

**Case No:** SDNP/20/01710/FUL  
**Proposal Description:** (AMENDED DESCRIPTION AND INFORMATION - AMENDED PLAN and SUPPORTING STATEMENT) - Extension to and conversion of barn to form holiday cottage utilising the southern access on Station Road for parking area only for holiday cottage  
**Address:** Land adjacent to Northfield House, Station Road, Soberton, Hampshire  
**Parish, or Ward if within Winchester City:** Central Meon Valley Ward  
**Applicants Name:** Ms C Griffiths  
**Case Officer:** Miss Lisa Booth  
**Date Valid:** 05 May 2020  
**Recommendation:** Recommended for approval



## **General Comments**

This application is reported to the Planning Committee due to the number of representations submitted objecting to the application.

### **1 Site Description**

The site is located to the north of Northfield House, off Station Road in Soberton and the land is used for equestrian, with existing stables and an all weather exercise area. The fields are divided for horse grazing. The subject building is a small garage building to the south of the stables.

### **2 Proposal**

The proposal is for the extension and conversion of the existing garage/storage building for use as a holiday let.

The plans have been amended since submission and objections from HCC Countryside Planning (RoW) and that the bridleway was to be used to access the holiday let. The amended plans now show that the existing southern access off Station Road will be utilised for parking for up to two cars for occupiers of the holiday let.

### **3 Relevant Planning History**

SDNP/18/03395/PRE - Extension to barn and conversion to form holiday let  
STATUS: PRE 22nd August 2018.

00/00192/FUL - All weather exercise area for horses. PER 11th August 2000.

98/01340/FUL - Addition of four stables and hay store to existing stable block  
THIS APPLICATION MAY AFFECT THE SETTING OF A PUBLIC RIGHT OF WAY. REF 18th September 1998.

99/01710/FUL - Stable block. REF 13th January 2000.

99/02527/OLD - Addition of four stables and hay store to existing stable block.  
REF 18th September 1998.

### **4 Consultations**

#### **Parish Council Consultee – Soberton**

Soberton Parish Council continue to object to this application. The proposal is still to use the field access on Station Road and now provide parking spaces in that area. However no details have been provided about the construction of the access, as previously requested, nor a plan or dimensions for the parking spaces. As a minimum the plan should show that at least two cars can park whilst entering and leaving in a forward gear. Details of the construction of this area should also be provided.

The submitted protocol for using the holiday let is utterly unconvincing. It means that any visitors should park remotely and walk when to the lay eye there is a route, albeit they will be instructed not to use it. This is particularly likely to occur in inclement weather. I would also question whether in practice and in the long term the use of a 'quad bike or similar' would be used in perpetuity.

Finally, is the intention for the protocol to be part of a condition, and we would question the ability of WCC to enforce this protocol. We have had experience around the Parish, including this site, that for any enforcement to occur, WCC have asked residents to provide detailed logs of activity. This is both unrealistic and places a burden on residents.

We would maintain that if the application is to be consented then it requires a suitable access, taking account of our earlier comments, which does not require the need for a vague unenforceable protocol.

### *Earlier Comments*

05/05/21 - HCC Letter

We note that the letter is critical of the visibility splay as shown in the submitted Technical Note. The letter also supports the point we have previously made that one of the splays crosses over third party land. Given these concerns HCC are only prepared to accept the junction on the basis of the very low traffic numbers presented by the Applicant.

### *Design, Access and Planning Statement*

The information on access is severely lacking in detail and we would contend it is impossible for a determination to be made until the details on access are clarified and resolved. We consider the following points should be addressed in more detail;

1. There is no drawing showing the proposed access on Station Road. Currently there is simply gate set back from the road with a grass verge in front of it. The access should be properly constructed so that vehicles can turn on and off Station Road in a forward gear.
2. The gate only provides access to the fields behind. As a permanent access to holiday accommodation an all weather route should be constructed to the site. This needs to be shown on a plan with a suitable construction specification which meets the approval of the authority.
3. Reference is made to two parking spaces yet the location of these spaces is not shown. Before any decision is made the location of these spaces should be shown so that it can be demonstrated that they are both in a safe location and also sufficiently convenient for the visitors to use them.
4. The Statement shows the layout of the accommodation which is immediately adjacent to the existing access on the bridleway. The Statement notes that this access is used for all the other activities on the site and has parking for 6 vehicles. There is no indication that following the provision of the southern access that the existing access will be closed. Given these circumstances it is impossible to control access to the site such that the visitors to the holiday accommodation will use the longer access across the fields while the access immediately adjacent to the site remains open.

