

Case No: SDNP/20/04955/FUL
Proposal Description: Change of use of equestrian land to sui generis (for secure dog walking and family picnics/recreation site), conversion of existing stable to shelter/store plus access alterations and parking.
Address: Four Acres
Cams Hill Lane
Hambledon
Hampshire
Parish, or Ward if within Winchester City: Hambledon
Applicants Name: Mr and Mrs Campbell
Case Officer: Ms Charlotte Fleming
Date Valid: 10 November 2020
Recommendation: Application Approved



General Comments

This application is reported to the Planning Committee due to the number of representations received that are contrary to the Officer's recommendation.

1 Site Description

Four Acres is a 1.6 hectares (3.95 acres) equestrian field located to the North of the property Homelands, approximately 450m West of Hambledon village and within the South Downs National Park.

The equestrian field is laid to grass and has been vacant for the last 12 months. There is an existing wood clad stable block and hard standing on the south east of the site which was allowed at appeal under application SDNP/18/05450/FUL. The site has two vehicular access points off Cams Hill Lane, one on the South East corner and one in the North West corner.

The field is surrounded by mature high hedging, which is in a poor state and very sparse in some areas. There is a public footpath that ends on the road, at the North East corner of the field, which is also adjacent to an ancient wood and SINC and a historic memorial stone in one of the lane's passing places.

The closest residential neighbour is Homelands which is 45m to the south of the stable block and screened by three large poly-tunnels.

The site is accessed off the road (Cams Hill Lane) and forms part of a rural road containing a few dwellings and farms.

An almost identical development to that proposed, by the same applicant, was approved about 400m up the road from the application site (SDNP/19/04736/FUL) and is already oversubscribed.

2 Proposal

Change of use of equestrian land to sui generis (for secure dog walking and family picnics/recreation site), conversion of existing stable to shelter/store plus access alterations and parking.

3 Relevant Planning History

03/01033/FUL - (AMENDED DESCRIPTION) Erection of 1 no. polytunnel, shed for storage of equipment and creation of gravelled hardstanding and alterations to access.
PER 11th July 2003.

04/00758/FUL - Change of use of agricultural land to recreation ground.
WDN 30th November 2004.

04/03129/FUL - Change of use from agricultural land to practice football pitch.
PER 17th January 2005.

03/01033/FUL - (AMENDED DESCRIPTION) Erection of 1 no. polytunnel, shed for storage of equipment and creation of gravelled hardstanding and alterations to access.
PER 11th July 2003.

04/00758/FUL - Change of use of agricultural land to recreation ground.
WDN 30th November 2004.

04/03129/FUL - Change of use from agricultural land to practice football pitch.
PER 17th January 2005.

SDNP/16/05823/PRE - The erection of 4 No stables with a concrete base and an outdoor riding school, scalping's to form a small parking area at the entrance to the site and in front of each stable.
PRE ADVICE GIVEN: 14th December 2016.

SDNP/18/05450/FUL - Erection of stable block (retrospective)
STATUS: REFUSED 10th May 2019.
APPEAL: ALLOW 27th January 2020

SDNP/20/04218/PRE - Change of use - Convert a 3.7 acre dormant equestrian field to Sui Generis, to provide a private and safe walking/picnic/dog walking field for members of the public with parking
PRE ADVICE GIVEN: 10 December 2020

Neighbouring application

SDNP/19/04736/FUL - Change of use of an agricultural field to dog walking/training (Sui Generis), the erection of a shelter to store equipment and parking (Part Retrospective)
STATUS: APP 27th Nov 2019

4 Consultations

Parish Council Consultee

Hambledon Parish Council OBJECTS to the application being made in SDNP/20/04955/FUL. This site has been the subject of a number of failed planning applications in the recent past. The Council's objections are:

- This will lead to an increase in traffic on the very narrow and winding road up Cams Hill, with very few and limited passing places.
- There is already such a site in the close vicinity of this application.
- There is little, if any, support for this site from within the Village and so any additional users will be traveling from outside the local area and causing additional congestion on the narrow road.

