northern boundary.

Background

- 10.14 The applicants are looking to create an equestrian complex at their property, East Wood Farm. The applicants would reside within East Wood Farm House and the equestrian facilities would be provided on the land to the west of the house.
- 10.15 The applicant and her son both own and ride show jumping horses. The applicants currently rent equestrian facilities locally for their horses but are looking to construct purpose-built facilities at their own property. The applicant's son competes internationally and is trained by an international showjumper.

- 10.16 The application is accompanied by a planning statement, design and access statement including sustainability; a landscape and visual impact assessment and landscape plans; rebuttal statement and photographs; arboricultural impact assessment, tree survey, protection and constraints plans, and a transport report. The application is also supported by a preliminary ecological appraisal, flood risk assessment, lighting strategy and ecosystems services statement.

11.0 Legal Framework and List of Policies

- 11.1 Planning legislation holds that the determination of a planning application shall be made in accordance with the Development Plan unless material considerations indicate otherwise.
- 11.2 Specifically, Section 70 (2) of the Town and Country Planning Act 1990 states:

*'In dealing with such an application the authority shall have regard to:
The provisions of the development plan, so far as material to application,
And local finance considerations, so far as material to the application, and
Any other material considerations.'*

- 11.3 Section 38(6) Planning and Compulsory Purchase Act 2004 provides:

'If regard is to be had to the development plan for the purposes 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.'

- 11.4 The requirement to determine applications "in accordance with the plan" does not mean applications must comply with each and every policy, but is to be approached on the basis of the plan taken as a whole. This reflects the fact, acknowledged by the Courts, that development plans can have broad statements of policy, many of which may be mutually irreconcilable so that in a particular case one must give way to another.
- 11.5 Under section 38(5) of the Planning and Compulsory Purchase Act 2004 if a policy contained in a development plan for an area, conflicts with another policy in the development plan, the conflict must be resolved in favour of the policy which is contained in the last document to be adopted, approved or published.
- 11.6 Using this as the starting point the development plan for this part of Mid Sussex consists of the District Plan, the Site Allocations Development Plan Document and Albourne Neighbourhood Plan.
- 11.7 National policy (which is contained in the National Planning Policy Framework and National Planning Policy Guidance) does not form part of the development plan, but is an important material consideration.

Mid Sussex District Plan

- 11.8 The District Plan was adopted at Full Council on 28th March 2018.

Relevant policies:

- DP12: Protection and Enhancement of the Countryside

- DP14: Sustainable Rural Development and the Rural Economy
- DP17: Ashdown Forest
- DP18: Setting of the South Downs National Park
- DP21: Transport
- DP26: Character and Design
- DP29: Noise, Air and Light Pollution
- DP37: Trees, Woodland and Hedgerows
- DP38: Biodiversity
- DP39: Sustainable Design and Construction
- DP41: Flood Risk and Drainage

Site Allocations Development Plan Documents

- 11.9 The SADPD was adopted on 29th June 2022. It allocates sufficient housing and employment land to meet identified needs to 2031.

Relevant policy: SA38 – Air Quality.

Albourne Neighbourhood Plan

- 11.10 The Albourne Neighbourhood Plan (2014-2031) was made on 22 September 2016.

Relevant policies:

ALC1: Countryside - Conserving and Enhancing Character

ALC2: Countryside - South Downs National Park

Other Legislation

- 11.11 Countryside and Rights of Way Act (CRoW) 2000

Other Material Considerations

Mid Sussex District Plan 2021-2039 – Submission Draft (Regulation 19)

- 11.12 The District Council is reviewing and updating the District Plan. Upon adoption, the new District Plan 2021 - 2039 will replace the current District Plan 2014-2031 and its policies will have full weight. In accordance with the NPPF, Local Planning Authorities may give weight to relevant policies of the emerging plan according to the stage of preparation; the extent to which there are unresolved objections to the relevant policies; and the degree of consistency of the relevant policies in the emerging plan to the NPPF. The draft District Plan 2021-2039 (Regulation 19) is currently at Examination and the stage 1 hearings were concluded on the 31st October 2024. There are unresolved objections to some of the policies in the draft District Plan and as such, only minimal weight can be given to the Plan and this planning application has been assessed against the policies of the adopted District Plan.

- 11.13 Relevant policies:

DPS2: Sustainable Design and Construction

DPS4: Flood Risk and Drainage

DPN1: Biodiversity, Geodiversity and Nature Recovery

DPN2: Biodiversity Net Gain

DPN4: Trees, Woodland and Hedgerows
DPN6: Pollution
DPN7: Noise Impacts
DPN8: Light Impacts and Dark Skies
DPN9: Air Quality
DPC1: Protection and Enhancement of the Countryside
DPC5: Setting of the South Downs National Park
DPC6: Ashdown Forest SPA and SAC
DPB1: Character and Design

Countryside and Rights of Way Act 2000

Levelling-Up and Regeneration Act 2023

Mid Sussex Design Guide Supplementary Planning Document (SPD)

- 11.14 The Council has adopted a 'Mid Sussex Design Guide' SPD that aims to help deliver high quality development across the district that responds appropriately to its context and is inclusive and sustainable. The Design Guide was adopted by Council on 4th November 2020 as an SPD for use in the consideration and determination of planning applications. The SPD is a material consideration in the determination of planning applications.

National Planning Policy Framework (NPPF) (December 2024)

- 11.15 The NPPF sets out the government's policy in order to ensure that the planning system contributes to the achievement of sustainable development. Paragraph 8 sets out the three objectives to sustainable development, such that the planning system needs to perform an economic objective, a social objective, and an environmental objective.

- 11.16 Paragraph 12 of the NPPF states:

“The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.”

- 11.17 Paragraph 39 of the NPPF states:

“Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.”

- 11.18 With specific reference to decision-taking paragraph 48 states that planning decisions must be taken in accordance with the development plan unless material considerations indicate otherwise.

National Design Guide/Code

- 11.19 Published in 2021, the National Design Guide illustrates how the government consider well-designed places that are beautiful, healthy, greener, enduring and successful can be achieved in practice.
- 11.20 Paragraph 134 of the NPPF sets out that this national document, along with the National Model Design Code, should be used to guide decisions on application in the absence of locally design guides or design codes.

12.0 Assessment

- 12.1 The main issues for consideration in the determination of this application are as follows:

- Principle
- Design
- Visual Impact on countryside
- Residential amenity (noise)
- Highways
- Flood Risk/Damage
- Ecology and Biodiversity Net Gain
- Sustainability
- Ashdown Forest
- Planning Balance and Conclusion.

Principle

- 12.2 One of the objectives of achieving sustainable development is to ensure that proposals '*contribute to protecting and enhancing our natural, built and historic environment*' (para 8, NPPF).
- 12.3 The site falls outside of the built up area (within the countryside). It is therefore necessary to consider the impact of the proposal in the local landscape in terms of the visual impact on the area.
- 12.4 Policy DP12 of the District Plan relates to the protection and enhancement of the countryside. In part it states:
- 12.5 '*The countryside will be protected in recognition of its intrinsic character and beauty. Development will be permitted in the countryside, defined as the area outside of built-up area boundaries on the Policies Map, provided it maintains or where possible enhances the quality of the rural and landscape character of the District, and:*
- o it is necessary for the purposes of agriculture; or o it is supported by a specific policy reference either elsewhere in the Plan, a Development Plan Document or relevant Neighbourhood Plan.'*

12.6 The supporting text sets out the following:

'The primary objective of the District Plan with respect to the countryside is to secure its protection by minimising the amount of land taken for development and preventing development that does not need to be there. At the same time, it seeks to enhance the countryside, support the rural economy by accommodating well designed, appropriate new forms of development and changes in land use where a countryside location is required and where it does not adversely affect the rural environment. It is therefore necessary that all development in the countryside, defined as the area outside of built up area boundaries, must seek to maintain or enhance the intrinsic beauty and tranquillity of the countryside.'

12.7 DP14 allows for diversification of activities on existing farm units where they are of a scale which is consistent to the location of the farm holding and would not prejudice the agricultural use of a unit.

12.8 Neighbourhood Plan policy ALC1 (Countryside, Conserving and Enhancing Character) states that development will be supported where it is 1) necessary for the purposes of agriculture, or some other use which has to be located in the countryside, and maintains or where possible enhances, the quality of the rural and landscape character of the Parish area, inter alia.

12.9 Policy ALC2 (South Downs National Park) states that development in the parish that contributes to the setting of the SDNP will only be supported where it enhances and does not detract from the National Park's visual qualities and essential characteristics.

12.10 NPPF paragraph 88 supports a prosperous rural economy allowing for:

'a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed, new buildings;

b) the development and diversification of agricultural and other land-based rural businesses, inter alia.'

12.11 Paragraph 187 of the NPPF requires proposals to contribute to and enhance the natural and local environment by '*recognising the intrinsic character and beauty of the countryside*'. Paragraph 189 states that, '*great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks which have the highest status of protection in relation to these issues.*'

12.12 It is considered that the principle of providing new equestrian facilities within well designed new buildings on a less sensitive part of the holding which is well screened by trees is supported at national level through paragraph 88. Policy DP14 of the Mid Sussex District Plan supports sustainable growth and the vitality of the rural economy. This proposal would support the rural economy as rural workers (grooms, riders/trainers, hay contractors, rural feed merchants, farm contractors/muck removal, farriers, vets, saddlers, equine physiotherapists and dentists) would be employed directly and indirectly to support the horses kept on site.

12.13 It is therefore considered that the proposal accords with policies DP12 and DP14 of the Mid Sussex District Plan and ALC1 and ALC2 of the Albourne Neighbourhood Plan, as well as national policy provisions contained within the NPPF.

Design

12.14 DP26 states:

'All development and surrounding spaces, including alterations and extensions to existing buildings and replacement dwellings, will be well designed and reflect the distinctive character of the towns and villages while being sensitive to the countryside. All applicants will be required to demonstrate that development:

- is of high quality design and layout and includes appropriate landscaping and greenspace;*
- contributes positively to, and clearly defines, public and private realms and should normally be designed with active building frontages facing streets and public open spaces to animate and provide natural surveillance;*
- creates a sense of place while addressing the character and scale of the surrounding buildings and landscape;*
- protects open spaces, trees and gardens that contribute to the character of the area;*
- protects valued townscapes and the separate identity and character of towns and villages;*
- does not cause significant harm to the amenities of existing nearby residents and future occupants of new dwellings, including taking account of the impact on privacy, outlook, daylight and sunlight, and noise, air and light pollution (see Policy DP29);*
- creates a pedestrian-friendly layout that is safe, well connected, legible and accessible;*
- incorporates well integrated parking that does not dominate the street environment, particularly where high density housing is proposed;*
- positively addresses sustainability considerations in the layout and the building design;*
- take the opportunity to encourage community interaction by creating layouts with a strong neighbourhood focus/centre; larger (300+ unit) schemes will also normally be expected to incorporate a mixed use element;*
- optimises the potential of the site to accommodate development.'*

12.15 The Council's Design Guide is also of relevance and a number of sections relate specifically to layout and design features within a proposed development, specifically sections 3, 4, 5, 6 and 8.

12.16 NPPF Chapter 12 seeks to achieve well designed places, by creating high quality, beautiful and sustainable buildings and places. Paragraphs 131 and 135 are of particular relevance.

12.17 The Design and Access Statement describes the appearance of the proposed equestrian facilities, confirming the following:

"The proposed indoor arena will have vertically-fixed charred timber cladding in Smoke Grey to the external walls sat upon on a brick plinth, beneath pre-insulated corrugated Kingspan sheets in anthracite to the pitched roof. The stable wings will be finished with the same aforementioned materials to provide a harmonious appearance, and one that is most respectful of its setting with the backdrop of the woodland."

12.18 The proposed horse walker will have the same external appearance as the proposed indoor arena. This is also the case for the proposed courtyard stables. The utilitarian

windows will have stained softwood timber frames with either plain glazing or louvered openings. The opening doors, as illustrated on the proposed elevations, will be framed, ledged and braced timber, to match the cladding. The oversailing roof to the inner yard will be supported on oak timber beams supported upon oak timber posts with curved brackets. The oak timber posts will be sat upon brick stools.

- 12.19 In terms of layout, the proposed buildings are all located within a consolidated footprint and close to each other to be functional for their equestrian purpose. The applicant has written at para 6.12 of the planning statement that:

“The stables and arenas need to be sited adjacent to each other so that the Applicants and/or grooms can keep an eye on horses that are being ridden while dealing with horses in the stable blocks (for safety reasons). The equestrian uses that can be accommodated within the existing buildings (such as hay and bedding storage) have been accommodated within the existing barns. Therefore, it has been demonstrated that the existing buildings and yard area are not large enough to accommodate the equestrian facilities required.”