### *Conclusion*

Before the Application is determined the following needs to be addressed:

1. Provision of a drawing showing the construction of the Station Road access to the satisfaction of HCC.
2. Provision of a drawing and specification of the access road from Station Road to the holiday accommodation to the satisfaction of the authority.
3. Provision of a drawing showing the 2 parking spaces associated with the holiday accommodation.
4. Having provided a suitable access from Station Road there should be a condition which requires the closure of the existing access on the bridleway so that all vehicles use the new access. The closure of the existing access would be a benefit to all parties because the existing access is more dangerous due to the very limited visibility and the mix of other users, notably horse riders, cyclists and pedestrians. At the same time HCC would need to be satisfied that the visibility is still acceptable with the increased number of vehicle movements.

### **WCC Service Lead: Community: Ecologist & Biodiversity Officer**

Looking at the pictures of the building within the Design and Access statement it appears to be single storey with felt roofing and a window letting in daylight. The building is therefore considered to be of limited potential for roosting bats and nesting birds, however the small area of wooden cladding could be considered suitable. I therefore propose a nesting bird and bat informative.

### **WCC Service Lead: Community: Landscape Officer**

Discussed the landscape impact verbally with case officer. Concerns over the proposed southern access off the main road and how direct access to the accommodation will be achieved by users. Details to be submitted.

Will hedgerow require removal? If so the applicant should review the technical note produced on hedgerows in the Soberton area and obtain ecological advice. This has been published in advance of the updated Village Design Statement. <https://www.soberton.org/upload/note-on-hedgerows-for-vds-v1.pdf>

### **HCC - Highways Strategic Applications**

Access to the site has been amended and is now proposed as an existing private access which is located to the south of the site. As such, the information previously requested which related to the potential impact on the Bridleway is no longer necessary.

The amended access to the south of the site provides two parking spaces for visitors of the holiday let to park their cars. The Highway Authority is satisfied with the proposed level of parking provided.

The submitted Technical Note has used first principles assumptions and calculates that the proposed holiday let could generate up to 4 vehicle trips per day. Holiday lets typically generate fewer trips than traditional dwellings, therefore, it is agreed that the estimated development traffic generation is a fair representation of the level of traffic that would be generated by the development proposals.

A plan has been provided which indicates visibility splays of 2.0m x 43m in each direction from the site access onto Station Road. It should be noted that the use of a 2.0m 'x' distance is not considered to be appropriate as it assumes that the vehicle bonnet would be partially located within the carriageway. Such 'x' distances are more appropriate for lightly trafficked low speed roads and no evidence has been provided to justify this.

The southern visibility splay may be slightly located within 3rd party land. As such, site access visibility splays are likely to be less than shown on the plan. Notwithstanding the above, consideration is given to the low level of traffic that would be generated by the development proposals, and it is recognised that access would be gained via an established access.

The Highway Authority raises no objections to the development proposals, subject to conditions.

#### **WCC Service Lead: Community: Drainage Engineer**

Proposed drainage solution is the most sustainable, as long as they meet building regs no objections.

#### **HCC Countryside**

Strongly objected to the original submission:

It is a criminal offence under s34 the Road Traffic Act 1988 to drive along to drive over a Public Bridleway without lawful authority of the landowner. There are no recorded vehicular rights over Bridleway 1B. The applicant should therefore demonstrate to the satisfaction of South Downs National Park Authority:

1. that they have this authority (either by owning the land over which the right of way runs, or alternatively having been granted permission by the landowner) and
2. that this permission extends to development as proposed.

