Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/23/2116
Southdowns, Coltstaple Lane, Horsham, West Sussex, RH13 9BB

DESCRIPTION:
Erection of an agricultural livestock building.

RELEVANT PLANNING HISTORY:

DC/19/1765	Erection of No 3 Polytunnels	Application Permitted on 01.05.2020
DC/19/1766	Repositioning of an existing access, creation of an access track and hardstanding area to serve the proposed holding.	Withdrawn Application on 22.01.2020
DC/19/1800	Erection of a livestock/storage building	Application Permitted on 30.04.2020
DC/21/1906	Prior notification for the erection of an agricultural building.	Prior Approval Not Required on 09.09.2021

SITE AND SURROUNDS

The application site is located to the south of Horsham outside of any designated built up area. The wider area is largely rural with open countryside, farmland and some residential properties sparsely located.

This site was formerly attached to Bulls Farm and over the last five years a smallholding has been established on the site through the granting of planning permission for a livestock building, three polytunnels and an agricultural building all of which have been built apart from one polytunnel.

The site is used to grow a range of produce including fruit and vegetables and holds livestock consisting of rams, breeding ewes, lambs (seasonal) and chickens. The site of the proposed building is currently agricultural with no formal landscape designations

DETAILED DESCRIPTION

This application seeks planning permission for the erection of a livestock building to house rearing calves to expand the agricultural activity on the site. The building will generally function as a calf rearing shed, with its size and design being specifically tailored for this use, and the welfare facilities required.

The proposed building will have a typical agricultural appearance duel pitched roof and be constructed of timber frame and vertical boards and stock walling with a fibre cement sheet roof with 12 rooflights. The building would measure 27.63 metres by 12.2 metres to a height of 5.87 metres to the ridge and 3.9 metres to the eaves.

A revised block plan has been submitted that amends the access point to the new building further to the north where there is an existing access and moves the building further north in line with polytunnel 1 rather than polytunnel 2. The proposal includes an extension of the hardstanding to the front and side of the livestock building.

RELEVANT PLANNING POLICIES

The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):
Policy 1 - Strategic Policy: Sustainable Development
Policy 2 - Strategic Policy: Strategic Development
Policy 3 - Strategic Policy: Development Hierarchy
Policy 7 - Strategic Policy: Economic Growth
Policy 9 - Employment Development
Policy 10 - Rural Economic Development
Policy 24 - Strategic Policy: Environmental Protection
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
Policy 26 - Strategic Policy: Countryside Protection
Policy 30 - Protected Landscapes
Policy 31 - Green Infrastructure and Biodiversity
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 35 - Strategic Policy: Climate Change
Policy 36 - Strategic Policy: Appropriate Energy Use
Policy 37 - Sustainable Construction
Policy 38 - Strategic Policy: Flooding

Paragraph 33 of the NPPF requires that all development plans complete their reviews no later than 5 years from their adoption. Horsham District Council is currently in the process of reviewing its development plan however at this stage the emerging policies carry only limited weight in decision making. As the HDPF is now over 5 years old, the most important policies for the determination of this application must be considered as to whether they are 'out of date' (NPPF paragraph 11d). This includes, for applications involving the provision of housing, whether the Council can demonstrate a five year supply of deliverable housing sites (NPPF footnote 8).

The Council is currently unable to demonstrate a five year supply of deliverable housing sites, with the supply currently calculated as being 4.3 years. The presumption in favour of development within Paragraph 11d) of the NPPF therefore applies in the consideration of all applications for housing development within the District (unless footnote 7 or Paragraph 14 applies to relevant applications), with Policies 2, 4, 15 and 26 now carrying only moderate weight in decision making.

All other policies within the HDPF as itemised above have been assessed against the NPPF and are considered to be consistent such that they continue to attract significant weight in decision making.

Nuthurst Neighbourhood Plan:
Policy 1: Spatial Plan

Planning Advice Notes:
Facilitating Appropriate Development
Biodiversity and Green Infrastructure

REPRESENTATIONS AND CONSULTATIONS RESPONSES
Where consultation responses have been summarised, it should be noted that Officers have had consideration of the full comments received, which are available to view on the public file at www.horsham.gov.uk

Consultations:

HDC Tree Officer: No Objection

The revised build footprint is acceptable in principle in terms of avoiding the key rooting area of the nearest adjacent oak trees. No outstanding arboricultural concerns. The access alteration reduces landscape impact and potential requirement for mitigation planting.