- 12.20 Para 6.13 states that:

“The proposed equestrian buildings are well located, being adjacent to the fields where the horses would be turned out to graze and adjacent to the Applicant’s dwelling. There is an existing well used track that links the parking area to the proposed site.”

- 12.21 In terms of layout for the use and facilities proposed, they have been re-designed to respond to the contours of the land with the facilities designed to sit at one level with the indoor arena and horse walker cut into the land by 1.5-2m so that they assimilate into the landscape setting. It will mean that the ridge heights will be lowered by 1.5-2m. Grass slopes at 1 in 3 would be created around the indoor arena and horse walker to further soften their appearance. Also, it is important to note that there will be no export or import of soil from the site. The new native trees, hedges and soft landscaping are also considered to be appropriate and in accordance with MSDP policy DP26.

- 12.22 It is considered that the design of the proposed development both in terms of external appearance, layout and landscaping, will create a unified comprehensive development, of an equestrian facility conceived as a whole entity rather than one that has evolved in a piecemeal fashion over time. Such a landscape-led design concept is more appropriate and respectful of its rural setting. The muted colour palette of materials will harmonise within the landscape setting.

Visual Impact on Countryside and Setting of SDNP

- 12.23 As said above Policy DP12 states that the countryside will be protected in recognition of its intrinsic character and beauty and that development will be permitted in the countryside provided it maintains or where possible enhances the quality of the rural and landscape character.

- 12.24 Policy DP18 states that:

“Development within land that contributes to the setting of the South Downs National Park will only be permitted where it does not detract from, or cause detriment to, the visual and special qualities (including dark skies), tranquillity and essential characteristics of the National Park, and in particular should not adversely affect

transitional open green spaces between the site and the boundary of the South Downs National Park, and the views, outlook and aspect, into and out of the National Park by virtue of its location, scale, form or design.

Development should be consistent with National Park purposes and must not significantly harm the National Park or its setting. Assessment of such development proposals will also have regard to the South Downs Partnership Management Plan and emerging National Park Local Plan and other adopted planning documents and strategies.”

12.25 Policy DP37 in the MSDP states:

‘Development that will damage or lead to the loss of trees, woodland or hedgerows that contribute, either individually or as part of a group, to the visual amenity value or character of an area, and/ or that have landscape, historic or wildlife importance, will not normally be permitted.

Proposals for new trees, woodland and hedgerows should be of suitable species, usually native, and where required for visual, noise or light screening purposes, trees, woodland and hedgerows should be of a size and species that will achieve this purpose.

Trees, woodland and hedgerows will be protected and enhanced by ensuring development:

- incorporates existing important trees, woodland and hedgerows into the design of new development and its landscape scheme; and*
- prevents damage to root systems and takes account of expected future growth; and*
- where possible, incorporates retained trees, woodland and hedgerows within public open space rather than private space to safeguard their long-term management; and*
- has appropriate protection measures throughout the development process; and*
- takes opportunities to plant new trees, woodland and hedgerows within the new development to enhance on-site green infrastructure and increase resilience to the effects of climate change; and*
- does not sever ecological corridors created by these assets.*

Proposals for works to trees will be considered taking into account:

- the condition and health of the trees; and*
- the contribution of the trees to the character and visual amenity of the local area; and*
- the amenity and nature conservation value of the trees; and*
- the extent and impact of the works; and*
- any replanting proposals.*

The felling of protected trees will only be permitted if there is no appropriate alternative. Where a protected tree or group of trees is felled, a replacement tree or group of trees, on a minimum of a 1:1 basis and of an appropriate size and type, will normally be required. The replanting should take place as close to the felled tree or trees as possible having regard to the proximity of adjacent properties.

Development should be positioned as far as possible from ancient woodland with a minimum buffer of 15 metres maintained between ancient woodland and the development boundary.'

12.26 Neighbourhood Plan policy ALC1 (conserving and enhancing character) states:

"Development, including formal sports and recreation areas will be supported in the countryside, defined as the areas outside the built-up Area Boundary shown on the policy map where the following criteria are met:

- 1. It is necessary for the purposes of agriculture, or some other use which has to be located in the countryside;*
- 2. It maintains, or where possible enhances, the quality of the rural and landscape character of the Parish area;*
- 3. It is supported by a specific policy reference elsewhere in this Plan.*
- 4. It is necessary for essential infrastructure and it can be demonstrated that there are no alternative sites suitable and available, and that the benefit outweighs any harm or loss."*

12.27 ALC1 is similar to the wording and ethos of policy DP12.

12.28 Policy ALC2 – South Downs National Park, states:

"Development in the parish that contributes to the setting of the SDNP will only be supported where it enhances and does not detract from the National Park's visual qualities and essential characteristics.

The policies of the SDNP Partnership Management Plan will be a material consideration for such development. The Neighbourhood Area Plan shows the area of National Park that lies within the Neighbourhood Plan area."

12.29 There is a conflict between the wording of MSDP policy DP18 and Neighbourhood Plan ALC2. DP18 uses the wording, *"where it does not detract from, or cause detriment to, the visual and special qualities"*, while policy ALC2 states that *"development should enhance and not detract from"*. The MSDP is the more recently adopted development plan and as such the wording within DP18 takes precedence.

12.30 The NPPF states in para 187 b) that *"planning decisions should contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside."*

12.31 In para 189 that, *"great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks. The conservation and enhancement of wildlife and cultural heritage are also important consideration in these areas and should be given great weight in National Parks."*

12.32 As said above, the only part of the application site which lies within the National Park is the existing access. The part of the application site containing the proposed buildings is not within the National Park but adjoins the boundary of the National Park to the east and south.

12.33 The South Downs National Park Authority has raised concerns to the proposal.

12.34 The SDNPA have commented that:

“Although the application site is located outside of the National Park, the Council has a statutory duty to consider the Purposes of the National Park when making its determination. The statutory purposes and duty of the National Park are:

Purpose 1: *To conserve and enhance the natural beauty, wildlife and cultural heritage of the area.*

Purpose 2: *To promote opportunities for the understanding and enjoyment of the special qualities of the National Park by the public.*

Duty: *To seek to foster the social and economic wellbeing of the local communities within the National Park in pursuit of our purposes.”*

12.35 If there is 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.

12.36 The SDNPA have stated that the proposed development would very much be within the setting of the National Park and therefore must conserve and enhance the landscape and scenic beauty. The SDNPA’s full comments were received prior to amendments made to the scheme, and in terms of landscape impact, the SDNPA has supported the re use of the existing barns in the yard for storage purposes (this is outside of the application site boundary) and goes on to say that:

“The proposal would still result in the introduction of a significant volume of built form in an undeveloped, open, agricultural field. The scale, bulk, number and (in particular) the spread of buildings is considered to be excessive.

In particular, the proposed indoor arena with 2 wings is a substantial building that will be highly prominent in the setting of the National Park.

It is noted that rather than reducing the height of the buildings, significant engineering works are proposed in order to set buildings lower down. This is not landscape led and does not conserve or enhance the landscape. Overall, the proposed layout is highly engineered which does not respect the rural, agricultural character of the site.

It is noted that the 'all weather' turnout paddocks have been removed from the proposal. It is unclear where the horses would be turned out for exercise and wellbeing. This detail will be important and could have significant landscape impacts, depending on the proposed details. The soft landscaping proposed appears very formal and not in keeping with the rural, agricultural character of the area. Structural tree planting is suburban and alien in this context.”

12.37 In terms of dark skies, the SDNPA have emphasised that a sensitive approach should be adopted to internal and external lighting proposals.

12.38 The SDNPA comments dated 30th June 2025 state that MSDC’s Landscape consultants at ‘Place Services’ are not supportive of the proposal owing to the impact of the proposed development on the landscape character and the setting of the SDNP. However, comments have subsequently been received on 14th July from Place Services landscape consultants, which concludes that:

“we judge that the introduction of these built features and considerable earthworks within this undeveloped site will have some unavoidable negative effects on the landscape character. However, we recognise that the resubmitted design has introduced a number of amendments to the design which will reduce the resulting effects, closer to the anticipated Year 15 effects judged.”

12.39 The applicants have submitted an amended landscape plan, and the applicants landscape architect has submitted a letter (30th May 2025) as a rebuttal (and photographs) and in response to the comments received from SDNPA and Place Services. A landscape visual assessment (LVA) has also been carried out by the applicant.

12.40 In summary the following points have been made:

- *The character of the application field has changed from being a single parcel of land to now being bisected as a result of the introduction of a track.*
- *The proposals have been sited in an open field rather than the existing yard due to the yard and existing barns being sited within ancient woodland and its 15m buffer. The SDNPA does not want any new development within the ancient woodland or its buffer.*
- *It should be highlighted that the site is adjacent to Wickwoods Country Club, Hotel and Spa which accommodates the hotel and restaurant building, an indoor tennis court building, indoor paddle court building, 9 retreat lodges, 5 holiday lodges, spin studio building; open air spa garden, tennis courts with floodlights and carpark which have been developed within the National Park boundary.*
- *The layout of the facilities has been focused around a level plateau on the basis that hard surfacing slopes and horses do not mix with potential for accidents and injuries to both horses and riders. The elimination of heavily engineered structures such as retaining walls and barriers are both a safety and visual issue whereas soft embankments where level change is required are more sympathetic in a countryside location such as this.*
- *The Place Services and SDNPA recommendation for additional mitigation measures have been incorporated into amended plans which have been submitted with this rebuttal. These additional mitigation measures include: The removal of structural tree planting outside of the courtyard area.*

12.41 The application proposals now include:

- a) Additional woodland planting in the southeast to extend onto the proposed bank to help soften this feature and enhance the setting of the Ancient Woodland and SDNP.
- b) Further additional woodland planting is proposed along the western boundary of the site. This will aid to reinstate the original historic assartment of the woodland that created the open field with the provision of an additional 5,803m² of woodland bringing the total area of new woodland up to 8,626m² when compared to the original proposals.
- c) Replacement of the proposed porous tarmacadam with unbound natural stone surfacing which is more suitable in this countryside location.
- d) Native species hedges will be planted in double staggered rows in the suggested species ratios (planting details submitted).

- e) An AIA has already been submitted with an outline AMS included.
- f) The species mix is focused on diverse native species and those ornamental species suited to their location and insurance against climate change.
- g) Development avoids the root protection area of all trees within and surrounding the site.
- h) The resurfacing of the trackway will use a no-dig surface solution.
- i) The native species selected would add landscape and arboricultural value.
- j) Lighting will be minimised.
- k) Help soften this feature and enhance the setting of the Ancient Woodland and SDNP.

12.42 St Aubyn Tree Consultancy have provided an Arboricultural Survey Report with a Tree Constraints Plan and an Arboricultural Impact Assessment and Method Statement. This proposal has been informed by these supporting documents and demonstrates how the trees, woodland and soils will be protected. The ancient woodland and its 15m buffer have dictated the layout of the proposal in order to protect this sensitive woodland. The Council's Tree and Landscape Officer has no objection to the proposed development.

12.43 Place services have commented that, *"the views, outlook and aspect are not affected by the development proposals, owed to the secluded nature of the development, the very limited views of the site and they therefore have limited concerns over visual impact."*

Also that, *"the development proposals include some large areas of new woodland planting adjacent to the Ancient Woodland which they consider will enhance the characteristics of the SDNP."*

"The submitted Rebuttal (30th May 2025) is now supported by Viewpoint Photography which is welcomed. We welcome the inclusion of Table 1 within the submitted Rebuttal, which assesses the Landscape Value of the site against TGN 02/21 Assessing Landscape Value Outside National Designations."

Additional mitigation measures have been proposed to ensure that the indicated effects are including Orchard Plan (Dwg no. FLA-EAS-LS-004 Rev. B), where the applicant has been receptive to our previous landscape recommendations and have incorporated these into the design. The revised design includes considerable landscape mitigation measures which seek to reduce the landscape and visual effects of the proposed works, and we welcome these proposals."

Overall, we judge that the introduction of these built features and considerable earthworks within this undeveloped site will have some unavoidable negative effects on the landscape character. However, we recognise that the resubmitted design has introduced a number of amendments to the design which will reduce the resulting effects, closer to the anticipated Year 15 effects judged."

