Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/24/0246
Holmans Farm, Haven Road, Five Oaks, West Sussex,

DESCRIPTION:
Prior Notification for the erection of an agricultural barn for storage of machinery

RELEVANT PLANNING HISTORY:

DC/20/0611	Prior notification for a proposed agricultural haylage storage barn	PANR 22-April-2020

RELEVANT PLANNING POLICIES
The Town and Country Planning (General Permitted Development) (England) Order 2015
Schedule 2, Part 6, Class A - agricultural development on units of 5 hectares or more

REPRESENTATIONS AND CONSULTATIONS RESPONSES
Slinfold Parish Council – No Objection

EQUALITY AND HUMAN RIGHTS:
Under the Equality Act 2010, the Council has a legal duty to pay 'due regard' to the need to eliminate discrimination and promote equality, fostering good relations in respect of Race, Disability, Gender including gender reassignment, Age, Sexual Orientation, Pregnancy and maternity, Religion or belief. The Equality Act 2010 will form part of the planning assessment below.

Article 8 (Right to respect of a Private and Family Life) and Article 1 of the First Protocol (Protection of Property) of the Human Rights Act 1998 are relevant to this application.

Consideration of Human Rights and Equalities forms part of the planning assessment below.

PLANNING ASSESSMENT
The main issue is whether prior approval is required for the proposed development under Part 6 Class A of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015. Class A of Part 6 Schedule 2 of the Town and Country (General Permitted Development) Order 2015 relates to agricultural development on units of 5 or more hectares for among other things, the erection of a building.

The application site lies outside of the built-up area, within a countryside location between Rudgwick and Billingshurst. The location of the proposed barn would be west of the Haven Road adjacent to (at the southern end) of a cluster of buildings of a mixed-use being part used for agricultural purposes and part industrial and commercial units, including the site of the former Five Oaks Sawmill buildings now let out as industrial units.

The applicant has submitted a planning statement and supporting statement that outlines that the agricultural enterprise extends across 350 hectares of agricultural grasslands. It is set out that Holman's Farm is principally a grass farm producing Haylage which is sold under the Brand name "No Soak", together with the grazing by sheep and cattle based at Five Oaks Farm. Holman's Farm is the base for Agricultural Machinery.

The proposed machinery barn would serve an area of land in excess of 350ha (600 acres) being sited to the South of the former sawmill buildings. The machinery includes tractors, silage equipment including mowers, turners, as well as fertiliser spreaders, rollers etc. It is stated that for many years the machinery has been stored in neighbour's barns in 3 locations. However, the applicants have lost the use of these barns in the last few years and the Applicant needs to be able to replace the loss of that machinery storage facility and there are no other suitable buildings on the holding able to securely store large agricultural machinery.

It is considered that on the basis of the available information that the development would be reasonably necessary for the purposes of agriculture. Further, the proposal would not conflict with any limitations set out in Part 6, A.1 (and it is noted that previously approved development, under Part 6, on the site accords with the measurement of floorspace as set out under D.1(2)(a)).

The Council is required to consider whether its prior approval is required in respect of the siting, design and external appearance of the building.

The location of the proposed barn would be adjacent to the similar sized agricultural barn permitted under ref. DC/20/0611. In appearance, the proposed barn is rectangular in shape and is to reflect other steel frame agricultural buildings in the area, being external steel box profile sheet cladding to the walls and a pitch roof. In dimensions, it would measure 36.6m in length, 15.2m in width and 9m in height to the ridge with a 15degree pitch (7m height to eaves). It would be built as a steel portal frame with box profile steel cladding (coloured Juniper green) and cement fibre roofing (Anthracite) with concrete panels to the base of the elevations.

The building would be sited in close proximity to existing built-form on the wider site with established vegetation providing additional screening.

The barn has a simple functional design reflecting a modern agricultural building and will be used for the storage of agricultural machinery associated with the farming enterprise. It would not be of an unexpected design or external appearance in this location, with the form and appearance appropriate to the intended use.

The siting, design, and appearance of the building is considered to reflect the rural context of the surroundings, with the building positioned in a location which would have an acceptable visual impact. Whilst it is noted that the building will be sited near to the site boundary with a neighbouring residential property, it is not considered that is siting would have an adverse impact on their privacy or amenity given the nature of the surrounding development, the distance to the neighbouring property (some 60m) and the mature landscaping forming the site boundary. On this basis, it is considered that prior approval is not required for the siting, design or external appearance of the building.

Recommendation: Prior Approval Not Required

NOTE TO APPLICANT
The site lies within the Sussex North Water Supply Zone where Natural England has advised that water extraction cannot be concluded as having no adverse effect on the integrity of the Arun Valley Special

Area Conservation (SAC), the Arun Valley Special protection Area (SPA) and the Arun Valley Ramsar Site.

It is a condition of Permitted Development (Article 3(1) of the Town & Country Planning (General Permitted Development) (England) Order 2015, as amended) that development likely to have a significant effect on a European Site "must not be begun" until an application has been made to Natural England for its opinion as to whether the development is likely to have a relevant effect. For further information on this process see Regulations 75 to 77 of the Conservation of Habitats and Species Regulations 2017 (General Development Orders), and the following link: -

https://www.horsham.gov.uk/planning/water-neutrality-in-horsham-district/regulation-77-conservation-of-habitats-and-species-regulations

The Applicant is advised that any development commenced without compliance with Regulation 75 of the Conservation of Habitats and Species Regulations 2017.

NOTE TO APPLICANT – GREAT CRESTED NEWTS
The application site is within a red Impact Risk Zone for Great Crested Newts as modelled by district licence mapping. Under the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended), it is an offence to (amongst other things): deliberately capture, disturb, injure, or kill great crested newts; damage or destroy a breeding or resting place; intentionally or recklessly obstruct access to a resting or sheltering place. Development taking place under the Town & Country Planning (General Permitted Development) (England) Order 2015 does not provide a defence against prosecution under this legislation. Should great crested newts be found at any stage of the development works, then all works should cease, and a professional and/or suitably qualified and experienced ecologist (or Natural England) should be contacted for advice on any special precautions before continuing, including the need for a licence.

Plans list for: DC/24/0246
(The approved plans will form Condition 1 on the Decision Notice of all Permitted applications)

Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Location & Site plan	Elevations and Floor, as proposed	24-02-01	09.02.2024
Supporting Statement	Planning	NONE	09.02.2024
Supporting Statement	Agricultural	NONE	09.02.2024

DELEGATED

Case Officer sign/initial Steve Astles Date: 06.03.2024

Authorising Officer sign/initial Guy Everest Date: 11.03.2024