Pedestrians may expect minimal use of the public right of way by the odd vehicle (which has private vehicular access rights), but not with the regular vehicular movements of a commercial equestrian business and construction traffic. Vehicle movements during the construction phase would increase air and noise pollution and inconvenience horse riders and pedestrians who move out of the way for vehicles. These factors during the construction and the occupation phases of the proposed development reduce the enjoyment of this route for Bridleway users. Vehicular use of the path, especially in the absence of any passing bays, may cause safety, nuisance and conflict issues for legitimate vulnerable users of the public right of way.

Consequently, there is likely to be an adverse impact on the enjoyment gained from its use by the public in general.

According to National Planning Policy Framework Public Rights of Way and access should be protected and enhanced with opportunities sought to provide better facilities for users, including by adding links to existing networks. The application does not demonstrate that the access to the development that follows the line of a private driveway, to the detriment of its enjoyment by walkers would be not contrary to detrimental to Local Plan

paragraph 6.24 affecting the amenity value, character or tranquillity of public rights of way, including the long distance Meon Valley Trail. In the absence of any assessment of the impact of the proposals on Soberton Bridleway 1b and the access to the users of the Meon Valley Trail and the local Rights of Way network that the path provides access to, we cannot recommend approval of the application which appears inconsistent with Local Plan Policy SD20 and SD5.

For the above reasons we object to the application as currently presented and ask that the applicant submit an amended application which correctly shows the right of way and which indicates how these will be dealt with within the proposal.

**WCC Service Lead: Communities – Environmental Protection Officer**

No adverse comments.

**WCC Service Lead: Communities – Drainage Engineer**

The site is within Flood Zone 1 and is at very low risk of surface water flooding. The geology is chalk. Surface water drainage will be required. Soakaways should be investigated, including infiltration testing to determine the size required. A package treatment plant is required for foul drainage, and a drainage field to be designed by percolation testing.

Proposed drainage solution is the most sustainable, as long as they meet building regs I have no objections.

## **5 Representations**

6 letters of representation have been received objecting to the amended application for the following reasons:

- Naïve to expect customers to await transportation (quad bike)/walk to holiday let especially in inclement weather
- Station Road has no footpath/unlit
- Breaches of the 'Protocol' would not be enforced
- Lawful access needs to be resolved
- No proposals for the prevention of vehicles using the bridleway. Applicant does not have permission to use the access with a vehicle/not been given permission by the landowner
- Block Plan shows reduced entrance to stables – how will stables be accessed?
- Is mobile home to be removed? Not shown on plans/enforcement not assessed its use properly/been occupied permanently for more than 6 months
- How will cesspit be emptied/service/emergency vehicles access the site?
- Lots more tourist accommodation around since application submitted
- Barn/garage not suitable for conversion
- Impact on residential amenity (loss of peaceful and tranquil environment).
- Light pollution from car headlights

- Equestrian activities already cause disturbance.
- Further extension of business activities.
- Will become a permanent residence – how will enforcement police this?
- Where will hay and supplementary feed be stored?
- Third party hedge will need to be cut to maintain visibility/disturbance to nesting birds.

25 letters of objection from 25 different addresses were received on the *original* submission.

- Bridleway not suitable for vehicular access/increased vehicular traffic and not owned by applicant/limited visibility onto Station Road
- Highway/pedestrian safety
- Increased noise and traffic
- No planning permission for use of land as a business
- No mention of/planning permission for the mobile home on the land.
- Not a small extension/adverse visual impact
- Behind the building line of houses along Station Road
- Limited public transport
- Would they be offering stabling for guests?
- Where will supplementary feed be stored.
- Other tourist accommodation available nearby

11 letters of representation have been received supporting the application for the following reasons:

- Worthwhile addition to the facilities available in the South Downs National Park
- Park exists to provide public access to its beautiful countryside for the purposes of recreation, exercise and the benefits to mental and physical health associated with such activities.
- Limited accommodation available in SDNP
- Will benefit the local economy (shops/restaurants, etc)
- Scale of the development is small/negligible visual or environmental impacts.
- More suitable than large scale hotels/leisure centres.
- Holiday Let on site is a fantastic idea and a complimentary business alongside the trekking business (using applicants horses)
- Will available for walking/cycling holidays
- South Downs Trail right on the doorstep
- small holiday let would have minimal detrimental impact on the local area and yet would make this facility available to people from a wider area and bring more business income into the region.
- Not had a problem with walkers on the bridleway
- Owner can be trusted to ensure that any holiday tenants are respectful to the local area.
- The proposed small self-catering accommodation will help to make the Park more accessible and attractive to visitors
- Will bring more visitors to the SDNP.
- Will not have a negative impact on the environment or residents who live locally.