It is therefore considered that the landscaping mitigation measures proposed, *which* would have a neutral / slight adverse at Year 5, neutral at Year 10 and Slight Positive at Year 15 is positive in the planning balance and accords with Development Plan policies.

- 12.44 It is therefore considered that the amended proposals have mitigated the original landscape visual impact concerns, raised by SDNPA and Place Services landscape consultants.
- 12.45 In terms of views of the development site, the public rights of way across open fields to the north, runs in an east-westerly direction and is approximately 422m away from the proposed built development at its closest point. The comments made by MSDC landscape consultants at Place Services in terms of views, outlook and aspect not being affected by the development proposals are agreed with by your planning officer. While it is acknowledged that the buildings proposed are of a large scale, this is not considered to be out of place in the countryside where large scale buildings of a utilitarian nature are expected. The field on which the buildings would be located is also surrounded by woodland so would be largely screened to the east and southern sides. Also, as said above, the proposals would introduce further woodland supplemental planting to the western side of the field. The proposed equestrian facility is a rural use and in terms of the external appearance and layout of buildings would appear as cohesive development in terms of its external appearance and muted colours in the landscape setting. The landscaping proposals are also considered to be comprehensive and well thought out to compliment the arrangement of buildings and the surrounding landscape character. It has been shown that the landscape impact from year 5 onwards would be neutral to a slight improvement.
- 12.46 This is a facility which would have to operate quietly in order to keep the horses calm. There would be no activities that would generate noise and the premises would be privately utilised and low key in terms of the level of activity taking place. This is compliant with DP26 and DP29. Traffic movements would also be kept to a minimum as noted in the Transport Statement. This would be respectful of the tranquillity and essential characteristics of the National Park.
- 12.47 Although the site is located just outside the National Park, it is still within the setting. The site is located just outside the Dark Night Sky Zone E1b: Transition Zone. Low-level external lighting is proposed only where necessary to reduce impacts on the dark night skies and wildlife. The maximum Lux level that will be utilised would be 10 Lux.
- 12.48 Outdoor lighting would be kept to a minimum to prevent light spill. Outdoor lighting proposed modern LED luminaires in fixtures and fittings that would direct light downward with limited light spill. The stable blocks including the isolation stable have substantial eaves where light fittings will be located under overhangs directing light downwards outside stables. This will be reinforced within the courtyard with low-level bollard lighting around the individual landscape areas.
- 12.49 The main indoor arena entrance area would also have downward facing illumination and small LED's within the steps leading up to the entrance. Internally the arena floor would be lit to the 500 Eave (LUX) for professional standard use. The southern façade of the indoor arena would be free of glazing due to the close proximity of the ancient woodland to prevent light spill in the woodland area.
- 12.50 A combination of glass coatings (to reduce light spill) external light sensors (set by a timeclock and lux), low level bollard lighting and downward facing lights would be used. The proposal would ensure the intrinsic quality of dark night skies are conserved and enhanced in accordance with policy DP18 of the MSDP and technical guidance on dark night skies.

- 12.51 Given the above, it is considered that on balance the proposed development would seek to meet the statutory purpose 1 and duty of the National Park which requires development to conserve and enhance the natural beauty, wildlife and cultural heritage of the area. As such, in landscape terms the proposal would also comply with DP12 and DP18 and would not detract from or cause detriment to the visual and special qualities, (including dark skies), tranquillity and essential characteristics of the setting of the South Downs National Park. The proposal also complies with Policy ALC1 of the Neighbourhood Plan.

Residential Amenity

- 12.52 In regard to residential amenity Policy DP26 seeks to ensure that development:

“does not cause significant harm to the amenities of existing nearby residents and future occupants of new dwellings, including taking account of the impact on privacy, outlook, daylight and sunlight, and noise, air and light pollution (see Policy DP29);”

- 12.53 Policy DP29 relates to noise, air and light pollution. It states that the environment, including Nationally Protected Landscapes, and the quality of people’s life will be protected from unacceptable levels of noise, light and air pollution. Development will only be permitted where it is designed, located and controlled to minimise the impact of noise on health and quality of life, neighbouring properties and the surrounding area; the impact on local amenity, intrinsically dark landscapes of artificial lighting proposals (including floodlighting) is minimised in terms of intensity and number of fittings; and it does not cause unacceptable levels of air pollution.
- 12.54 The closest residential properties are Honeybourne Farm and Oatfield Cottage which are around 400m away to the north of the site and potential views of the site will be limited to the upper storey windows on the southern elevation of the dwelling. These views will be interrupted by mature hedgerows and oak trees but given the distances and vegetation would not significantly harm the residential amenity of these properties. Wickwoods Country Club is situated to the south of the site and is closest to the application site but there is established mature woodland between the sites.
- 12.55 As such, the proposed development would not significantly harm the residential amenity of neighbouring dwellings and is in accordance with policies DP26 and DP29 of the MSDP.

Transport

- 12.56 Policy DP21 of the Mid Sussex District Plan requires development to: be sustainably located to minimise the need for travel; promote alternative means of transport to the private car, including provision of suitable facilities for secure and safe cycle parking; not cause a severe cumulative impact in terms of road safety and increased traffic congestion; be designed to adoptable standards, or other standards as agreed by the Local Planning Authority, including road widths and size of garages; and provide adequate car parking in accordance with parking standards.
- 12.57 The application is supported by a Transport Statement.
- 12.58 In terms of access, East Wood Farm is accessed from Shaves Wood Lane a c classified road and subject to 60mph speed restriction. The existing crossover and gated entrance will be retained with some amendment albeit minor proposed to improve visibility. Drawing no SWL/SR/6001 illustrates the required visibility splays.

- 12.59 In terms of trip generation the Highway Authority has estimated that the proposal would generate 13 vehicular movements per day and on a worse case scenario if all activities occurred on a single day this could amount to 26 movements per day. The Highway Authority has confirmed that this would not be materially harmful to the operation of the local highway.
- 12.60 The Highway Authority has not objected to the proposed development and considers that this proposal would not have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network; therefore, is not contrary to the National Planning Policy Framework (NPPF), paragraphs 114 - 117, as revised December 2024. Therefore, there are no transport grounds to resist this proposal.
- 12.61 In terms of parking, the application proposes 20 vehicle parking spaces within the hard surfaced yard area and the Highway Authority are satisfied that vehicles can be parked with no highway safety risk in terms of overspill onto the highway.
- 12.62 As such, the proposed development is in accordance with DP21, and national policy contained within the NPPF.

Flood Risk and Drainage

- 12.63 Policy DP41 of the MSDP deals with flood risk and drainage matters and states the following:

'Proposals for development will need to follow a sequential risk-based approach, ensure development is safe across its lifetime and not increase the risk of flooding elsewhere. The District Council's Strategic Flood Risk Assessment (SFRA) should be used to identify areas at present and future flood risk from a range of sources including fluvial (rivers and streams), surface water (pluvial), groundwater, infrastructure and reservoirs.

Particular attention will be paid to those areas of the District that have experienced flooding in the past and proposals for development should seek to reduce the risk of flooding by achieving a reduction from existing run-off rates.'

- 12.64 The application is supported by a Flood Risk and Outline Drainage Statement.
- 12.65 An outline drainage scheme has been prepared by Trevor Furse of Furse Landscape Architects. The scheme incorporates SUDS principles and a balancing pond to ensure that water discharged into the lower northern pond does not exceed the existing green field run-off rate. This is explained in more detail in para's 2.13 to 2.16 of the planning statement. The MSDC Flood Risk and Drainage Team are of the opinion that the development has shown that, in principle, drainage could successfully be provided on the site.
- 12.66 The comments from MSDC drainage engineers states that:

"The site is in flood zone 1 and is at low fluvial flood risk (risk of flooding from Main Rivers). The site is shown to be at very low to high surface water flood risk (comparable to flood zone 1 to 3). The area's of high surface water are contained in the existing field ditches."

- 12.67 The proposed development area is not at risk of alternative sources of flooding including surface water flooding, groundwater flooding or flooding from reservoirs. Mid Sussex District Council's records do not contain records of the site flooding nor records of flooding within the area immediately surrounding the site.
- 12.68 It is considered that in terms of flood risk and drainage, the criteria of DP41 can be met and details can be submitted by condition. As such, the proposal in this regard is considered to be acceptable and complies with Development Plan and national guidance within the NPPF in respect of this issue.

Ecology and Biodiversity Net Gain

- 12.69 Policy DP38 (Biodiversity) states:

"Biodiversity will be protected and enhanced by ensuring development:

- Contributes and takes opportunities to improve, enhance, manage and restore biodiversity and green infrastructure, so that there is a net gain in biodiversity, including through creating new designated sites and locally relevant habitats, and incorporating biodiversity features within developments; and*
- Protects existing biodiversity, so that there is no net loss of biodiversity. Appropriate measures should be taken to avoid and reduce disturbance to sensitive habitats and species. Unavoidable damage to biodiversity must be offset through ecological enhancements and mitigation measures (or compensation measures in exceptional circumstances); and*
- Minimises habitat and species fragmentation and maximises opportunities to enhance and restore ecological corridors to connect natural habitats and increase coherence and resilience; and*
- Promotes the restoration, management and expansion of priority habitats in the District; and*
- Avoids damage to, protects and enhances the special characteristics of internationally designated Special Protection Areas, Special Areas of Conservation; nationally designated Sites of Special Scientific Interest, Areas of Outstanding Natural Beauty; and locally designated Sites of Nature Conservation Importance, Local Nature Reserves and Ancient Woodland or to other areas identified as being of nature conservation or geological interest, including wildlife corridors, aged or veteran trees, Biodiversity Opportunity Areas, and Nature Improvement Areas.*

Designated sites will be given protection and appropriate weight according to their importance and the contribution they make to wider ecological networks. Valued soils will be protected and enhanced, including the best and most versatile agricultural land, and development should not contribute to unacceptable levels of soil pollution.

Geodiversity will be protected by ensuring development prevents harm to geological conservation interests, and where possible, enhances such interests. Geological conservation interests include Regionally Important Geological and Geomorphological Sites."

12.70 Paragraph 187 of the NPPF sets out the ways planning policies and decisions should contribute to and enhance the natural and local environment. Paragraph 193 of the NPPF states:

'When determining planning applications, local planning authorities should apply the following principles:

- a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;*
- b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;*
- c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and*
- d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.'*

12.71 The Environmental Act 2021 has amended section 40 of the Natural Environment and Rural Communities (NERC) Act 2006 and places a general duty on a public authority to conserve and enhance biodiversity. A public authority must, in exercising its functions, have regard, as far as is consistent with the proper exercise of those functions, to the purpose of conserving and enhancing biodiversity.

12.72 A Preliminary Ecological Appraisal has been carried out by Environmental Assessment Services Ltd, (EAS) and this has found that the application site is of lower ecological value (common weeds such as dock, silver weed, sow thistle, buttercup and mayweed).

12.73 Protection measures for notable and protected species would be required and a district licence would be required from Nature Space to address the potential impact on Great Crested Newt's. Therefore, the Applicant has paid the first stage fee to get a District Licence Report from Nature Space. No other surveys are required.

12.74 The Councils Ecology Consultants (Place Services) has reviewed these submissions together with subsequent rebuttal letter and supporting photographs and have no objection subject to any planning permission including their recommended conditions. Place Services comments in full can be found in appendix B of this report.

12.75 In summary, Places Services have stated that:

“We are now satisfied that there is sufficient ecological information available to support determination of this application.....This provides certainty for the LPA of the likely impacts on designated sites, protected and priority species & habitats and, with appropriate mitigation measures secured, the development can be made acceptable.

We support the recommendation that a Wildlife Friendly Lighting Strategy is implemented for this application (Preliminary Ecological Appraisal (Environmental Assessment Services Ltd., December 2024)) to avoid impacts from light disturbance. With regard to mandatory biodiversity net gains, it is highlighted that we support the submitted Biodiversity Net Gain Statement (Gould Baxter, January 2025) and Existing Habitat Map and Proposed Habitat Map (Appendices A and B, Preliminary Ecological Appraisal (Environmental Assessment Services Ltd., December 2024)) and Statutory Biodiversity Metric (December 2024). We also support the proposed reasonable biodiversity enhancements for protected, priority and threatened species. Impacts will be minimised such that the proposal is acceptable, subject to the conditions.”

12.76 In terms of BNG, policy DP38 of the MSDP requires development to ‘*protect existing biodiversity, so that there is no net loss of biodiversity*’.

12.77 Biodiversity net gain is required under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990. Under the statutory framework for biodiversity net gain this application is deemed to have been granted subject to the biodiversity net gain condition for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat.