Should WCC decide to allow this application to proceed the Parish Council would ask that strict conditions are applied and necessary action to prevent the site subsequently being the subject for planning permission for a dwelling.

WCC - Winchester Highways

An updated access drawing has been submitted as part of the planning application. Visibility out of the proposed access can be seen on the plan as being 2 metres by 43 metres. Given the nature of the site being in a rural location the 2 metre setback can be considered acceptable. The 43 metre splays are not commensurate with the speed limit of the adjacent Cams Hill Lane, however it is agreed that vehicles would not be travelling past the access any faster than 30mph. Both easterly and westerly splays meet the carriageway edge, hedging in the primary direction can be cut back 1 metre from the splays to allow for growth. Therefore considering all of the above visibility can be considered acceptable.

In regard to the proposed location of the access, there is no objection in principle to this however if this planning application is approved by Winchester as Local Planning Authority, the applicant should be made aware that they will still require a highway license in order to construct the access. More information can be found at the following link:

<https://www.hants.gov.uk/transport/parking/droppedkerbs>

With regard to the above the Highway Authority would recommend no objection subject to conditions.

WCC - Landscape Architecture

In general terms, the application appears to have a low overall impact on the wider landscape, however there are some key concerns at a more detailed level:

A new entrance is proposed that would require a visibility splay. According to the Planning Statement, if correct this would require a distance of 43m and any hedge to be set 1m further back from the splay to allow for growth. This would likely require a substantial length of hedge to be removed. This has not been shown on any drawings to illustrate the reality of the proposal with any accuracy. This could change the visual character of Cams Hill and remove a part of an important landscape feature that also has wildlife value. It should be noted that hedgerows have for many years been disappearing and provide valuable wildlife refuge. Hedgerows have been found to provide habitat in the vicinity for the Brown Hairstreak butterfly (Section 41 species of principal importance under the NERC Act in England: UK BAP status: Priority Species). The Planning Statement also says that a 1.2m path would be required to join the proposed carpark on the north of the field to the stables. This is not illustrated on any plan and so its direction or construction materials are not known.

It is recommended that the existing entrance by the stables is used to negate the need for a further entrance and the loss of hedgerow, and also to avoid the need for a paved (presumed) footpath across the field which would have an urbanising effect. Presumably the current entrance is adequate given that permission was given for the stables which would have meant transit of horse boxes and large vehicles.

The need for fencing to keep dogs in may have a detrimental effect on the movement of animals through the site. It is therefore recommended that features be incorporated to allow small mammals to pass through fencing (e.g. hedgehog doors etc.).

An acceptable design could be achieved in landscape terms (notwithstanding other planning considerations) if the above concerns could be addressed.

WCC - Ecologist & Biodiversity Officer

08/02/2020 - Initial comments

The site is comprised of grassland paddocks with boundary hedgerows and trees. At the eastern boundary is Boarhuts Copse which is designated as a Site of Importance for Nature Conservation (SINC) and Ancient Woodland. In addition to this there are records of Hazel Dormouse and a maternity bat roost within the surrounding area.

Currently no ecological information has been submitted as part of this application. The condition of the grassland and whether it is suitable for reptiles remains unclear. The majority of the hedgerow will be retained as part of the development but an alternative access is proposed which would require the creation of 43m visibility spays. This hedgerow could be considered important and suitable for protected species such as reptiles and dormice.

Additionally it is not clear what fencing is required around the site and whether this will restrict the movement of Badger or Hedgehog.

Further information required prior to determination.

An Ecological Appraisal is required to determine the potential for protected species, priority habitats and designated sites to be impacted by the development. This report must be undertaken by a suitably qualified ecologist and may recommend further surveys, avoidance or mitigation measures. It should also include recommendations of how to achieve a net gain in biodiversity in accordance with the NPPF.