HDC Landscape: No Objection
The application site is located approx. 3km south of Horsham, 2km east of Southwater and forms part of grazing land and includes the access route from Kerves Lane/Coltstaple Road junction. The northern and eastern boundaries are open to the wider grazing field. The south and west are bound by hedgerow. A Public Right of Way (PRoW), footpath SOW 1663/9 is located to the west, whilst footpaths SOW 1663_2/1 and SOW 1689/1 located to the south. Grade II listed building named Colstaple [sic] Farmhouse (1354143) and Little Coltstaple Farmhouse (1262105) are located to the south across the Coltstaple Road. Parson's Farmhouse (1193378) is located to the west across Kerves Lane.

The Horsham District Planning Framework (2015) (HDPF) Proposals Maps identifies the site as being located outside the defined built-up area boundary and therefore designated as countryside. Policy 26: Countryside Protection sets out a presumption against development unless for agriculture, forestry minerals, quiet informal recreation or ensures the sustainable development of rural areas. The Policy also states that development permitted must be of a scale appropriate to its countryside character location and must not lead, either individually or cumulatively, to a significant increase in the overall level of activity in the countryside and/or conserves, and / or enhances, the key features and characteristics of the landscape character area in which it is located.

Policy 25: 'The Natural Environment and Landscape Character' sets out that development proposals will be required to protect, conserve, and enhance the landscape character, taking into account areas identified as being of landscape importance, the individual settlement characteristics, and maintains settlement separation.

Policy 31: Green Infrastructure and Biodiversity requires development to contribute to the enhancement of existing biodiversity and should also be compliant with Policy 33: Development Principles which states that proposals should be distinctive in character, respect the character of the surrounding area (including its overall setting, views and green corridors) and, where available and applicable, take account of the recommendations/policies of the relevant Design Statements and Character Assessments.

Review of submitted information

The application Site falls within M1 Crabtree & Nuthurst Ridges & Ghylls Landscape Character Area (LCA) of the Landscape Character Assessment of West Sussex. Key relevant characteristics of this LCA include steep wooded ridges and ghylls, strong pattern of woodlands, shaws and hedgerows, ancient hedgerow oaks, small to medium size irregular and regular shaped pasture fields and confined views.
Key issues within this LCA include the decline in hedgerow management associated with the expansion of horse paddocks and the landscape condition is overall good although there are localised areas where it is declining due to loss of hedgerows. Planning and land management guidelines are to encourage the planting of tree groups around modern farm buildings.

The application has not been supported by a Landscape and Visual Appraisal (LVA). However, owed to the agricultural context in which the building is proposed and the extent of surrounding established hedgerow boundaries, the proposal benefits from natural screening. It is therefore judged that visual harm will be minimal and no LVA is required for submission.

However, a potential viewpoint receptor is expected to be users of the Coltstaple Road to the south around listed building Colstaple Farmhouse which is located to the southwest. It is possible that the existing site and associated buildings can be seen from here during winter months through fragmentation of the hedgerow.

While the principle of an agricultural barn on the site could be acceptable and seen as part of the existing context, we do have concerns regarding the protection of the adjacent hedgerow during construction. The submitted Block Plan does not make clear the location of the existing hedgerow in relation to the proposed building. Since the visual impact of the proposed building from the south-west relies on the retention of this hedgerow, confirmation is required on its location to ensure the proposed building and hardstanding do not impact the hedgerow, trees or associated root protection areas (RPA).

The Block Plan indicates a new access is to be proposed to the north of the Site where we anticipate hedgerow and tree removal may be required. However, correspondence has confirmed that existing access through the gateway is to be used. Details of proposed tree and hedgerow removal will be required within the submitted plans to ensure landscape impacts are minimal.

We recommend that colours, materials and finishes of the building elevations are submitted as a pre-commencement planning condition to better simulate the building within the landscape.
Condition recommended: Tree/ hedge protection measures

Natural England: No Objection

We concur with the conclusion of your authority's HRA appropriate assessment, insofar that we have no objections subject to the delivery, management and maintenance of measures identified in the water neutrality statement, and subject to relevant pre-commencement conditions identified in the appropriate assessment being put in place, to achieve water neutrality.

Newt Officer: No Objection
Fields can contain suitable habitat for great crested newts, especially when near a pond network.

However, looking at the landscape surrounding this site, in this instance there are no concerns regarding great crested newts. Should the application change, please feel free to reconsult me.

Parish Comments:
None received

Representations:
None received

Member Comments:
None received

HUMAN RIGHTS AND EQUALITY:

The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a person's rights to the peaceful enjoyment of property and Article 8 of the same Act, which sets out their rights in respect to private and family life and for the home. Officers consider that the proposal would not be contrary to the provisions of the above Articles.