- Applicant dedicated to the proper management and maintenance of her site and the surrounding area. She practices professional and safe care of her horses and yard. Believe she would do the same with the access to the site, as well as building works and the ongoing use of the barn as a holiday cottage.

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

### National Park Purposes

The two statutory purposes of the SDNP designation are:

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

If there is a conflict between these two purposes, conservation takes precedence. There is also a duty to foster the economic and social 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), updated July 2021. 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:

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

Paragraph 2 states that planning permission 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 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 SD9 - Biodiversity and Geodiversity
- Strategic Policy SD10 – International Sites
- 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 SD22 - Parking Provision
- Strategic Policy SD23 - Sustainable Tourism
- Strategic Policy SD25 - Development Strategy

#### Partnership Management Plan

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

- Partnership Management Plan Policy 1
- Partnership Management Plan Policy 41
- Partnership Management Plan Policy 42
- Partnership Management Plan Policy 43
- Partnership Management Plan Policy 44

## **8 Planning Assessment**

### Principle of development

The main policy in respect of this proposal is SD23 – Sustainable Tourism. The site is located within the defined countryside. Proposals for new tourist attractions or leisure facilities in the countryside should generally be small-

scale and re-use existing buildings, to ensure that activities are maintained at a level that can be accommodated without harm to the local environment.

The original building was once within the ownership of Northfield House, and as there are no planning records for its erection, it is assumed that it was permitted development when it was within the confines of Northfield House. Once Northfield House was sold, the stable area and paddocks were retained by the previous owner's daughter (the applicant) and separated from Northfield House curtilage.

The proposal is to extend and convert the existing storage building into a small one bedroom holiday let. There is a whole network of bridleways and footpaths accessible from the site and, although as with most rural sites it is not in a particularly sustainable area, the site provides a means for subsequent travel by sustainable means, such as walking, cycling or horse riding. The applicant owns the adjacent horse trekking business, which has been in operation for some years. The application for the holiday is being considered on its own merits.

The plans have been amended to show that parking spaces for two cars will be provided using the southern access with details of the parking area construction being submitted (condition 4). Although this is some distance from the holiday let (approx. 190m), a 'Protocol' on where to park and other details will be made available to all occupiers upon booking. It is not considered to be an onus on those using the holiday let and is no different to many other places where you have to walk to your accommodation. The use of the southern access has arisen from the objection of the Rights of Way Officer at HCC Countryside Planning, having regard to policy SD20, in regard to additional vehicular traffic using the bridleway. The bridleway is owned by a third party and the applicant does not have specific permission to use the bridleway. It has been used for a number of years to access the site by vehicles, but this is a separate civil matter between the applicant and the owner of the bridleway and is under investigation by WCC Enforcement Section.

Policy SD4 requires that the design, layout and scale of proposals conserve and enhance existing landscape character.

Policy SD5: Design requires proposals to adopt a landscape led approach and respect the local character, through sensitive and high quality design that makes a positive contribution to the overall character and appearance of the area. Utilise architectural design which is appropriate and sympathetic to its setting in terms of height, massing, density, roof form, materials, night and day visibility, elevational, and where relevant, vernacular detailing. Regard should be had to avoiding harmful impact upon, or from, any surrounding uses and amenities.

### Design, scale and impact on the character of the area

The design of the converted outbuilding will not change significantly from existing, with a small extension to the front of the building, resulting in a building 9.45m x 3.40m with a ridge height of 3.80m. The extension is considered to be in keeping with the existing building.

Materials will be render and stained timber with a tiled roof.

Due to the existing boundary fencing and hedging, the building will not be any more apparent from the bridleway, with the view remaining as existing, with the extension being away from the boundary with the RoW.

Therefore, it is considered that the proposal will not impact to a harmful extent on the existing landscape or character of the area. It is considered to be in accordance with policies SD4 and 5 as the extension will not significantly alter the landscape due to its design and scale being in keeping with the existing building.