It has come to the attention of Winchester City Council that there is a population of Brown Hairstreak butterflies, a S-41 priority species, within the Soberton Parish. As this species is known to be present locally, the ecological appraisal should answer the following questions:

- What length of hedgerow would be removed?
- Would the section of hedgerow proposed for removal be classified as important under the Hedgerow Regulations 1997? Is it suitable for S-41 priority species such as brown hairstreak butterfly?
- If suitable can a method statement/mitigation strategy be included to ensure these species won't be negatively impacted?
- What are the planting specifications (species, length) for the replacement hedgerow and is this sufficient to compensate for the loss of the existing hedgerow?
- How will the retained and newly planted hedgerows be managed? For example could a suitable rotation pattern for hedgerow cutting be devised in order to ensure each section is only being cut every 3-5 years in order to benefit biodiversity?

16/02/2020 - After further discussion with applicant

Following a telephone conversation on Wednesday 10 February, the applicant has confirmed that no hedgerow will be removed as part of this proposal. It was not clear within the submitted plans that the alternative access and associated visibility splays are already existing, but this is shown within the photographs below. The applicant has also confirmed that the site is regularly mown to a short sward height and that the boundary fencing is already existing.

Taking this additional information into account it is considered unlikely that protected or priority species will be impacted by the proposed development and therefore an Ecological Appraisal is no longer considered necessary. In order to ensure the development results in a net gain for biodiversity I suggest a condition.

5 Representations

35 neighbour representation letters, plus 1 letter of objection from a Councillor, have been received, from 29 different addresses, all of whom are in the South Hampshire area. There are also 3 other letters of support from unknown addresses, which cannot be counted.

18 support letters from 16 separate addresses, of which 1 (closest neighbour to the site) is from Hambledon.

17 objection letters from 13 separate addresses, 5 of which appear to be from Hambledon.

A summary of the comments is below:

Support:

Use/scale of development

- Support the expansion of small local businesses
- Availability at the existing Hoe Cross fields site is becoming sparse
- Demand for more controlled secure spaces to robustly train dog behaviour
- Site is designed to be secure and no risk to livestock nearby - unlike off lead dogs on footpaths
- Use has least amount of impact to the surrounding area compared to other potential uses on the site.
- Latest lockdown has noted an increase in badly behaved/nervous dogs in public - need a secure place
- Existing field is not suited to equestrian use due to ground conditions.

Traffic and Access

- The field has been designed as accessible for people with mobility issues
- Provision of off road turning
- Only 1 more car per hour - maximum of 12 throughout the day - Previous equestrian owner rented out the field and there were 4 cars in the morning and 4 in the afternoon
- Drive past existing site without realising it is there, sure this one will be same high standard

Health

- Safe haven during Covid as will not meet other people whilst exercising
- Existing site offers safe, clean well maintained environment
- Help to enjoy the National Park
- Need more outdoor leisure and recreation space
- Relaxed controlled environment for dogs
- The service enriches human and animals lives
- Existing site is very tranquil

Ecology

- Applicants are passionate about the Park and ensuing they protect the wildlife and land.

Other

- Applicants have strict procedures on who can use the site and will ban clients who do not follow procedures.
- Land should remain in ownership of local residents who have its best interest at heart.
- Recent increased traffic in the lane can also be accounted to more food and parcel deliveries.
- The South Downs is for all not just a few nimby's
- Dog care professional offering support to the scheme
- 23% of the British public own at least 1 dog

Objections:

Use/scale of development

- Don't need a second dog park or extra family picnic/recreational space in such close proximity
- Existing areas already suitable for dog walking

- Why do we need summer house and picnic areas - it's a dog exercise area not leisure
- It's a non-rural activity
- A football pitch/recreation ground and car park planning application on the site in 2004 was withdrawn
- Uses together are incompatible without hygiene practise from all
- Site will take away business from local tea room
- Restrict days, times and numbers by condition.
- No details on the number of people expected to use the site for family picnics/recreational activities
- Should close at 7pm to give consideration to neighbours
- Maximum of 2 cars at any one time
- Only 4 dogs should be allowed - to restrict commercial dog walkers
- Picnic tables should be located close to parking areas