12.78 The biodiversity net gain condition is set out in the Town and Country Planning Act 1990, Schedule 7A, Part 2, 13 (2). It states:

*‘The condition is that the development may not be begun—
(a) a biodiversity gain plan has been submitted to the planning authority (see paragraph 14), and
(b) the planning authority has approved the plan’.*

12.79 The proposed development is subject to the mandatory 10% BNG as also stated by the applicant on the application form.

12.80 The Environment Act 2021 makes provision for BNG to be delivered in the following ways;

- On-site
- Off-site (on registered sites)
- Biodiversity credits (purchased nationally)

12.81 The BNG will be delivered on site and will include woodland planting and neutral grassland areas all to be accommodated within the red edged boundary.

12.82 The submitted BNG Metric shows the total Biodiversity New Gain delivered would be 24.51%.” The landscaping proposals demonstrate how new planting has been

incorporated into the scheme and how the new balancing pond will exceed the mandatory 10% BNG. This will be secured through the statutory BNG condition.

- 12.83 Therefore, the proposals would accord with policy DP38 of the Mid Sussex District Plan and national policy within the NPPF.

Sustainability

- 12.84 Policy DP39 of the District Plan states:

- 12.85 *'All development proposals must seek to improve the sustainability of development and should where appropriate and feasible according to the type and size of development and location, incorporate the following measures:*

- *Minimise energy use through the design and layout of the scheme including through the use of natural lighting and ventilation;*
- *Explore opportunities for efficient energy supply through the use of communal heating networks where viable and feasible;*
- *Use renewable sources of energy;*
- *Maximise efficient use of resources, including minimising waste and maximising recycling/ re-use of materials through both construction and occupation;*
- *Limit water use to 110 litres/person/day in accordance with Policy DP42: Water Infrastructure and the Water Environment;*
- *Demonstrate how the risks associated with future climate change have been planned for as part of the layout of the scheme and design of its buildings to ensure its longer term resilience.'*

- 12.86 The Design and Access Statement and Sustainability Statement confirms at para 10.1 that:

"The proposals afford great opportunity to create a development with exceptional sustainability credentials, primarily through its low energy use. A combination of passive and active measures have been built into the design to reduce its energy use, as follows:

- a) *The thermal performance of the new building fabric will greatly better the standards required by Approved Document L of the Building Regulations. This will be achieved through a combination of enhanced thermal insulation provision to the walls, roofs and floors, as well as limiting air permeability and designing out thermal bridges as far as is reasonably practicable.*
- b) *The buildings envelope has been designed to use solar gain, while at the same time introducing architectural elements such as oversailing soffits to prevent overheating.*
- c) *It is proposed to install high performance double-glazed windows and doors with gas-filled cavities, formed in thermally-broken aluminium frames, to offer thermal performance that improves greatly on the standards required in the Building Regulations;*
- d) *Water usage throughout the proposals will be reduced to levels below the standards required by the Building Regulations, through the installation of flow reducing / aerating taps, and low-flush cisterns. The proposed installation of a centralised rainwater harvesting system will collect rainwater from the new roofs and hardstanding areas, storing it ready for its treatment and re-use.*

- e) *The space heating, of the buildings will be covered by a heat pump system providing both hot water and space heating.*
- f) *Low energy lighting will be installed throughout the proposed building and externals, further reducing electricity use.*
- g) *It is proposed to use local materials and employ local tradespersons, where possible, to carry out the building works.*

- 12.87 It is therefore considered that a number of active and passive measures are included in the proposals to reduce the energy use of the facility. These measures include high levels of insulation, the provision of glazing to generate heat through solar gain, and the use of renewables for providing the space heating and hot water requirements. As such the proposal is considered to comply with DP39.
- 12.88 In terms of the three overarching objectives in para 8 of the NPPF, which includes the economic, social and environmental objectives, the proposal aims to support all three.
- 12.89 Economically, the proposal would support the rural economy through the employment of rural workers that are required to support the horses on site. The horses would be sustainably located to nearby show jumping venues such as Hickstead, Hascombe Farm and Bredon Stud which is where the horses would compete.
- 12.90 Socially, the proposed equestrian facility would provide a purpose-built centre which would enable the applicants to train their horses on site, to top level competition. There is a lot of local support for the proposed facility for present and future equestrian generations.
- 12.91 In terms of the environmental objectives, the proposed facility is not considered to detract from the setting of the SDNP, it would protect the ancient woodland and its buffer, enhances the amount and quality of native planting on site, enhances biodiversity on site as bird and bat boxes are proposed, log piles for reptiles and by increasing planting it will increase biodiversity.
- 12.92 Therefore it is considered that the proposals will meet the three overarching aims of sustainability and therefore comply with DP39 of the MSDF and national policy contained within the NPPF.

Ashdown Forest

- 12.93 Under the Conservation of Habitats and Species Regulations 2017 (as amended) (the 'Habitats Regulations'), the competent authority – in this case, Mid Sussex District Council – has a duty to ensure that any plans or projects that they regulate (including plan making and determining planning applications) will have no adverse effect on the integrity of a European site of nature conservation importance. The European site of focus is the Ashdown Forest Special Protection Area (SPA) and Special Area of Conservation (SAC).
- 12.94 The potential effects of development on Ashdown Forest were assessed during the Habitats Regulations Assessment (HRA) process for the Mid Sussex District Plan 2014-2031. This process identified likely significant effects on the Ashdown Forest SPA from recreational disturbance and on the Ashdown Forest SAC from atmospheric pollution.

- 12.95 A Habitats Regulations Assessment has been undertaken for the proposed development in this planning application.

Recreational disturbance

- 12.96 Increased recreational activity arising from new residential development and related population growth is likely to disturb the protected near-ground and ground nesting birds on Ashdown Forest.
- 12.97 In accordance with advice from Natural England, the HRA for the Mid Sussex District Plan 2014-2031, and as detailed in District Plan Policy DP17, mitigation measures are necessary to counteract the effects of a potential increase in recreational pressure and are required for developments resulting in a net increase in dwellings within a 7km zone of influence around the Ashdown Forest SPA. A Suitable Alternative Natural Greenspace (SANG) and Strategic Access Management and Monitoring (SAMM) mitigation approach has been developed. This mitigation approach has been agreed with Natural England.
- 12.98 This planning application does not result in a net increase in dwellings within the 7km zone of influence and so mitigation is not required.

Atmospheric pollution

- 12.99 Increased traffic emissions as a consequence of new development may result in additional atmospheric pollution on Ashdown Forest. The main pollutant effects of interest are acid deposition and eutrophication by nitrogen deposition. High levels of nitrogen may detrimentally affect the composition of an ecosystem and lead to loss of species.
- 12.100 The potential effects of the proposed development are incorporated into the overall results of the transport model prepared for the Mid Sussex Transport Study, which indicates there would not be an overall impact on Ashdown Forest. This means that there is not considered to be a significant in combination effect on the Ashdown Forest SAC by this development proposal.

Conclusion of the Habitats Regulations Assessment

- 12.101 The Habitats Regulations Assessment concludes that there would be no likely significant effects, alone or in combination, on the Ashdown Forest SPA and SAC from the proposed development.
- 12.102 No mitigation is required in relation to the Ashdown Forest SPA or SAC.
- 12.103 A full HRA (that is, the appropriate assessment stage that ascertains the effect on integrity of the European site) of the proposed development is not required.

13.0 Planning Balance and Conclusion

- 13.1 Full planning permission is being sought for change of use of land to equestrian, including erection of equestrian facilities such as an indoor arena, stables, outdoor arena, horse walker, re-surfacing of existing track, creation of balancing / ecology pond, associated earthworks and provision of a soft landscaping scheme.

- 13.2 Planning legislation holds that the determination of a planning application shall be made in accordance with the Development Plan unless material considerations indicate otherwise. It is therefore necessary for the planning application to be assessed against the policies in the development plan and then to take account of other material planning considerations including the National Planning Policy Framework (NPPF). The Development Plan in this instance consists of the Mid Sussex District Plan (MSDP), the Site Allocations Development Plan Document (SADPD) and the Albourne Neighbourhood Plan (ANP).
- 13.3 Courts have confirmed that the Development Plan must be considered as a whole, not simply in relation to any one individual policy. It is therefore not the case that a proposal must accord with each and every policy within the Development Plan.
- 13.4 Policy DP12 in the MSDP is the starting point and this policy allows for development in the countryside provided it maintains or where possible enhances the quality of the rural and landscape character.
- 13.5 Under Policy DP12, the proposal must also be supported by another adopted development plan policy.
- 13.6 DP14 of the Mid Sussex District Plan supports sustainable growth and the vitality of the rural economy. The application has demonstrated the need for the provision of high level training facilities for show jumping and the creation of equine employment it will support.
- 13.7 The scheme has evolved and has been carefully designed, as per the application proposal, following advice from the South Downs National Park Authority (and other consultees). The SDNPA suggested retention and re-use of existing farm buildings in order to reduce the need for further development whilst also protecting soils in the ancient woodland and its buffer. It is considered that the principle of providing new equestrian facilities within well designed new buildings on a less sensitive part of the holding (and outside of the South Downs National Park), which is well screened by trees is supported under DP14 and at a national level through paragraph 88 of the NPPF.
- 13.8 DP18 requires that development within land that contributes to the setting of the South Downs National Park will be permitted where it does not detract from or cause detriment to the visual and special qualities, inter alia, of the National Park. Development should not adversely affect transitional open green spaces by virtue of location, scale, form and design. NP ALC2 has a similar ethos and para 189 of the NPPF advises that great weight has been given to conserving and enhancing landscape and scenic beauty of the NP. It is acknowledged that the proposed buildings are of a significant scale in terms of their overall scale however, their consolidated layout and muted external appearance, through the choice of appropriate materials will not appear incongruous in this well screened location.
- 13.9 The landscape evidence baseline of the site is set out comprehensively in the accompanying LVA by Furze Landscape Architects. There are very limited views of the application site due to the fact that the site is surrounded by woodland. The only views achievable are from the north looking southwards from a short section of public footpath. The site is otherwise comprehensively screened by existing mature trees and woodland. It is considered that the landscaping mitigation measures proposed would have a neutral / slight adverse at Year 5, neutral at Year 10 and Slight Positive at Year 15. Overall, this is an improvement on the current landscape effect and is positive in the planning balance. It is considered that the landscape character and

setting, as well as the Dark Night Sky Zone E1b:Transition Zone of the SDNP, would be conserved and enhanced in accordance with DP18 and ALC1 and ALC2 of the ANP as well as national policy in the NPPF.

- 13.10 The proposal would also enhance the existing lower ecological value of the site through its native planting scheme and ecological pond. The proposed BNG is more than double the mandatory requirement and this is considered positive in the planning balance.
- 13.11 Notwithstanding the above, the SDNPA have objected to the proposed development, but their comments were received prior to the submission of the landscape rebuttal letter and supporting photographs. This is considered negative in the planning balance.
- 13.12 It is considered that the proposed equestrian facilities would not result in significant harm on nearby residential amenities. The closest residential property is 400m to the north of the application site. This is positive in the planning balance.
- 13.13 There are no objections raised from Mid Sussex District Councils' flood risk and drainage engineers, tree and landscape consultants, and the local highway authority at West Sussex County Council in relation to transport matters. It is proposed to use the existing, albeit altered, access and there is sufficient parking and turning. The ecology, and landscape consultants at Place Services also raised no objections. This is all considered positive in the planning balance.
- 13.14 The proposed development is not likely to have a significant adverse effect on the Ashdown Forest SPA and SAC. This is positive in the planning balance.
- 13.15 The proposed development is therefore compliant with policies DP12, DP14, DP17, DP18, DP21, DP26, DP29, DP37, DP38, DP39 and DP41 of the Mid Sussex District Plan, and Policies ALC1 and ALC2 of the Albourne Neighbourhood Plan. The application proposals also accord with the principles of the Mid Sussex Design Guide.
- 13.16 Therefore, taking all the points into consideration, there are compelling reasons to approve this application.

APPENDIX A – RECOMMENDED CONDITIONS

Conditions

- 1. The works to which consent relates shall be begun not later than 3 years from the date of this consent.

Reason: To comply with Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2. Approved Plans

The development hereby permitted shall be carried out in accordance with the plans listed below under the heading "Plans Referred to in Consideration of this Application".

Reason: For the avoidance of doubt and in the interest of proper planning.

3. No development shall be carried out unless and until details including samples of all new facing and roofing materials to the new buildings have been submitted to and approved by the Local Planning Authority. The works shall be carried out in accordance with the approved details unless otherwise agreed with the Local Planning Authority.