### Impact on residential amenity

It is not considered that there will be an impact on the residential amenities of nearby residential properties from the intended use for holiday accommodation, as it is a small one bedroom unit, which will limit activity and noise on the site.

The nearest neighbour is beyond a dense and tall hedge, which provides adequate screening. The other nearest neighbour being on the other side of the bridleway. It is considered that the proposal is in accordance with policy SD5 in that there is no harmful impact upon any surrounding uses or amenities.

### Impact on Ecology

There were no objections from the WCC Ecology Officer, subject to a condition and informative. (Conditions 11).

The building was considered to be negligible for bats and a bat survey was not required. Details of biodiversity enhancement net gain will be required and as such the proposal is considered to be in accordance with policies SD2 and SD9.

### Lighting

No external lighting is proposed as part of the application, but condition 10 requests details should any lighting be required in the future.

### Trees

There is one large tree to the west of the building that was of interest to WCC Tree Officer. This is being retained and contributes to the amenity of the area when viewed from the bridleway. In accordance with policy SD11 it is not

considered that the small extension to the existing building will harm the tree or its roots, subject to conditions regarding the positions of services and low impact foundations. (Conditions 7, 8 & 9) (Policies SD4 and SD11)

### Highways

There are currently two accesses to the site, one is accessed from the bridleway and the other is further south along Station Road.

HCC Highways do not have any objections to the existing southern access being used and for the parking of two cars. A traffic note was submitted and confirm that there is adequate visibility and will be a low number of vehicular movements. (Policies SD19 and SD22)

### Nitrates

All applications for new dwellings and overnight accommodation are required to demonstrate that they are nitrate neutral, in order to meet the requirements of the Conservation of Habitats and Species Regulations 2017 (as amended). The proposed holiday let would generate additional nitrates that will need to be mitigated. The applicant has confirmed that they would accept the imposition of a Grampian condition to ensure that a mitigation strategy is submitted for prior approval before the development is occupied. (Policies SD10)

## **9 Conclusion**

The proposal is considered to be acceptable in principle subject to the conditions below and is in accordance with main SDLP policy SD23.

## **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. Holiday occupancy:

(i) the tourist accommodation shall be occupied for holiday purposes only.

(ii) the tourist accommodation shall not be occupied as a person's sole or main place of residence.

(iii) The holiday accommodation shall not be occupied for a period exceeding 4 weeks for any single letting, shall not be occupied for more than 5 times per year by the same occupier, and there shall be no return within 4 weeks by the same occupier.

(iiii) the owners shall maintain an up-to-date register of the names of all occupiers of the tourist accommodation on the site, their arrival and departure dates and their main home addresses, and shall make this information available at all reasonable times to the Local Planning Authority.

Reason: The site is outside defined settlement limits in the open countryside, where permanent dwellings with unrestricted occupation would be contrary to adopted planning policy, however the application is considered to be in accordance with the National Planning Policy Framework.

4. No development shall take place until details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved.

These details shall include the following, as relevant:

- Surfacing construction and material of parking area
- Car parking layout

Soft landscaping works shall include:

- planting plans (for new trees, hedges and other planting);
- schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate;
- implementation programme.

Reason: To improve the appearance of the site and in the interests of visual amenity.

5. No development shall take place, (including any works of demolition), until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority.

The approved statement shall include scaled drawings illustrating the provision for -

- 1) The parking of site operatives and visitor's vehicles.
- 2) Loading and unloading of plant and materials.

3) Management of construction traffic and access routes.

4) Storage of plant and materials used in constructing the development.

Reason: In the interests of highway safety.

6. The development hereby permitted shall NOT BE OCCUPIED until:

a) A water efficiency calculation which demonstrates that no more than 110 litres of water per person per day shall be consumed within the development, and this calculation has been submitted to and approved in writing by the Local Planning Authority

b) A mitigation package addressing the additional nutrient input arising from the development has been submitted to, and approved in writing by the Local Planning Authority. Such mitigation package shall address all of the additional nutrient load imposed on protected European sites by the development and be implemented in full prior to first occupation and shall allow the Local Planning Authority to ascertain on the basis of the best available scientific evidence that such additional nutrient loading will not have an adverse effect on the integrity of the protected European Sites, having regard to the conservation objectives for those sites; and

c) All measures forming part of that mitigation have been secured and submitted to the Local Planning Authority.