Traffic & Access

- Access road is a single track road and cars pulling in impacts verges
- Other cyclists, horse riders and walkers use the road
- Excess traffic in Hambledon already
- Draw clients from further afield (towns) impacting Hambledon residents
- Are the visibility splays good enough?
- Current dog park has increased traffic by a minimum of 10 cars per day, another means chaos
- Between the two sites there could be 546 car movements and 100plus dogs per week
- The previous stable application caused concern over traffic
- Local horse racing yard use the lane and should not be subjected to additional noise and traffic
- Cars with dogs in blocking up roads stopping farmers feed the nation.
- People who use the site are inexperienced on country roads

Amenity, Noise & Disturbance

- Loss of tranquillity and ambience of countryside.
- Constant noise of dogs barking, owners yelling and children shouting, unacceptable and causes stress to local residents
- Dogs react to other nearby dogs, thus more noise
- No peace 14hours a day dog barking
- Air pollution/Carbon footprint from extra traffic - especially the older vehicles
- Litter left behind

Ecology and trees

- Protect hedgerows - loss of habitats
- Fencing excludes local wildlife
- Must preserve the ecology of Hambledon and its countryside
- Check for rare butterfly's/protected species such as badgers
- No biodiversity report has been submitted
- Hedges and trees (over 3inch diameter) were torn down in October 2020
- Dog barks intimidate sheep and horses in neighbouring fields
- Crops are fertilised on the neighbouring fields, could poison dogs
- Impact on wildlife corridors - trapped between two (dog park) areas which will cause huge distress and danger as driven towards towns

Landscape

- The site is a single track lane with a small number of unofficial passing places that have been created by verge/embankment overrunning
- Destroy outlook of the countryside
- Installing fences is bad planning and a breach of farming development
- Hedging and trees have already been ripped out and paths installed
- Field gets wet and boggy

Other

- Site notice not put up
- Work has already started without planning permission
- Remove all permitted development rights
- Site was sold for equestrian use only
- No benefits to local community - should not be used for financial gain
- Majority of local residents object
- Majority of support is from outside the area and all own 'reactive' dogs
- Sui generis use opens up site to future redevelopment
- Applicants have not engaged with neighbours and farmers - instead upset and intimidated them.
- Applicants are not from the countryside
- 'Reactive' dogs could escape through the fence and kill neighbouring sheep
- Dogs are domesticated animals and not conducive with farm animals and horses
- National Sheep Association (NSA) impact statement on sheep worrying by dogs, it can cause physical and welfare concerns to sheep and potential financial losses and heightened mental health issues to farmers.
- If I wanted to live in a town I would

Agent rebuttal:

A response to the representations has been received from the agent making the following points:

- Need - The fact that Hoe Cross Fields is oversubscribed, shows that there is a need for such facilities.
- Access - The booking system avoids waiting times and an overlap of people going to the field. There is a maximum of 2 cars allowed in the car park at a time, which can be conditioned to restricted numbers.
- Verges - There is also suggestion that the proposal would erode the banks, verges and road surfaces, these claims are unsubstantiated.
- Noise - Enforcement Officers have visited the other Hoe Cross Fields site due to a noise complaint, they recorded the level of noise at the site and found no harm. The applicant is very mindful about who visits and ensures that households do not mix to avoid the potential for barking.
- Fence and animal security - The application objective is for a secure dog walking field. There is an existing fence that bounds the site and through permitted development, there is also deer fencing (the applicants have sought advice about allowing the free flow of wildlife, such as badgers etc.) allowing wildlife to remain unharmed. The likelihood of a dog passing through two sets of fences, plus a deep hedgerow and then onto a field with sheep or horses or chemically sprayed crops, is extremely low.

6 Planning Policy Context

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

The relevant policies to this application are set out in section 7, below.

National Park Purposes

The two statutory purposes of the SDNP designation are:

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

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

7 Planning Policy

Relevant Government Planning Policy and Guidance

Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010 and The National Planning Policy Framework (NPPF) which was issued on 24 July 2018. The Circular and NPPF confirm that National Parks have the highest status of protection, and the NPPF states at paragraph 172 that great weight should be given to conserving and enhancing landscape and scenic beauty in national parks and that the conservation and enhancement of wildlife and cultural heritage are also important considerations and should be given great weight in National Parks.