Reason: In order to ensure the satisfactory appearance of the development and to accord with Policy DP26 of the Mid Sussex District Plan 2014- 2031.

4. Prior to the commencement of construction of any building subject of this permission, including construction of foundations, full details of a hard and soft landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. These details shall include indications of all existing trees and hedgerows on the land, and details of those to be retained, together with measures for their protection in the course of development. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed by the Local Planning Authority. Any trees or plants which, within a period of five years from the completion of 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 visual amenity and of the environment of the development and to accord with Policies DP26 and DP37 of the Mid Sussex District Plan and Policies ALC1 and ALC2 of the Albourne Neighbourhood Plan.

5. No development shall take place unless and until there has been submitted to and approved in writing by the Local Planning Authority full details (large scale elevations) of typical examples of all new fencing, walling or other boundary treatments, annotated to show materials and finishes. The scheme shall only be implemented in accordance with the approved details.

Reason: In order to ensure the satisfactory appearance of the development and to accord with Policy DP26 of the Mid Sussex District Plan 2014- 2031.

6. No part of the development shall be first occupied until visibility splays of 2.4 metres by 106 metres to the north and 2.4 metres by 110 metres to the south have been provided at the site access onto Shaves Wood Lane, in accordance with the approved planning drawings. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed.

Reason: In the interests of road safety in accordance with Policy DP21 of the Mid Sussex District Plan and national policy within the National Planning Policy Framework.

7. All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (Environmental Assessment Services Ltd., December 2024) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. This includes the Precautionary Method Statement for mobile protected species in Sections 4.6 and 4.9 of the Preliminary Ecological Appraisal (Environmental Assessment Services Ltd., December 2024), which avoids impacts on protected species.

This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW,) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

Reason: To conserve and enhance Protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (as amended). To be in accordance with policy DP38 of the Mid Sussex District Plan and national policy contained within the National Planning Policy Framework 2024.

8. Prior to commencement of the development, a Biodiversity Enhancement Layout for biodiversity enhancements listed in the Preliminary Ecological Appraisal (Environmental Assessment Services Ltd., December 2024) shall be submitted to and approved in writing by the local planning authority.

The content of the Biodiversity Enhancement Layout shall include the following:

- . detailed designs or product descriptions for biodiversity enhancements; and
- . locations, orientations and heights for biodiversity enhancements on appropriate drawings.

The enhancement measures shall be implemented in accordance with the approved details prior to occupation and all features shall be retained in that manner thereafter.

Reason: To enhance protected and Priority species & habitats and allow the LPA to discharge its duties under paragraph 187d of the NPPF 2024 and s40 of the NERC Act 2006 (as amended). To be in accordance with policy DP38 of the Mid Sussex District Plan and national policy contained within the National Planning Policy Framework 2024.

9. Prior to commencement of the development a lighting design scheme for biodiversity shall be submitted to and approved in writing by the local planning authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed, so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (as amended). To be in accordance with

policy DP38 of the Mid Sussex District Plan and national policy contained within the National Planning Policy Framework 2024.

10. The development hereby permitted shall not commence unless and until details of the proposed foul and surface water drainage and means of disposal have been submitted to and approved in writing by the local planning authority. No building shall be occupied until all the approved drainage works have been carried out in accordance with the approved details. The details shall include a timetable for its implementation and a management and maintenance plan for the lifetime of the development which shall include arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime. Maintenance and management during the lifetime of the development should be in accordance with the approved details.

Reason: To ensure that the proposal is satisfactorily drained and to accord with Policy DP41 of the District Plan (2014 - 2031) and national policy contained within the National Planning Policy Framework.

11. No building is to be occupied, or brought into use, until a Verification Report pertaining to the surface water drainage system, carried out by a competent Engineer, has been submitted to the Local Planning Authority. The Verification Report shall demonstrate the suitable operation of the drainage system such that flood risk is appropriately managed, as approved by the Lead Local Flood Authority. The Report shall contain information and evidence (including photographs) of earthworks; details and locations of inlets, outlets, and control structures; extent of planting; details of materials utilised in construction including subsoil, topsoil, aggregate and membrane liners; full as built drawings; and topographical survey of 'as constructed' features. The Verification Report should also include an indication of the adopting or maintaining authority or organisation.

Reason: To ensure that the constructed surface water drainage system complies with the approved drainage design and is maintainable and to accord with Policy DP41 of the District Plan (2014 - 2031) and national policy contained within the National Planning Policy Framework.

12. The development shall be carried out in accordance with the content and recommendations of the Arboricultural Impact Assessment and Appendix, written by Trevor R Furse.

Reason: In the interests of protecting the amenity of the area in accordance with policies DP26 and DP37 of the Mid Sussex District Plan 2014-2031 and national policy contained within the National Planning Policy Framework.

13. Construction hours: Works of construction or demolition, including the use of plant and machinery, necessary for implementation of this consent shall be limited to the following times:

Monday - Friday: 08:00 - 18:00 Hours

Saturday: 09:00 - 13:00 Hours

Sundays and Bank/Public Holidays: No works permitted.

Reason: To protect the amenity of nearby residents in accordance with policy DP26 of the Mid Sussex District Plan.

Biodiversity Net Gain

1. This permission is considered to be one which **will require the approval of a biodiversity gain plan before development is begun** (which includes demolition) because none of the statutory exemptions or transitional arrangements are considered to apply.

Please see the information contained within the notes to applicants/agents set out below.

Plans Referred to in Consideration of this Application

The following plans and documents were considered when making the above decision:

Plan Type	Reference	Version	Submitted Date
General		Habitat Map	30.05.2025
		Proposed	
Landscaping	FLA-EAS-LS-001	A	30.05.2025
Landscaping	FLA-EAS-LS-002	A	30.05.2025
Landscaping	FLA-EAS-LS-003	A	30.05.2025
Landscaping	FLA-EAS-LS-004	B	30.05.2025
Proposed Floor and Elevations Plan	PL.004	Indoor	13.01.2025
		Arena	
Proposed Elevations	PL.005	West	13.01.2025
		Elevation	
Proposed Floor and Elevations Plan	PL.006	Stables	13.01.2025
Proposed Floor and Elevations Plan	PL.007	Horse	13.01.2025
		Walker	
Tree Survey	StA 3153 TCP		13.01.2025
Location Plan	PL.01	EX	13.01.2025
Block Plan	PL.02	Part PROP	20.01.2025
Block Plan	PL.03	Part PROP	20.01.2025
General		Habitat Map	13.01.2025
		EX	
General		Habitat Map	13.01.2025
		PR	
Location Plan	PL.001	PR	20.01.2025

APPENDIX B – CONSULTATIONS

South Downs National Park Authority

17.03.2025

Although the application site is located outside of the National Park, the Council has a statutory duty to consider the Purposes of the National Park when making its determination. The statutory purposes and duty of the National Park are:

Purpose 1: To conserve and enhance the natural beauty, wildlife and cultural heritage of the area.

Purpose 2: To promote opportunities for the understanding and enjoyment of the special qualities of the National Park by the public.

Duty: To seek to foster the social and economic wellbeing of the local communities within the National Park in pursuit of our purposes.

The National Park's comments on the development are as follows:

Duty of National Parks

Section 245 of the LURA 2023 amends and strengthens the Section 11A (2) duty of the National Parks and Access to the Countryside Act 1949 upon relevant authorities to "seek to further the specified purposes of Protected Landscapes."

The Government's 'Guidance for relevant authorities on seeking to further the purposes of Protected Landscapes', published 16 December 2024, sets out that this duty is active not passive and that, as far as is reasonably practicable, 'relevant authorities should seek to avoid harm and contribute to the conservation and enhancement of the natural beauty, special qualities, and key characteristics of Protected Landscapes.'

It is therefore incumbent on the National Park Authority, and all relevant authorities including neighbouring local planning authorities, to give significant weight to the S.245 duty when determining applications.

Proposed development outside the South Downs National Park but within its setting

Paragraph 189 of the NPPF sets out that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks. The scale and extent of development within designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.

The majority of the proposed development would be sited outside of the National Park. However, it would very much be within the setting of the National Park and therefore must conserve and enhance the landscape and scenic beauty.

Landscape Impact

The Authority is pleased to see that the advice issued regarding the repurposing of the existing barns has been followed and that storage for hay and stable bedding, storage of tractors, machinery and tools and a farm workshop would be provided by the existing barns within the farmyard. This reuse does not form part of the proposed development.

However, the proposal would still result in the introduction of a significant volume of built form in an undeveloped, open, agricultural field. The scale, bulk, number and (in particular) the spread of buildings is considered to be excessive and, in some ways, more harmful than previous iterations of the scheme that have been seen by the Authority owing to the spread across the field. In particular, the proposed indoor arena with 2 wings is a substantial building that will be highly prominent in the setting of the National Park.

It is noted that rather than reducing the height of the buildings, significant engineering works are proposed in order to set buildings lower down. This is not landscape led and does not conserve or enhance the landscape. Overall, the proposed layout is highly engineered which does not respect the rural, agricultural character of the site.

It is noted that the 'all weather' turnout paddocks have been removed from the proposal. It is unclear where the horses would be turned out for exercise and wellbeing. This detail will be important and could have significant landscape impacts, depending on the proposed details. The soft landscaping proposed appears very formal and not in keeping with the rural, agricultural character of the area. Structural tree planting is suburban and alien in this context.

Dark Skies

Whilst the majority of the proposed development would be sited outside of the National Park, inappropriate lighting in the setting of the National Park would be considered harmful and should be avoided.

It is noted that a large number of external lights are proposed in an existing, unlit field adjacent to an area of Ancient Woodland. Very careful consideration should be given to the International Dark Night Skies Reserve and dark night skies, which are a special quality of the National Park, and the Authority would encourage a sensitive approach to both external and internal lighting which conforms the Institute of Lighting Professionals for lighting in environmental zones, and tries to achieve zero upwards light spill in all respects.

Ecology

Very careful consideration needs to be given to the impacts on protected species and their habitats, given the proximity of the proposed development to areas of Ancient Woodland.

20.03.2025

Although the application site is located outside of the National Park, the Council has a statutory duty to consider the Purposes of the National Park when making its determination. The statutory purposes and duty of the National Park are:

Purpose 1: To conserve and enhance the natural beauty, wildlife and cultural heritage of the area.

Purpose 2: To promote opportunities for the understanding and enjoyment of the special qualities of the National Park by the public.

Duty: To seek to foster the social and economic wellbeing of the local communities within the National Park in pursuit of our purposes.

The National Park's comments on the development are as follows:

Thank you for reconsulting SDNPA on the revised information. Please see our previous response dated 17/03/2025.

NatureSpace Partnership

24.03.2025

Response: Holding objection – licence required

Recommendations:

The ecological report identifies a high potential for great crested newts within the site, given the pond on the development boundary, the pond network in the landscape and the habitats connecting them.

The applicant must obtain a licence to undertake works. There are 2 licensing options available: District Licensing or European Protected Species Licensing.

The ecological report states that the preferred licensing route for the applicant is the District Licence, to engage in this form of licensing an enquiry will need to be made to NatureSpace.

These comments are in relation to DM/25/0090|Change of Use of land to equestrian, erection of equestrian facilities including indoor arena, stables, outdoor arena, horse walker, re-surfacing of existing track, creation of balancing / ecology pond, associated earthworks and provision of a soft landscaping scheme. Amended Arboricultural Impact Assessment and Appendix received on 28.02.2025.|Land At Eastwood Farm Shaves Wood Lane Albourne West Sussex

Ecological Summary:

The development is situated in the red impact risk zone indicating that highly suitable habitat is present in the surrounding landscape.

Site context:

There are 11 ponds within 500m of the site boundary, one of these ponds is on the proposed site boundary.

There are 2 great crested newt records within 500m of the site.

The site is large and contains some suitable terrestrial habitat for great crested newts, including grassland, hedgerows, woodland and scrub.

Conclusion:

The applicant has provided an Ecological Appraisal (Preliminary Ecological Appraisal, Environmental Assessment Services Ltd., December 2024). The report outlines the habitats contained within the site boundary and the wider ownership boundary, with the proposed site comprising of a former crop field, the northern section is now an area of modified grassland with clover and straw, and the southern section has been left unmanaged and comprises of common weeds. There is a pond that is crossed by the western edge of the proposed site, this has not been surveyed for great crested newts, however, is described as appearing to be of poor quality.