Reason: To accord with the Conservation of Habitats and Species Regulations 2017, and Policy SD1, SD2, and SD9 of the South Downs Local Plan (2014-33)."

7. No development including site clearance, demolition, ground preparation, temporary access construction/widening, material storage or construction works shall commence on site until a plan showing the location of all existing and proposed utility services has been submitted to and approved in writing by the Local Planning Authority.

This shall include gas, electricity, communications, water and drainage. No development or other operations shall take place other than in complete accordance with the utility services plan.

Reason: To ensure protection and long term viability of retained trees and to minimise impact of construction activity.

8. No development including site clearance, demolition, ground preparation, temporary access construction/widening, material storage or construction works shall commence on site until a 'low impact' foundation specification has been submitted to and approved in writing by the Local Planning Authority. No

development or other operations shall take place other than in complete accordance with the foundation specification.

Reason: To ensure protection and long term viability of retained trees and to minimise impact of construction activity.

9. In accordance with the Arboricultural report HBD2013IAMS dated 1st October 2020. Written confirmation of an appointed arboriculturist to supervise activity at key stages on the site where there may be an impact on trees including pre-commencement set up. Details of the supervision visits shall be recorded and reported back to the Local Planning Authority for the duration of any construction works.

Reason: To ensure protection and long term viability of retained trees and to minimise impact of construction activity.

10. Details of any external lighting of the site shall be submitted to, and approved in writing by the Local Planning Authority prior to the commencement of the development.

The lighting scheme should be in accordance with Guidance Note 08/18 produced by the Bat Conservation Trust and Institute of Lighting Professionals.

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). 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 appearance of the area, the environment and protected species from light pollution.

11. Details of biodiversity enhancement features shall be submitted to, and approved in writing by the Local Planning Authority prior to the commencement of the development.

This shall include the type and location of any bat boxes or bird boxes any the details of any native species-rich planting. 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 line with the NPPF 2019.

12. No development shall be carried out above ground floor slab level until a schedule of external materials finishes and samples to be used on the development hereby approved has been submitted to and approved in writing by the Local Planning Authority.

Thereafter the development shall be carried out in full accordance with the approved schedule and samples.

Reason: To safeguard the appearance of the building and the character of the area and to enable the Local Planning Authority to properly consider the development. It is considered necessary of this to be a pre-commencement condition as these details need to be agreed prior to the construction of the development and thus go to the heart of the planning permission.

13. Detailed proposals for the disposal of foul and surface water shall be submitted to and approved in writing by the Local Planning Authority before the commencement of the development hereby permitted. The approved details shall be fully implemented before development commences.

Reason: To ensure satisfactory provision of foul and surface water drainage.

Informatives:

1. In reaching this decision the Local Planning Authority has worked with the applicant in a positive and proactive way, in line with the NPPF. This has included the provision of pre-application advice and an onsite meeting to add additional value as identified by SDNPA Officers and consultees.
2. The building hereby the subject of this planning permission shall be used strictly in accordance with the document 'Protocol for using holiday let at South Downs Trekking' received 15/09/2021 and made available to the occupiers of the holiday let at all times.
3. Nesting birds: 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 building, 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).
4. Bats: All bat species are protected under European Law within the E.C. Habitats Directive and under British law within the Conservation of Habitats and Species Regulations 2010 (as amended) and the Wildlife and Countryside Act 1981. The applicant is advised that should bats be



present, works must stop and a Natural England European Protected Species licence may be required before recommencing.

## 11. Crime and Disorder Implications

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

## 12. Human Rights Implications

12.1 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.

## 13. Equality Act 2010

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

### 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	Version	Date Received	Status
Plans -	Block Plan		06.05.2020	Approved
Plans -	Amended Location Plan		15.09.2021	Approved
Plans -	Existing and Proposed Plans and Elevations Rev.B		06.10.2021	Approved
Plans -	NJC-001 - Proposed visibility at existing access		30.03.2021	Approved

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