National Planning Policy Framework (NPPF)

The following National Planning Policy Framework documents have been considered in the assessment of this application:

- NPPF06 - Building a strong, competitive economy
- NPPF08 - Promoting healthy and safe communities
- NPPF12 - Achieving well-designed places
- NPPF15 - Conserving and enhancing the natural environment

Paragraph 2 states that planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise.

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

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

- Core Policy SD1 - Sustainable Development
- Core Policy SD2 - Ecosystems Services
- Strategic Policy SD4 - Landscape Character
- Strategic Policy SD5 - Design
- Strategic Policy SD6 - Safeguarding Views

- Strategic Policy SD7 - Relative Tranquillity
- Strategic Policy SD8 - Dark Night Skies
- Strategic Policy SD9 - Biodiversity and Geodiversity
- Development Management Policy SD11 - Trees, Woodland and Hedgerows
- Strategic Policy SD19 - Transport and Accessibility
- Strategic Policy SD20 - Walking, Cycling and Equestrian Routes
- Development Management Policy SD21 - Public Realm, Highway Design and Public Art
- Development Management Policy SD22 - Parking Provision
- Strategic Policy SD25 - Development Strategy
- Strategic Policy SD34 - Sustaining the Local Economy
- Development Management Policy SD43 - New and Existing Community Facilities

Partnership Management Plan

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

- General Policy 1
- General Policy 3

8 Planning Assessment

Preamble/Permitted development

At the pre-application stage and confirmed in discussions with ecology during this application:

- The trimming and general maintenance of the hedgerow to encourage healthier future growth would not need planning permission. They are not protected, although it should be noted that nesting birds do have legal protection and work should not commence if they are found.
- The laying of permeable gravel down as hard standing (not on top of concrete) does not require planning permission.
- The installation of fencing (under 2m high) would also be considered permitted development.

Principle of development

Having addressed the permitted development, planning permission is only required for the change of use and alterations to the access.

The property is situated outside the defined settlement boundary of Hambledon (Policy SD25) where the principle of the proposed development must be a necessary use for the site in the countryside to comply with the

Park principles which are to conserve and enhance the natural beauty, wildlife and cultural heritage of the area and to promote the understanding and enjoyment of the special qualities of the National Park to the public. It is thought that the provision of a secure picnicking and dog walking field identical to the one up the road which is already oversubscribed, would be supported as an enhancement to the Park helping to safely enjoy its beauty.

Policy SD34 seeks to promote and protect local business without compromising the purposes of the National Park. Policy SD43 allows for any development to expand existing community facilities where there is a need, the scale is appropriate, there has been prior local engagement, the proposal is accessible and inclusive to the local community it serves and no other buildings are more appropriate. It is considered that the proposal would be supported by these policies. This is further supported by paragraph 83 of the National Planning Policy Framework (NPPF) which states that planning decision makers should enable the sustainable growth and expansion of all types of business in rural areas and should enable the diversification of agricultural and other land-based rural businesses.

Design, scale and impact on the character of the area

Policies SD4 and SD5 set out that new development is acceptable provided that it is appropriate in scale, design and does not have an adverse impact on the character of the area, landscape or on surrounding uses and properties. It is considered that the proposal meets the criteria of this policy as the change of use from equestrian to a sui-generis safe walking/picnic/dog walking field is in keeping with the existing rural character of the site, the wider enjoyment of the Park and has no adverse impact on the character of the area.

The trees and hedgerow on the site are not protected, however policy SD11 supports development that conserves and enhances trees and hedgerows and resists their loss. The existing hedgerow has been hard pruned to help encourage healthier denser growth; this has been supported by the Ecologist as an enhancement to the site and conditioned as such. The retention and enhancement of hedging will help retain the verdant character of the lane (Policy SD4) and help to screen the site, maintain the wider rural character and enjoyment of the area from the public realm (policy SD20).

Policy SD34 further states that home based businesses should not cause unacceptable harm to the amenity of neighbours in terms of traffic, smell, loss of privacy, outlook, noise and overlooking. This is further supported by Policy SD7, tranquillity in the Park. Some concerns have been raised about dogs barking, however this can be mitigated by applying conditions to restrict the hours of operation and the number of visitors similar to the application up the road, which the applicant is happy to agree upon.