The report recommends a licence be acquired to undertake works, as the proposed development will cause significant ground disturbance and could indirectly impact the pond habitat on site, these could affect the habitat connectivity through the site. The report states that the applicants preferred licensing route is to join Mid Sussex Council's District Licence scheme, however, does explain European Protected Species Licensing with Natural England as an alternative.

In order to utilise the District Licence scheme, the applicant will need to make an enquiry with NatureSpace using their online enquiry form. A NatureSpace report or Certificate will need to be submitted as part of the planning application to provide evidence of joining the

scheme.

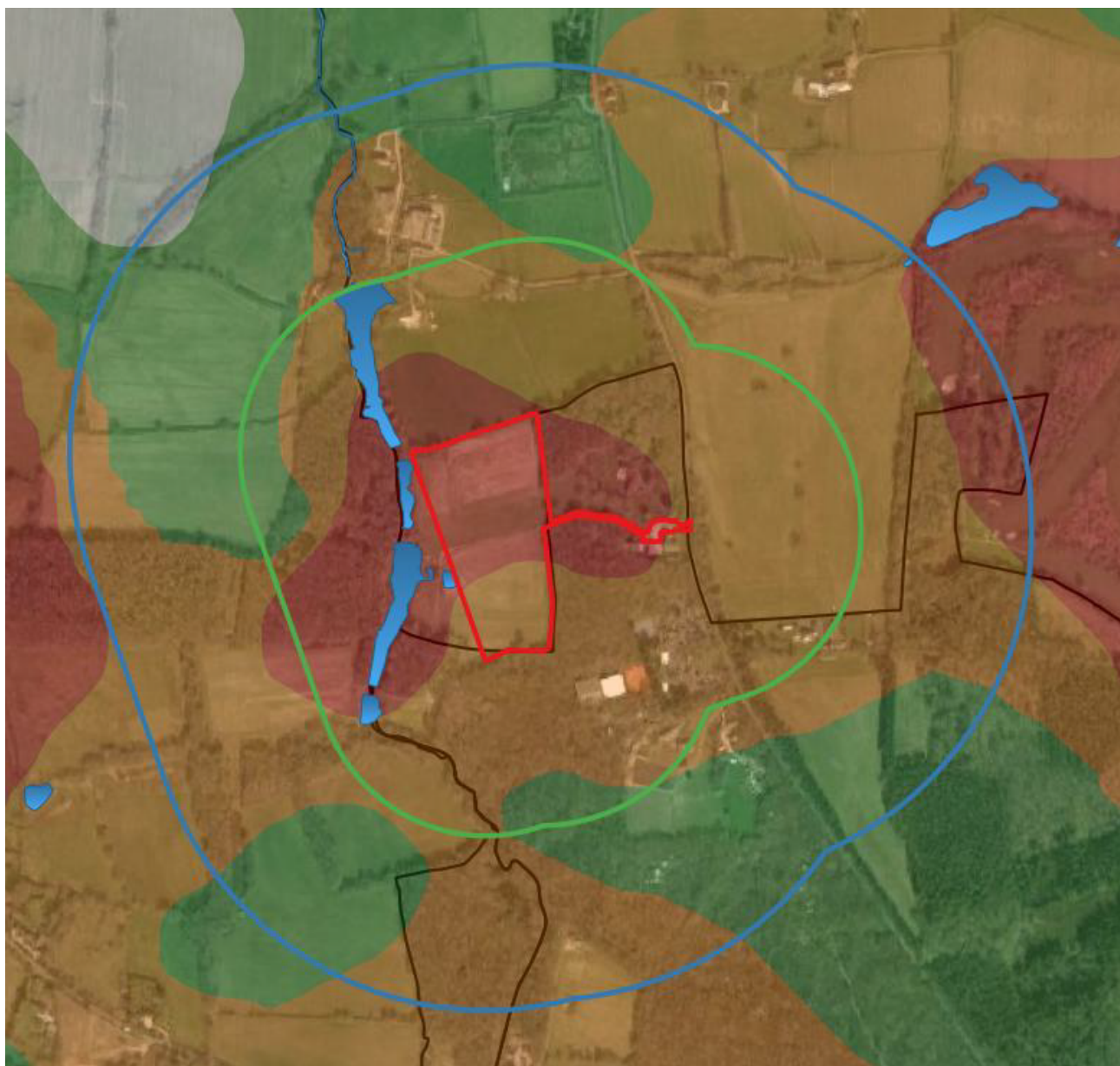


Figure above: Outline of the site (red) in the context of the surrounding landscape, including the Impact Risk Zones for great crested newt. Ponds are shown in light blue – not all ponds are visible on this map. A 250m buffer is shown around the site in green and a 500m buffer in blue. Contains public sector information licensed under the Open Government Licence v3.0.

Relationship between NatureSpace and the Planning Authority

Mid Sussex District Council holds a Great Crested Newt Organisational (or “District”) Licence granted by Natural England. This is administered by NatureSpace Partnership through their District Licensing Scheme as the council’s delivery partner. A dedicated District Licence Officer is employed by NatureSpace to provide impartial advice to the council and help guide them and planning applicants through the process. All services and arrangements are facilitated in an unbiased, independent, and transparent manner. You can find out more at www.naturespaceuk.com

Legislation, Policy and Guidance

Reasonable Likelihood of Protected Species

Permission can be refused if adequate information on protected species is not provided by an applicant, as it will be unable to assess the impacts on the species and thus meet the requirements of the National Planning Policy Framework (2023), ODPM Circular 06/2005 or the Conservation of Habitats and Species Regulations 2017 (as amended). The Council has the power to request information under Article 4 of the Town and Country (Planning Applications) Regulations 1988 (SI1988.1812) (S3) which covers general information for full applications. CLG 2007 ‘The validation of planning applications’ states that applications should not be registered if there is a requirement for an assessment of the impacts of a development on biodiversity interests.

Section 99 of ODPM Circular 06/2005 states:

“It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision. The need to ensure ecological surveys are carried out should therefore only be left to coverage under planning conditions in exceptional circumstances, with the result that the surveys are carried out after planning permission has been granted. However, bearing in mind the delay and cost that may be involved, developers should not be required to undertake surveys for protected species unless there is a reasonable likelihood of the species being present and affected by development. Where this is the case, the survey should be completed and any necessary measures to protect the species should be in place, through conditions and / or planning obligations before permission is granted.”

Great crested newts

Great crested newts and their habitats are fully protected under the Conservation of Habitats and Species Regulations 2017 (as amended). Therefore, it is illegal to deliberately capture, injure, kill, disturb or take great crested newts or to damage or destroy breeding sites or resting places. Under the Wildlife and Countryside Act 1981 (as amended) it is illegal to intentionally or recklessly disturb any great crested newts occupying a place of shelter or protection, or to obstruct access to any place of shelter or protection (see the legislation or seek legal advice for full details). Local planning authorities have a statutory duty in exercising of all their functions to ‘have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving and enhancing biodiversity,’ as stated under section 40 of the Natural Environment and Rural

Communities Act 2006 (as amended), as well as a duty under the Conservation of Habitats and Species Regulations 2017 (as amended) to have regard to the requirements of the Habitats Directive. As a result, great crested newt and their habitats are a material consideration in the planning process.

Lifespan of Ecological Reports and Surveys

Validity of ecological reports and surveys can become compromised overtime due to being out-of-date. CIEEM Guidelines for Ecological Report Writing (CIEEM, 2017) states, if the age of data is between 12-18 months, *“the report authors should highlight whether they consider it likely to be necessary to update surveys”*. If the age of the data is between 18 months to 3 years an updated survey and report will be required and anything more than 3 years old *“The report is unlikely to still be valid and most, if not all, of the surveys are likely to need to be updated”*.

23.06.2025

Thank you for reconsulting me on application DM/25/0090. I have checked the planning portal and have seen no further information regarding great crested newts since my original comments in March 2025, please refer to these comments. The applicant requires a license to conduct works on site. There are 2 licensing options available to the applicant:

- District Licence – the applicant will need to submit a NatureSpace report as part of their planning application
- European Protected Species Licensing – the applicant will need to submit a mitigation statement written by a qualified Ecologist that provides the LPA with certainty that the development will gain a licence from Natural England after determination.

West Sussex County Council Highway Authority

24.03.2025

No Objection

West Sussex County Council (WSCC), in its capacity as Local Highway Authority (LHA), have been consulted on the above full planning application (DM/25/0090) to assess highway safety and capacity implications of the proposed development. The application is supported by way of a Transport note (ref: SGR_EWF_091024_V3) and associated plans.

Site Context

The application site ‘East Wood Farm’ is a well-established farm comprising existing buildings occupied by the applicants. The development proposals are for creating an equestrian complex at land west of East Wood Farm, owned by the applicants.

Access Arrangements and Visibility

The East Wood Farm fronts onto and is accessed from Shaves Wood Lane, which is a ‘C’ classified local distributor road, subject to 60 miles per hour speed restriction. The existing crossover, gated entrance arrangements will be retained with minimal amendment sought to the alignment and length of the boundary wall to the south with the intention to improve visibility.

The traffic volume and speed survey from October 2024 recorded 85th percentile speeds of 38 mph southbound and 39 northbound. In accordance with these speeds, the required

visibility splays of 106 metres to the north and 110 metres are demonstrated on drawing SWL/SR/6001.

An inspection of data supplied to WSCC by Sussex Police over a period of last five years reveals that there has been no incident of personal injury immediate of the site access, which indicates the access has been operating in a safe manner in its present form.

Parking and Internal Layout

The applicant proposes to provide 20 vehicle parking spaces with the hard surfaced yard area. The proposed parking area is away from the local highway and the access is wide enough to accommodate the proposed vehicles such as horse boxes. Therefore, the Highway Authority are convinced that the proposed vehicles could be accommodated within site with no highway safety risk associated with overspill parking onto public highway.

Trip Generation and Highway Impact

There are no specific sites listed within the TRICS database to estimate the vehicular trips associated with the proposed uses. Therefore, an estimate of the trips has been made based on discussions with the applicant. It is estimated that as an average the proposal would generate 13 vehicular movements per day. As a worst-case scenario, if all the activities take place on a single day, it is estimated that the proposal would generate 26 movements per day. The Highway Authority do not consider these trips would have a material impact on the operation of the local highway.

Conclusion

The Local Highway Authority (LHA) do not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network; therefore, is not contrary to the National Planning Policy Framework (NPPF), paragraphs 114 -117, as revised December 2024. Therefore, there are no transport grounds to resist this proposal.

If the LPA are minded approving the application, we would advise securing following conditions:

Visibility (details approved)

No part of the development shall be first occupied until visibility splays of 2.4 metres by 106 metres to the north and 2.4 metres by 110 metres to the south have been provided at the site access onto Shaves Wood Lane, in accordance with the approved planning drawings. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed.

Reason: In the interests of road safety.

04.06.2025

No Objection.

West Sussex County Council (WSCC), in its capacity as Local Highway Authority (LHA), have been re-consulted following the receipt of amended landscape drawings and ecology related information. No further highway comments are required based on the additional information submitted.

Ecological Consultant

09.05.2025

Recommended Approval subject to attached conditions

Summary

We have reviewed the Preliminary Ecological Appraisal (Environmental Assessment Services Ltd., December 2024), relating to the likely impacts of development on designated sites, protected & Priority species and habitats, and identification of appropriate mitigation measures.

In addition, we have reviewed the submitted Biodiversity Net Gain Statement (Gould Baxter, January 2025) and Existing Habitat Map and Proposed Habitat Map (Appendices A and B, Preliminary Ecological Appraisal (Environmental Assessment Services Ltd., December 2024)) and Statutory Biodiversity Metric (December 2024) relating to mandatory biodiversity net gains.

We note from the Preliminary Ecological Appraisal (Environmental Assessment Services Ltd., December 2024) that there are no buildings or trees on site and therefore agree that no further surveys for bats are required.

As mobile protected species, including reptiles, may be present, we support the Precautionary Method Statements for mobile protected species in Sections 4.6 and 4.9 of the Preliminary Ecological Appraisal (Environmental Assessment Services Ltd., December 2024). These should be secured by a condition of any consent and implemented in full.

We are now satisfied that there is sufficient ecological information available to support determination of this application. However, please note we have no comments on Great Crested Newt as we have been instructed to leave comments on this European Protected Species to the NatureSpace Partnership.

This provides certainty for the LPA of the likely impacts on designated sites, protected and Priority species & habitats and, with appropriate mitigation measures secured, the development can be made acceptable.

The mitigation measures identified in the Preliminary Ecological Appraisal (Environmental Assessment Services Ltd., December 2024), should be secured by a condition of any consent and implemented in full. This is necessary to conserve and enhance protected and Priority species particularly those recorded in the locality.

