Development Control – Delegated Officer Report

Application Number: ADC/0032/11 Recommendation – REFUSE

Site: Land East of Steyning Road (north of A27), Shoreham-by-Sea

Proposal: Use of agricultural land for holding car boot sales on 6 days per calendar year (in addition to sales currently held on 14 days per calendar year under permitted development rights)

The Application

The proposal relates to an agricultural field of 3.9 hectares on the east side of the A283 about 250m north of the roundabout, from which it is separated by a narrow field in a different ownership (which has been the subject of a number of applications for agricultural buildings, the most recently refused one having been dismissed on appeal ADC/0317/06).

The field currently in question does not form part of a neighbouring farm but is in the same ownership as the field to the east (total combined area 6.7 hectares). The owners have a farm of 340 acres at Henfield (45 acres crops, the rest grazing for 150 cattle and 100 sheep).

The site has been used for car boot sales for about 12 years, within the 'permitted development' limits of 14 days per calendar year. The owners wish to increase the number from 14 to 20 per calendar year.

During the summer the car boot sale opens from 8am-2pm and can attract up to 250 pitches with, on average, 1,100 visiting vehicles over the 6 hour period, making 1,350 in total.

Consultations and Representations

West Sussex County Council: No objection to a temporary permission to provide a monitoring period. From a highway viewpoint, comment that there is no record of any personal injury accidents attributable to this use and they do not anticipate any increased detriment. No ecological objection.

Environment Agency: No objection. State that the applicant should be aware that current regulations require any items left on site after sales finish to be removed immediately and disposed of at permitted sites. Also, that they should contact the EA national customer contact centre over disposal of foul water from temporary toilets.

Third Parties: No comments received.

Relevant Planning Policies and Guidance

Adur District Local Plan 1993-2006 (1996) (saved policies): AG1, AC1, AC2-3, AC8
PPS4 'Planning for Sustainable Economic Growth' and Practice Guidance 'Planning for Town Centres' (DCLG 2009)
PPS1 'Delivering Sustainable Development' (ODPM 2005)
PPS7 'Sustainable Development in Rural Areas' (ODPM 2004)
PPS9 'Biodiversity and Geological Conservation (ODPM 2005) & Circular 06/05
PPG13 'Transport' (DTLR 2001)

PPS25 ‘Planning and Flood Risk’ (ODPM 2006) and Practice Guidance and Circular 04/07

Planning Assessment

Policies

The Local Plan shows that the site lies outside the built-up area and in the countryside, within the Sussex Downs AONB (now the South Downs National Park).

Local Plan policies (AG1, AC1) state that development will not normally be approved in the countryside unless it is for quiet recreation or related to the essential needs of agriculture. In the National Park, where there is a particular objective to prevent harm to the outstanding landscape which is of national importance, the relevant policy (AC2) states that “*only in compelling circumstances will development be permitted”* and that *"need for development essential for agriculture, horticulture, forestry, the diversification of the rural economy, for roads, or to take advantage of a valuable asset or opportunity to meet demand for recreation may exceptionally be regarded as compelling but applications will be subject to the most rigorous examination*”. AC8 relates to farm diversification and states new rural enterprises will be permitted if the LPA is satisfied, among other things, that it demonstrates an acceptable relationship between the proposed diversification and the remainder of the agricultural unit whilst retaining and/or enhancing the landscape and a ‘whole farm plan’ has been submitted and agreed.

PPS7 states that National Parks and AONBS have the highest status of protection in relation to landscape and scenic beauty. The conservation of the natural beauty of the landscape and countryside should be given great weight in planning policies and decisions on applications.

Need for the proposal

The applicant’s agent states that, whilst the car boot sales have been successfully established, the low income levels associated with agricultural use have resulted in the owners looking to diversify further. However, little additional information has been submitted to verify this and no whole farm plan submitted. The application site and adjacent field (6.7ha) are detached by many miles from the rest of the farm which consists of 138 hectares (Horton Hall Farm) of which 18ha is arable and the remainder grazing for up to 150 cattle in summer and 100 sheep in winter. It is stated that the tenancy of that farm does not allow for holding car boot sales. It is cross-subsidised by Govt funding to preserve wetland areas for nature conservation. There is no evidence to indicate that the requirements of policy AC8 can be met in respect of the present application for additional car boot sales at Shoreham.

Effect on town centre

There is no evidence that the car boot sales on this site have affected the vitality or viability of the town centre shopping area; it would be extremely difficult to quantify. By their nature, car boot sales are much less likely to have an impact as compared to a retail market. However, retail activity in open countryside, as compared to a town centre or other urban location, is not a particularly sustainable form of development, attracting large numbers of cars.

Visual impact on South Downs National Park

The site lies on the flat valley floor, beside the well-used A283 and, with its large size, it is visible from the popular local beauty spot of Mill Hill just to the east.

Car boot sales and the associated traffic detract from the rural appearance and character of the countryside. They are visually intrusive and incongruous. Although the use is only transient and, in this instance does not appear to have caused any permanent damage to the landscape, the large number of cars (1,350 according to the applicant's figures), associated paraphernalia and commercial character of the sales when they are taking place are out of keeping in this area of special landscape quality. The policies refer to quiet informal recreation which a large event of this nature patently is not – it is disruptive to the aim of tranquillity within this special landscape area.

This part of the National Park close to the built-up area is more vulnerable to a wide range of development pressures causing visual and other harm than more remote areas, making it all the more important to protect it as rigorously as possible. Whilst appropriate public recreation facilities may be acceptable in urban-fringe areas, it is not considered that car boot sales within an area of special landscape value fall into this category.

Access and parking

WSCC, as the local highway authority, have no objections to a temporary permission. The existing 14-day use, despite the large number of vehicles attracted, does not appear to have caused unacceptable problems from a highway safety aspect. Ample customer parking is provided on the land to avoid any overspill onto the highway.

Other matters

Being on the valley floor, the site lies within the flood risk area (zone 3a). It also adjoins areas designated as of nature conservation importance. The relevant bodies (the Environment Agency and WSCC) have no objection to the application.

Recommendation

On behalf of the SDNPA, REFUSE for the reasons:-

1. C4R (amended) The site is in a prominent location within the South Downs National Park which has the highest status of protection in relation to the natural and scenic beauty of the landscape and which should be given great weight in planning policies and decisions on applications. The proposal conflicts with PPS7 and the Adur District Local Plan (policies AG1, AC1, AC2, AC3) which require that within this area development (including changes of use such as that proposed) resulting in harm to the visual quality and essential characteristics of the landscape will only be permitted in compelling circumstances. In this instance, there is no evidence of compelling circumstances.

Case Officer: Keith Morgan Date: 6 May 2011