Given the minimal physical alterations which require planning permission to change the site from equestrian land to a restricted number dog walking field, the development is not considered to result in a detrimental impact to the

character of the area and would not conflict with the purposes of the South Downs National Park.

Impact on Neighbours

Several neighbour comments have been received regarding this application, the main positive points are that there is a demand for more facilities in the area, the existing site is a good example of how well maintained a dog park should be, that the dog park is a benefit to mental health and creating better behaved dogs and securely enjoying the Park at the same time. Negative neighbour comments are about additional traffic, dog noise, lack of need for a dog park, impact on local farmers and wildlife and that the hours and scale of operation are too long. These points have been addressed in other sections of this report or by condition.

The site is set away from neighbouring properties, with the closest 'Homelands' set to the South offering support to the application, subject to conditions. The proposal would not cause any impact on neighbours in terms of privacy.

Whilst there is potentially a minor impact on neighbouring tranquillity, the issue of noise disturbance from dogs barking has been controlled by the use of conditions to limit hours of working, the number of dogs and the number of customers using the site at any one time. On balance the impact is not considered to be so significant to warrant refusal of the scheme on neighbouring amenity grounds.

Highways/ parking

Policy SD22 states that proposals that provide parking should be of a location, scale and design that reflects its context and complies with local parking guidance. Due to the restricted number of visitors to the site, the provision of 3 spaces is thought to be sufficient for the site.

Policy SD21 states that proposals that improve access should not interfere with the safety, function or character of the road, or have adverse environmental implications, and should meet highway authorities' standards for adoption. The Highway Officer is happy with the proposal, and has not raised concerns over the small number of additional trips. It is considered that due to the location of the site and the passing speeds the scheme complies with the policy requirements, subject to conditions. The addition of a 1.2m pathway from the car park to the existing stable block to allow better access for all users to experience the site is supported.

Ecology

There is the potential for nesting birds or bats on the site, due to the existing building and surrounding vegetation, therefore an informative has been put on stating that on discovery of such, work must stop. Details on ecosystem enhancements have been submitted however a further detailed Biodiversity Enhancement Plan has been requested by condition from the Ecologist, for the scheme to comply with Policies SD2 and SD9.

Other matters

The site lies outside a defined settlement boundary and within an International Dark Sky Reserve (Policy SD8). No external lighting is proposed and it is thought that the field will be enjoyed within daylight hours, however a condition is being applied to restrict external lighting in the future without planning approval.

9 Conclusion

The physical alterations requiring planning permission on the site are minimal and the change of use from equestrian to a number controlled dog walking and picnic spot are therefore considered to be acceptable for the rural location and the wider enjoyment of the Park and therefore is recommended for approval.

10 Reason for Recommendation and Conditions

It is recommended that the application be Approved for the reasons and subject to the conditions set out below.

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

2. 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 interests of proper planning.

3. The use hereby permitted shall only open to customers within the following times 0700 - 2100hrs/sunset (whichever is earlier) Monday to Friday, 0800 - 2000hrs/sunset (whichever is earlier) Saturdays and Sundays and at no time on recognised public holidays.

Reason: To protect the amenities of the occupiers of nearby properties.

4. A maximum of eight dogs shall be permitted on the application site at any one time.

Reason: To protect the amenities of the occupiers of nearby properties.

5. No more than two households shall be dog walking/training at any one time.

Reason: To protect the amenities of the occupiers of nearby properties.

6. Details regarding the disposal of dog faeces shall be submitted to and approved in writing by the Local Planning Authority before the use commences. The facilities shall be provided and thereafter maintained in accordance with the approved details.

Reason In the interests of the amenities of the locality.

7. The trees and vegetation located along all boundaries of the proposed site shall be retained and maintained at their current height or at a height of no less than 2 metres. If any trees, shrubs or plants die, are removed or, in the opinion of the Local Planning Authority, become seriously damaged or defective, others of the same species and size shall be planted at the same place, in the next planting season, unless the Local Planning Authority gives its written consent to any variation.

Reason: To protect the amenity and privacy of the adjoining residential properties.