We support the recommendation that a Wildlife Friendly Lighting Strategy is implemented for this application (Preliminary Ecological Appraisal (Environmental Assessment Services Ltd., December 2024)) to avoid impacts from light disturbance. This should be secured by a condition of any consent and implemented in full. Therefore, technical specification should be submitted prior to occupation, which demonstrates measures to avoid lighting impacts to foraging / commuting bats, which are likely to be present within the local area. This should summarise the following measures recommended by Guidance Note:08/23 (Institute of Lighting Professionals) will be implemented:

- Do not provide excessive lighting. Light levels should be as low as possible as required to fulfil the lighting need.
- All luminaires should lack UV elements when manufactured. Metal halide, compact fluorescent sources should not be used.

- Warm White lights should be used at <2700k. This is necessary as lighting which emits an ultraviolet component or that has a blue spectral content has a high attraction effect on insects. This may lead in a reduction in prey availability for some light sensitive bat species.
- Where appropriate, external security lighting should be set on motion-sensors and set to as short a possible a timer as the risk assessment will allow.
- Luminaires should always be mounted horizontally, with no light output above 90° and/or no upward tilt.
- Only if all other options have been explored, accessories such as baffles, hoods or louvres can be used to reduce light spill and direct it only to where it is needed. However, due to the lensing and fine cut-off control of the beam inherent in modern LED luminaires, the effect of cowls and baffles is often far less than anticipated and so should not be relied upon solely.

With regard to mandatory biodiversity net gains, it is highlighted that we support the submitted Biodiversity Net Gain Statement (Gould Baxter, January 2025) and Existing Habitat Map and Proposed Habitat Map (Appendices A and B, Preliminary Ecological Appraisal (Environmental Assessment Services Ltd., December 2024)) and Statutory Biodiversity Metric (December 2024). Biodiversity net gains is a statutory requirement set out under Schedule 7A (Biodiversity Gain in England) of the Town and Country Planning Act 1990 and we are satisfied that submitted information provides sufficient information at application stage. As a result, a Biodiversity Gain Plan should be submitted prior to commencement, which also includes the following:

- a) The completed metric calculation tool showing the calculations of the pre-development and post-intervention biodiversity values.
- b) Pre and post development habitat plans.
- c) Legal agreement(s)
- d) Biodiversity Gain Site Register reference numbers (if using off-site units).
- e) Proof of purchase (if buying statutory biodiversity credits at a last resort).

In addition, a Habitat Management and Monitoring Plan (HMMP) should be secured for all significant on-site enhancements. However, we note that the post-intervention values have been provided and that no significant on-site enhancements are proposed in the proposals. As a result, we are satisfied that HMMP is not likely to be required by legal obligation or a condition of any consent for a period of up to 30 years.

We also support the proposed reasonable biodiversity enhancements for protected, Priority and threatened species, which have been recommended to secure net gains for biodiversity, as outlined under Paragraph 187d and 193d of the National Planning Policy Framework (December 2024). The reasonable biodiversity enhancement measures should be outlined within a separate Biodiversity Enhancement Layout and should be secured by a condition of any consent.

This will enable LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006 (as amended) and delivery of mandatory Biodiversity Net Gain.

Impacts will be minimised such that the proposal is acceptable, subject to the conditions below based on BS42020:2013. We recommend that submission for approval and implementation of the details below should be a condition of any planning consent.

Recommended conditions

1. ACTION REQUIRED IN ACCORDANCE WITH ECOLOGICAL APPRAISAL RECOMMENDATIONS

“All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (Environmental Assessment Services Ltd., December 2024) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. This includes the Precautionary Method Statement for mobile protected species in Sections 4.6 and 4.9 of the Preliminary Ecological Appraisal (Environmental Assessment Services Ltd., December 2024), which avoids impacts on protected species.

This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW,) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.”

Reason: To conserve and enhance Protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (as amended).

1. PRIOR TO ANY WORKS ABOVE SLAB LEVEL: BIODIVERSITY ENHANCEMENT LAYOUT *“A Biodiversity Enhancement Layout for biodiversity enhancements listed in the Preliminary Ecological Appraisal (Environmental Assessment Services Ltd., December 2024) shall be submitted to and approved in writing by the local planning authority.*

The content of the Biodiversity Enhancement Layout shall include the following:

- . detailed designs or product descriptions for biodiversity enhancements; and*
- . locations, orientations and heights for biodiversity enhancements on appropriate drawings.*

The enhancement measures shall be implemented in accordance with the approved details prior to occupation and all features shall be retained in that manner thereafter.”

Reason: To enhance protected and Priority species & habitats and allow the LPA to discharge its duties under paragraph 187d of the NPPF 2024 and s40 of the NERC Act 2006 (as amended).

1. PRIOR TO COMMENCEMENT: WILDLIFE SENSITIVE LIGHTING DESIGN SCHEME

“A lighting design scheme for biodiversity shall be submitted to and approved in writing by the local planning authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed, so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.”

Reason: To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (as amended).

Biodiversity Gain condition

Natural England advises that the biodiversity gain condition has its own separate statutory basis, as a planning condition under paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990. The condition is deemed to apply to every planning permission granted for the development of land in England (unless exemptions or transitional provisions apply), and there are separate provisions governing the Biodiversity Gain Plan.

The local planning authority is strongly encouraged to not include the biodiversity gain condition, or the reasons for applying this, in the list of conditions imposed in the written notice when granting planning permission. However, it is highlighted that biodiversity gain condition could be added as an informative, using draft text provided by the Secretary of State:

“Biodiversity Net Gain

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition “(the biodiversity gain condition)” that development may not begin unless:

a Biodiversity Gain Plan has been submitted to the planning authority, and the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Mid Sussex District Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed in paragraph 17 of Schedule 7A of the Town and Country Planning Act 1990 and the Biodiversity Gain Requirements (Exemptions) Regulations 2024.

Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply.”

Landscape Consultant

26.06.2025

The submitted Rebuttal (30th May 2025) is now supported by Viewpoint Photography which is welcomed. We welcome the inclusion of Table 1 within the submitted Rebuttal, which assesses the Landscape Value of the site against TGN 02/21 Assessing Landscape Value Outside National Designations.

We acknowledge the comments regarding the intention to use the more up-to-date South Downs National Park (SDNP) Landscape Character Assessment (2020), as opposed to the more outdated Mid Sussex (2005) and West Sussex (2003) Landscape Character Assessments. In this instance, we welcome the inclusion of Table 2 and 3 which clearly outline the similarities between the assessments. With this information included, we acknowledge the applicant's justification.

The landscape character sensitivity and overall effects judgements are discussed within the submitted Rebuttal (Para 19 - 21). We previously concluded that “where our judgements differ these are not deemed substantial, and in a worse - case scenario would not exceed moderate/large overall landscape effects”. Therefore, there are only minor differences in our judgements.

Additional mitigation measures have been proposed to ensure that the indicated effects are reached, as per the LVA. We welcome the submission of the General Arrangement including Orchard Plan (Dwg no. FLA-EAS-LS-004 Rev. B), where the applicant has been receptive to our previous landscape recommendations and have incorporated these into the design. The revised design includes considerable landscape mitigation measures which seek to reduce the landscape and visual effects of the proposed works, and we welcome these proposals.

Overall, we judge that the introduction of these built features and considerable earthworks within this undeveloped site will have some unavoidable negative effects on the landscape character. However, we recognise that the resubmitted design has introduced a number of amendments to the design which will reduce the resulting effects, closer to the anticipated Year 15 effects judged.

03.04.2025

Not supportive on landscape grounds.

We are concerned about the impacts on the landscape character and setting of the South Downs National Park due to the proposed development in this currently undeveloped sensitive location. Although the visual impacts are minimal, the Landscape Visual Assessment (LVA) lacks sufficient evidence to support this, as no panoramic views related to the included viewpoint receptors have been submitted. Overall, we have significant concerns regarding the impacts on landscape character and the earthworks required which are very unsympathetic to the character of the site and surrounding context and are not in-keeping with the rural location and the setting of the South Downs National Park. We therefore would not be supportive of this application based on the impacts to landscape character through development proposals and earthworks. Additionally, recommendations regarding the design of the scheme have been included, should approval be considered.

Site Context:

The application site is located within an arable field surrounded by woodlands to the west of Eastwood Farm. The site is separated from Shaves Wood Lane by woodland and the farm and is accessed via a track which connects through the farm. Several ponds define the west of the site, which are also located adjacent to woodlands to the west. A track currently runs through the centre of the site from east to west.

The access route runs through the South Downs National Park. Ancient Woodland surrounds the site on three sides. The topography falls towards the northwest corner adjacent to the ponds.

Planning Policy Context:

Mid Sussex District Plan (MSDP) (Adopted March 2018)

Policies of considered relevance include [inter alia]:

- Policy DP12 Protection and Enhancement of Countryside
- Policy DP18 Setting of the South Downs National Park
- Policy DP37 Trees, Woodland and Hedgerows
- Policy DP38 Biodiversity

Albourne Neighbourhood Plan (September 2016)

The following policies are considered relevant to this application:

- POLICY Countryside - ALC1: Conserving and enhancing character
- POLICY Countryside - ALC2: South Downs National Park

Mid Sussex Landscape Capacity Study (2007/2014)

The site is located within 80 Trusler's Hill Lane Footslopes. The Landscape Sensitivity of this area is assessed as moderate/high. The area is also assessed as having moderate value, owed to the surrounding designations, exposure to the scarp and perceptual quality. This is assessed overall as having low/medium Capacity for development.

Table 3.4 describes areas with low/medium Capacity as "development is likely to have an adverse effect on most of the character area and while smaller development may be possible in a very few locations within the character area, it will not be suitable for strategic scale development"

Review of the proposal/submitted information:

The application has been supported by the submission of a Landscape and Visual Appraisal (LVA) undertaken by FLA Limited. The methodology included broadly follows GLVIA3 guidelines. Although the LVA makes reference to TGN 06/19, no photography has been submitted in alignment with the included viewpoint receptors.

Landscape Value has not been assessed within this LVA. We would also have preferred the methodology make reference to TGN 02/21 Assessing Landscape Value Outside National Designations.

Landscape Character

The site is located within LW11 Eastern Scarp Slopes Landscape Character Area (LCA) of the Landscape Character Assessment of West Sussex. Key characteristics of the LCA that are relevant to the site include; concentration of Ancient Woodland, views dominated by the scarp, arable and pastoral rural landscape, secluded in places, a mosaic of smaller and larger fields, network of country lanes, pockets of biodiversity associated with woodlands, ponds and stream valleys.

Key Issues (Change) within this LCA also includes the visual impact of new rural development including horse riding facilities. Sensitivities include the high level of perceived naturalness, particularly within the wooded landscape and the Ancient Woodland cover with scenic value.

Directly adjacent to the site is LCA J2: Adur to Ouse Scarp Footslopes within the South Downs National Park Landscape Character Assessment (2020). Key characteristics relevant to the site include; small irregular mix of pasture originating as woodland assarts, frequent small blocks of Ancient Woodland, streams and field ponds.

The assessment (Paras 3.4-3.11) only assesses the general effects on landscape character, as opposed to the effects upon each of the LCAs and site and immediate context. Para 3.4 confirms that the assessment is of the local landscape character, however we would have preferred the assessment to provide effects for each of the relevant LCAs.

The LVA judges that the local character has moderate sensitivity. Based on the included criteria (Table 1), we would judge that the character possesses a number of features of high sensitivity, including its distinctive secluded location surrounded by Ancient Woodland and on the edge of the South Downs National Park. This site has a strong sense of place and is surrounded by features which contribute to the local character. We would therefore judge that the site has a medium-high sensitivity.

We do not disagree with the moderate adverse magnitude of change judgement and consider this appropriate for effects on local landscape character.

Para 3.11 judges an overall moderate adverse effect on local landscape character. Where our judgements differ these are not deemed substantial, and in a worse-case scenario would not exceed moderate/large overall landscape effects.

We do however judge that Summary Table 8 (page 38) overstates the anticipated effects at Year 5 (neutral/slight adverse), Year 10 (neutral) and Year 15 (slight positive).

Considering that the site currently benefits from being very secluded with a strong rural feel and sense of place, which would ultimately be eroded as a result of the development, we do not agree that the proposed mitigation measures will entirely compensate for the introduction of built features into this landscape to the level suggested within Table 8. We would judge that the overall effects would not exceed slight adverse or neutral over the assessed timeframe.