The application has also been considered in accordance with Horsham District Council's public sector equality duty, which seeks to prevent unlawful discrimination, to promote equality of opportunity and to foster good relations between people in a diverse community, in accordance with Section 149 of the Equality Act 2010. In this case, the proposal is not anticipated to have any potential impact from an equality perspective.

PLANNING ASSESSMENT

Principle of Development:

Policy 10 of the HDPF states that in the countryside, development which maintains the quality and character of the area, whilst sustaining its varied and productive social and economic activity will be supported, particularly development that is appropriate to the countryside location and contributes to the diverse and sustainable farming enterprises of within the district.

Policy 26 of the Horsham District Planning Framework (2015) (HDPF) sets out a general policy of restraint against inappropriate development in the countryside in order to protect its rural character and undeveloped nature. Any development permitted must be of a scale appropriate to its countryside location and must not lead, either individually or cumulatively, to a significant increase in overall activity

in the countryside. However, it does allow for, amongst other things, quiet, informal recreational use, such as that derived from private equestrian activities.

According to the submitted details, currently the agricultural holding includes 3 rams, 16 breeding ewes, 22 lambs and 65 chickens (expanding to 120). The holding also grows a substantial amount of produce including fruit and vegetables.

The new barn would be used for rearing calves to expand the agricultural activity on the site. The building will generally function as a calf rearing shed, with it's size and design being specifically tailored for this use, and the welfare facilities required.

It is therefore considered that the proposal would be essential to its countryside location and would directly support the needs of agriculture. The proposal would therefore meet the aims of policies 10 and 26 of the HDPF and is therefore acceptable in principle, subject to detailed considerations

Design and Appearance:

Policy 32 of the HDPF requires high quality design that complements locally distinctive characters of the district and contributes a sense of place in the way they integrate with their surroundings. Policy 33 of the HDPF sets out the Council's development principles in order to conserve and enhance the natural and built environment

The proposed building will have a typical agricultural appearance duel pitched roof and be constructed of timber frame and vertical boards and stock walling with a fibre cement sheet roof with 12 rooflights. The building would measure 27.63 metres by 12.2 metres to a height of 5.87 metres to the ridge and 3.9 metres to the eaves

The proposal also includes an extension to the current farm access and creation of further hardstanding to the north and north east of the building. The area of hardstanding is considered to be of an appropriate scale to service the building and would not be disproportionate or out of character within the agricultural setting.

The design of the proposed livestock building is typical of those seen on many livestock farms and provides sufficient lighting and ventilation within the building and the straw based loose housing arrangement within the covered yards is an accepted method of housing livestock.

It is therefore considered that the proposal complies with Policies 25, 32 and 33 of the HDPF and is acceptable in terms of design and appearance

Trees and Landscaping:

Since the earlier application, the site has changed substantially in character. The new building is now proposed to be located behind the approved polytunnels and behind the existing line of hedgerow.

The landscape officer originally raised concerns regarding the protection of the adjacent hedgerow during construction. The originally submitted Block Plan did not make clear the location of the existing hedgerow in relation to the proposed building. Confirmation has been received on its location to ensure the proposed building and hardstanding do not impact the hedgerow, trees or associated root protection areas (RPA).

The Block Plan originally indicated a new access proposed to the north of the Site where hedgerow and tree removal may be required. However, this has been amended and confirmation received that the existing access through the gateway is to be used.

The LPA Tree Officer is content that the revised build footprint is acceptable in principle in terms of avoiding the key rooting area of the nearest adjacent oak trees.

Amenity Impacts:

Policy 33(2) of the HDPF states that permission will be granted for development that does not cause unacceptable harm to the amenity of the occupiers/users of nearby properties and land.

The development would serve an existing agricultural field and would not introduce a new use to the site. Agricultural vehicles already access the agricultural field, with the proposal seeks to accommodate the continued use for agricultural purposes. It is not therefore considered that the proposal would have any adverse impact on the occupiers of residential properties in the surrounding areas, with the nearest property being around 180 metres away across fields and boundary hedgerows.

Highways Impacts:

It is not considered that the proposal would result in a material intensification in use of the access. The hardstanding to be laid would be constructed of permeable material. The size of the proposed hardstanding is considered appropriate for the parking and turning of farm vehicles as set out above.

Water Neutrality:

The application site falls within the Sussex North Water Supply Zone as defined by Natural England and which includes supplies from groundwater abstraction which cannot, with certainty, demonstrate no adverse impacts upon the defined Arun Valley SAC, SPA and Ramsar sites.

An advice note from Natural England (September 2021) advises that plans and projects affecting sites where an existing adverse effect is known will be required to demonstrate, with sufficient certainty, that they will not contribute further to an existing adverse effect. The received advice note advises that the matter of water neutrality should be addressed in assessments to agree and ensure that water use is offset for all new developments within the Sussex North Water Supply Zone.