8. No development shall start on site until the access, including the footway and/or verge crossing shall be constructed and lines of sight of 2.0 metres by 43 metres provided in accordance with the approved plans. The lines of sight splays shown on the approved plans shall be kept free of any obstruction exceeding 1 metre in height above the adjacent carriageway and shall be subsequently maintained so thereafter.

Reason - To provide satisfactory access and in the interests of highway safety.

9. Any gates provided shall be set back a distance of 6m from the edge of the carriageway of the adjoining highway.

Reason - In the interests of highway safety.

10. Before use of the development is commenced the existing access(es) from the site to Cams Hill Lane shall be permanently stopped up and effectively closed with the footway provided or verge reinstated, in accordance with details which have been submitted to and approved in writing by the Local Planning Authority.

Reason - In the interests of highway safety.

11. Details of any external lighting of the site shall be submitted to and approved in writing by the Local Planning Authority prior to its installation. This information shall include a layout plan with beam orientation and a schedule of equipment in the design (luminaire type, mounting height, aiming angles and luminaire profiles) and hours of operation. The lighting shall be installed, maintained and operated in accordance with the approved details unless the Local Planning Authority gives its written consent to the variation.

Reason: To protect the landscape character of the South Downs National Park from light pollution.

12. A Biodiversity Enhancement Plan shall be submitted to, and approved in writing by the Local Planning Authority prior to the commencement of the development. This shall include native species-rich planting such as trees, hedgerows, wildflower or long grassland areas. This may also include details of holes or gaps within the boundary fencing to allow the movement of wildlife. These biodiversity enhancements shall be sited prior to the development coming into its intended use and retained thereafter.

Reason: To ensure a net gain in biodiversity in accordance with the NPPF and SD9.

11 Informatives

1. Crime and Disorder Implications

It is considered that the proposal does not raise any crime and disorder implications.

2. Human Rights Implications

This planning application has been considered in light of statute and case law and any interference with an individual's human rights is considered to be proportionate to the aims sought to be realised.

3. Equality Act 2010

Due regard has been taken of the South Downs National Park Authority's equality duty as contained within the Equality Act 2010.

4. In reaching this decision the local planning authority has worked with the applicant in a positive and proactive way, in line with the NPPF.

5. Bats and their roosts receive strict legal protection under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010 (as amended). All work must stop immediately if bats, or evidence of bat presence (e.g. droppings, bat carcasses or insect remains), are encountered at any point during this development. Should this occur, further advice should be sought from Natural England and/or a professional Ecologist.

6. Your attention is drawn to the provisions of the Countryside and Rights of Way Act 2000 and Wildlife and Countryside Act 1981 (as amended) and in particular to Sections 1 and 9.

These make it an offence to:

- kill or injure any wild bird,
- damage or destroy the nest of any wild bird (when the nest is being built or is in use),
- damage or destroy any place which certain wild animals use for shelter (including all bats and certain moths),
- disturb certain wild animals occupying a place for shelter (again, all bats and certain moths).

The onus is therefore on you to ascertain whether such birds, animals or insects may be nesting or using the tree(s), the subject of this consent, and to ensure you do not contravene the legislation. This may, for example, require delaying works until after the nesting season for birds. The nesting season for birds can be considered to be March to September. You are advised to contact Natural England for further information (tel: 0845 601 4523).

7. A highway licence is required in order to construct the access.
8. Features which allow small mammals to pass through fencing should be encouraged and incorporated where possible.

Plans Referred to in Consideration of this Application

The application has been assessed and recommendation is made on the basis of the following plans and documents submitted:

Plan Type	Reference	Date Received	Status
Plans - SITE PLAN		09.11.2020	Approved
Plans - PROPOSED ACCESS ARRANGEMENTS	01/0002/PLA	09.11.2020	Approved
Plans - PROPOSED BLOCK PLAN	02/0003/PLA	09.11.2020	Approved
Reports - PLANNING STATEMENT		09.11.2020	Approved
Reports - ECOSYSTEMS SERVICES STATEMENT		11.11.2020	Approved

Reasons: For the avoidance of doubt and in the interests of proper planning