Visual Amenity

The LVA identifies a number of public and private visual receptors in the surrounding landscape, within Paragraphs 2.12 to 2.17. However, the LVA has not been supported by any photography related to each of the viewpoints identified in Footpath 2545 Route & Photograph Locations Plan (Dwg no. FLA-EAS-LS-011). Clarification is therefore required. Based on a desktop assessment, we anticipate that most public viewpoint receptors have negligible views of the application site, owed to the extent of intervening trees associated with the Ancient Woodlands. Some views are possible from Footpath 2545, Honeybourne Farm and Oatfield Cottage and these have been assessed within the submitted LVA and do not exceed slight adverse at Year 1. Although Shaves Wood Lane is an identified receptor, Para 3.17 b) discusses impacts close to the site entrance, as opposed to slightly north on the road where some views are potentially obtained looking south-west over the hedgerow of the northern section of the site.

Whilst concerning viewpoint receptor impacts are unlikely to be identified through submission of the Photography, we still require these to be submitted.

In the context of the LVA, we have limited concerns regarding the potential visual impact of the development owed to its secluded and well-screened nature of the site. We do however advise that LVA photography is submitted to support this and also to form a comprehensive LVA which evidences the limited available views. We do however have concerns regarding the impacts on the landscape character and the setting of the South Downs National Park.

Other Matters

Located within 80 Trusler's Hill Lane Footslopes of the Landscape Capacity Assessment, there is a low/medium capacity for development within this area. We do however note that "smaller development may be possible in very few locations within the character area". Whilst the proposed development would be considered smaller scale, it is located away from any other development and occupies a sensitive area between Ancient Woodlands and within an undeveloped pastoral field with limited detracting features and a strong sense of place. The site is also adjacent to the South Downs National Park. Although not visible, the proposed development has more adverse impacts on the landscape character in relation to some of the noted features within the Capacity Assessment.

The proposed development also forms the setting of the South Downs National Park. Policy ALC2 of the Albourne Neighbourhood Plan refers to the setting of the SDNP, and states that proposals should specifically "enhance" and "not detract" from the visual qualities and essential characteristics. We acknowledge that the development proposals include some large areas of woodland planting adjacent to the Ancient Woodland which will enhance the characteristics of the SDNP. We judge that the built proposals may detract from the setting since the field itself forms the setting of the SDNP and possesses a number of key characteristics of the I1 Adur to Ouse Scarp Footslopes LCA, including the small irregular mix of pasture originating as woodland

assarts, frequent small blocks of Ancient Woodland, streams and field ponds.

As per Policy DP18 'Setting of the South Downs National Park' within the Mid Sussex District Plan, the development proposals could "adversely affect transitional open green spaces between the site and the boundary of the SDNP". Our primary concern is how the development affects that setting and character within this sensitive area, owed to the introduction of new large buildings and earthworks. The views, outlook and aspect are however not affected by the development proposals, owed to the secluded nature of the development and very limited views into the site.

We have some concerns regarding the required earthworks to facilitate the scheme, and the 2m bank required on the southeast adjacent to the SDNP and Ancient Woodland to provide a surface suitable for the indoor arena. There is also a 3m bank proposed on the western site boundary to facilitate the menage. The physical unnatural alterations to the landform contribute to detracting from the setting of the AONB.

The largest building (indoor arena) is approximately 9.3m in height, with a 68m x 26m footprint. The other surrounding stable wings, courtyard stables and menage also introduce a large volume of built form into the undeveloped countryside. These far exceed the scale of the existing development at Eastwood Farm. Whilst development could be accommodated within this site, we question whether the scale and distribution of the proposals is too extensive considering their disconnect from any other built development.

The proposed pond is highly unnatural with proposed banks surrounding the western edge which fall by around 4m, which are elevated above the adjacent natural ponds which are located on the western edge of the site. The earthworks required are highly uncharacteristic of the local character and are not sympathetic to the rural location. The land is also raised by 3m between the courtyard building and the adjacent ponds which is also highly unnatural. We judge that significant earthworks are required to facilitate a scheme on an undulating site, which could be harmful in this sensitive location.

Summary:

Overall, we have significant concerns regarding the impacts on landscape character and the earthworks required which are very unsympathetic to the character of the site and surrounding context and are not in-keeping with the rural location and the setting of the South Downs National Park. We therefore would not be supportive of this application based on the impacts to landscape character through development proposals and earthworks.

Recommendations:

Whilst we have significant concerns regarding the impacts of the development on the local character, we have included the following recommendations if the application is minded for 6 approval. The acceptability of the proposals will be subject to the following recommendations being addressed.

- The proposed design and layout of landscaping appears highly formalised within this rural location. We advise that the proposed design further reflects the local rural, agricultural character. Examples include the removal of structural tree planting outside of the courtyard area.
- Additional woodland planting clusters could be proposed northeast of the proposed menage. This will further soften the proposed built features and introduce more enhancements to the scheme.

- Woodland planting in the southeast corner could extend onto the proposed bank to help soften this unnatural feature which forms a sharp 2m drop in the foreground to the Ancient Woodland and SDNP.
- Tarmacadam is not an appropriate surface surrounding the horse walker and located close to the Ancient Woodland. We advise that an unbound treatment is proposed which is more sympathetic to this sensitive rural setting. This also applies to the entry route, where the access and arrival space should also have an alternative surface treatment. We do however acknowledge that the 15m buffer has been respected.

It would be recommended that hedgerows are planted in double staggered rows, preferably 5 plants per linear metre. There should also not be equal numbers of each species. Instead, it is recommended that it is specified in percentages, as shown below:

60% Hawthorn (*Crataegus monogyna*)
 20% Field maple (*Acer campestre*)
 10% Hazel (*Corylus Avellana*)
 5% Trees (wild cherry, oak or hornbeam)
 5% made of holly, spindle, crab apple, dogwood, blackthorn and guelder rose (only a few % each IF they are present in the locality).

- Development should avoid the root protection areas (RPAs) of all trees within or surrounding the Site. Any hard landscaping proposed within the RPA of existing trees must use no-dig surface solutions. Tree protection measures for all trees must be used during construction and should be submitted in an AIA/AMS.
- A predominance of one species or variety should be avoided in order to minimise the risk of widespread biotic threats to the urban forest and to increase species diversity. Preference should be given to native trees and shrubs, but in certain urban and residential situations, better results might be achieved by the use of naturalised trees and shrubs, which are not necessarily native but are the correct tree for site conditions and would add landscape and arboricultural value.

MSDC Flood Risk and Drainage Officer

25.02.2025

No objection subject to conditions.

Flood Risk

Information

[The Planning Practice Guidance for Flood Risk and Coastal Change](#) requires all sources of flood risk to be considered consistently with how fluvial and tidal flood risk is considered within the [National Planning Policy Framework](#). This means that surface water flood risk extents should be considered comparable to flood zones when assessing a development's vulnerability to flooding and the need for a site-specific flood risk assessment.

For clarity Mid Sussex District Council's Flood Risk and Drainage Team (in line with advice from West Sussex Lead Local Flood Authority) utilise the below table when considering flood risk.

Annual exceedance	Flood Zone	Surface Water Flood Risk
Greater than 3.3% (>1:30-year)	3b	High
Between 1% and 3.3% (1:100-year and 1:30-year)	3a	Medium
Between 0.1% and 1% (1:1,000-year and 1:100-year)	2	Low
Less than 0.1% (<1:1,000-year)	1	Very Low

[Application specific comment](#)

The site is in flood zone 1 and is at low fluvial flood risk (risk of flooding from Main Rivers). The site is shown to be at very low to high surface water flood risk (comparable to flood zone 1 to 3). The area's of high surface water are contained in the existing field ditches.

Mid Sussex District Council's records do not contain records of the site flooding. Our records also contain no records of flooding within the area immediately surrounding the site.

Mid Sussex District Council's records are not complete, and flooding may have occurred which is not recorded. A site having never flooded in the past does not mean it won't flood in the future.

Sewers on Site

The Southern Water public sewer map does not show any public sewers located within the redline boundary of the site.

There may be sewers located on the site not shown on the plan which are now considered public sewers. Any drain which serves more than one property, or crosses into the site from a separate site may be considered a public sewer. Advice in relation to this situation can be found on the relevant water authority's website.

Surface Water Drainage

[Information](#)

Surface water drainage will ultimately need to be designed to meet the latest national and local planning and drainage policies and guidance. The drainage system will need to consider climate change, the allowances for which should be based on the climate change guidance from the Environment Agency at the time of detailed design.

Detailed drainage design should consider the impact a flooded outfall could have on the proposed drainage system.

The recommendation for a drainage condition to be utilised for an application does not preclude the need for updated calculations or alterations to a drainage strategy. Recommendation for a drainage condition shows that the Flood Risk and Drainage Team

are of the opinion that the development has shown that, in principle, drainage could successfully be provided on the site.

Application specific comment

The BGS infiltration potential map shows the site to be in an area with low infiltration potential. Therefore, the use of infiltration drainage such as permeable paving or soakaways is unlikely to be possible on site. To ensure the drainage hierarchy is followed this will need to be confirmed through infiltration testing on site as part of detailed drainage design.

It is proposed that the development will attenuate surface water drainage on-site via rainwater harvesting tanks and rain gardens to a balancing pond before discharging at a controlled rate utilising a flow control device the into the existing northern pond which has onward connectivity to the River Adur. This is considered acceptable in principle, subject to detailed design and infiltration testing.

We would advise the applicant to consider designing surface water drainage to cater for the 1:100-year plus climate change storm event.

Information into our general requirements for detailed surface water drainage design is included within our 'General Drainage Information Guide'. This level of information will be required to address the recommended drainage condition.

To ensure the final drainage design meets with the latest design requirements we would advise the applicant to confirm the design parameters required in relation to climate change etc prior to undertaking detailed design.

Foul Water Drainage

It is proposed that foul water from the toilets/bathrooms and kitchens will utilise a package treatment plant to red bed filtration before discharging to the balancing pond. An onward outfall into the existing northern pond with its outfall running northwards via a tributary of the River Adur. This is considered acceptable in principle, subject to detailed design.

We would also advise the applicant that runoff from the yard and wash down water is considered foul water and appropriate means of managing this water should be considered. Consideration will be needed into how solid waste within any washout is to be managed to ensure a drainage system does not become blocked.

The detailed drainage design will need to ensure the treated foul effluent is appropriately managed, in line with the Environment Agency's General Binding Rules.

Information into our general requirements for detailed foul water drainage design is included within our 'General Drainage Information Guide'. This level of information will be required to address the recommended drainage condition.

To ensure the final drainage design meets with the latest design requirements we would advise the applicant to confirm the design parameters required prior to undertaking detailed design.

Condition Recommendations

C18F - Multiple dwellings/units

The development hereby permitted shall not commence unless and until details of the proposed foul and surface water drainage and means of disposal have been submitted to and approved in writing by the local planning authority. No building shall be occupied until all the approved drainage works have been carried out in accordance with the approved details. The details shall include a timetable for its implementation and a management and maintenance plan for the lifetime of the development which shall include arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime. Maintenance and management during the lifetime of the development should be in accordance with the approved details.

Reason: To ensure that the proposal is satisfactorily drained and to accord with Policy DP41 of the Mid Sussex District Plan 2014 - 2031 and Policy ...'z'... of the Neighbourhood Plan.

Surface water drainage verification report

No building is to be occupied, or brought into use, until a Verification Report pertaining to the surface water drainage system, carried out by a competent Engineer, has been submitted to the Local Planning Authority. The Verification Report shall demonstrate the suitable operation of the drainage system such that flood risk is appropriately managed, as approved by the Lead Local Flood Authority. The Report shall contain information and evidence (including photographs) of earthworks; details and locations of inlets, outlets, and control structures; extent of planting; details of materials utilised in construction including subsoil, topsoil, aggregate and membrane liners; full as built drawings; and topographical survey of 'as constructed' features. The Verification Report should also include an indication of the adopting or maintaining authority or organisation.

Reason: To ensure that the constructed surface water drainage system complies with the approved drainage design and is maintainable.

26.06.2025

The flood risk and drainage team have reviewed the information submitted since our earlier consultation response's (25.02.25 and 21.03.25). We can advise that the previous comments and recommendations of the 25.02.25 remain valid.

MSDC Tree and Landscape Officer

26.03.2025

I have reviewed the amended Arboricultural Impact Assessment (AIA) for this proposal and have no objection.

Provided the AIA is adhered to, the trees will be adequately protected. Please do condition adherence to this document.