The submitted strategy indicates an existing baseline water demand of 571.4 l/day. This is evidenced by water bills provided, BREEAM calculator, and a fixtures and fittings survey.

The proposed development would comprise an additional water demand of 211 l/day based on the additional of 50 calves, without any mitigation.

By installing rainwater harvesting for irrigation purposes (currently around 470 l/day) to the new barn, it is shown that there would be a potential yield of 578 l/day from rainwater with a 35 day drought storage built in. This would be used to replace the 470 l/day currently used for irrigation and result in a proposed demand of 571.4+211-470=312.4l/day

An above ground tank is proposed on the southern side of the proposed barn to feed the existing polytunnels and for irrigation.

An Appropriate Assessment has been undertaken, where it has been concluded that subject to the mitigation and rainwater harvesting offsetting measures proposed, which would be secured by condition requiring that the development be carried out in strict accordance with the water strategy, the development would result in no significant impact on the Arun Valley SAC, SPA and Ramsar sites, either alone or in combination with other plans and projects. Detailed conditions are recommended to ensure water quality standards and testing are carried out. The grant of planning permission would not therefore adversely affect the integrity of these sites or otherwise conflict with policy 31 of the HDPF, NPPF paragraph 180 and the Council's obligations under the Conservation of Habitats and Species Regulations 2017.

Conclusions:

There is considered to be a reasonable and justified need for the proposed agricultural storage building, which is of an appropriate scale, design and siting for its rural location ensuring that it will not be detrimental to the surrounding landscape character. It would not result in significant harm to neighbouring residential amenity and is located for appropriate and safe access. It is therefore considered to be an appropriate form of development that is in accordance with Policies 1, 2, 10, 26, 32, 33 and 40 of the Horsham District Planning Framework.

Recommendation: Application Permitted

Conditions:

2 **Standard Time Condition**: The development hereby permitted shall begin before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

3 **Pre-Commencement (slab level) Condition**: No development above ground floor slab level shall commence until full details of the and rainwater harvesting system (including details of storage) required by the approved water neutrality strategy (prepared by H2Ogeo received 01.05.2024) have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 185 and 186 of the National Planning Policy Framework (2023), and to allow the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species

4 **Pre-Occupation Condition**: No development hereby permitted shall be first occupied until evidence has been submitted to and been approved in writing by the Local Planning Authority that the approved water neutrality strategy for that development has been implemented in full. The evidence shall include the specification of fittings and appliances used, evidence of their installation, and completion of the as built Part G water calculator or equivalent. The installed measures shall be retained as such thereafter.

Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 185 and 186 of the National Planning Policy Framework (2023), and to allow the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

5 **Regulatory Condition:** The materials to be used in the development hereby permitted shall strictly accord with those indicated on the application form and submitted plans (KP1 dated Oct 2023) unless detail of alternative materials have been submitted and approved in writing by the Local Planning Authority prior to development above ground floor slab level commencing.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of visual amenity and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

6 **Regulatory Condition**: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order amending or revoking and/or re-enacting that Order), the premises hereby permitted shall be used for agricultural purposes only, as defined in Section 336(1) of the Town and Country Planning Act 1990 and for no other purposes whatsoever without express planning consent from the Local Planning Authority first being obtained.

Reason: The site lies in an area where, in accordance with Policy 26 of the Horsham District Planning Framework (2015) development which cannot be justified as essential to the needs of agriculture or forestry would not normally be permitted.

7 **Regulatory Condition**: No works for the implementation of the development hereby approved shall take place outside of 08:00 hours to 18:00 hours Mondays to Fridays and 08:00 hours to 13:00 hours on Saturdays nor at any time on Sundays, Bank or public Holidays

Reason: To safeguard the amenities of adjacent occupiers in accordance with Policy 33 of the Horsham District Planning Framework (2015).

8 **Regulatory Condition**: No external lighting or floodlighting shall be installed other than with the permission of the Local Planning Authority by way of formal application.

Reason: In the interests of the amenities of the locality and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

POSITIVE AND PROACTIVE STATEMENT

Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received, in order to be able to, where possible, grant permission.

Plans list for: DC/23/2116

Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Elevation & Floor plan	Proposed Elevation and Floor Plan	KP1	20.11.2023
Block plan	Proposed Block Plan	KP2 Rev A	24.01.2024
Location plan	Location Plan	KP3	24.01.2024

DELEGATED

Case Officer sign/initial Kate Turner Date: 06.06.2024

Authorising Officer sign/initial RHERMITAGE Date: 26.06.2024