Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/24/0095
Oaklands House, Cowfold Road, West Grinstead, Horsham, West Sussex, RH13 8LZ

DESCRIPTION:
Erection of a part agriculture / part multi-purpose storage barn

RELEVANT PLANNING HISTORY:

DC/10/0445	Retention of a steel frame barn to store tractor, trailer and other agricultural equipment	Permitted on 12.05.2010
DC/17/2815	Erection of a steel framed general purpose agricultural building	Refused on 08.02.2018

SITE AND SURROUNDS

The application site is located on the northern side of Cowfold Road with a private driveway leading up to the main dwelling. The main dwelling is positioned on an elevated ground which slopes down towards the main road. The host dwelling is currently surrounded by empty paddocks and fields without any sheep present on site.

The main property is a large detached dwelling house with attached garages linked to the main house. The front of the property is separated from the outbuildings to the rear of the dwelling by secured gate. To the north east of the main house is a detached building which was constructed for agricultural use under planning permission DC/10/0445. The main dwelling is not a listed building and nor does the site fall within a conservation area.

DETAILED DESCRIPTION

The proposal seeks planning permission for the erection of a part agriculture / part multi-purpose storage barn. The building would be approximately 36 metres wide and 18 metres deep with a ridge height of 6.10 metres. The external materials would comprise of concrete blocks, vertical timber boarding under profiled sheets roof. The building would consist of 4 no. open fronted agricultural bays on the north elevation and a roller shutter door on the east elevation. The building would partially used for agricultural purposes and partially used for storing of vehicles and other ancillary equipment.

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 4 - Strategic Policy: Settlement Expansion
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 31 - Green Infrastructure and Biodiversity
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 40 - Sustainable Transport
Policy 41 - Parking

Cowfold Neighbourhood Plan:
None relevant to this application

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:

Natural England: (standing advice) Objection

It cannot be concluded that existing abstraction within the Sussex North Water Supply Zone is not having an adverse effect on the integrity of the Arun Valley SAC/SPA/Ramsar sites. Developments within Sussex North must therefore must not add to this impact and one way of achieving this is to demonstrate water neutrality. The definition of water neutrality is the use of water in the supply area before the development is the same or lower after the development is in place.

To achieve this Natural England is working in partnership with all the relevant authorities to secure water neutrality collectively through a water neutrality strategy. Whilst the strategy is evolving, Natural England advises that decisions on planning applications should await its completion. However, if there are applications which a planning authority deems critical to proceed in the absence of the strategy, then Natural England advises that any application needs to demonstrate water neutrality.

HDC Environmental Health: *EHL has no comment, provided the building is not used for bulk storage of fuels, oils, or other chemicals and no external flood lighting is installed.*

HDC Arboricultural Officer:
17.04.2024 - *The revised design/layout of the barn and associated landscaping still does not reasonably take account of the constraints posed by the existing hedgerow oak trees which would be detrimentally impacted upon by the proposed extent of new hardstanding.*

If minded to approve in other planning terms, I recommend modification of siting of the development to eliminate/reduce potential impacts on the key landscape features by compliance with the minimum recommendations of the relevant design standard BS5837.

23.03.2024 - T*he design/layout of the barn and associated landscaping does not reasonably take account of the constraints posed by the existing mature Low Weald landscape features (hedgerow oak trees) which would be significantly detrimentally impacted upon by the proposed siting of the build and associated large expanse of new hardstanding.*

If minded to approve in other planning terms, I recommend modification of siting of the development to eliminate/reduce potential impacts on the key landscape features.

Agricultural consultant: *The agricultural activities on the site do not appear to have changed since the 2017 applicationband my site visit (January 2018) and as such, the size of the proposed building cannot be in terms of demonstrating an agricultural need. Therefore, it is not reasonably required as supporting the needs of agriculture on the holding in terms of national and local planning policy.*

WSCC Highways: *The LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network,*

therefore is not contrary to the National Planning Policy Framework (paragraph 115), and that there are no transport grounds to resist the proposal

Ecology Consultant: *No objection, the mitigation measures identified in the Preliminary Ecological Appraisal (Co-Ecology, March 2024) should be secured by a condition of any consent and implemented in full. The impacts will be minimised such that the proposal is acceptable subject to the conditions below based on BS42020:2013. In terms of biodiversity net gain, the enhancements proposed will contribute to this aim.*

Nature Space (District Newt Licensing):

- *The ecological report submitted suggests undertaking Precautionary Working Methods to minimise risk to great crested newts. It is considered that this is an appropriate approach for the site and the scale of works, however, due to the proximity of records, a full precautionary working methos statement would be expected. It is recommended that these measures be conditioned.*
- *Should the developer wish to remove all risk associated with the development, they can obtain a licence to undertake works.*

Parish Comments:
Cowfold Parish Council (CPC) makes a neutral response to this planning application. However, CPC requests assurance from HDC that the re-sited Agricultural/Multi-Purpose Storage Barn no longer constitutes a risk to hedgerow oak trees and the recommended compensation for any loss of extant habitats will be upheld.

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:

The application site is located outside the built up area within the rural countryside where policy 26 of the Horsham District Planning Framework (HDPF) 2015 seeks to ensure countryside protection and enhancement.

'*Outside built-up area boundaries, the rural character and undeveloped nature of the countryside will be protected against inappropriate development. Any proposal must be essential to its countryside location, and in addition meet one of the following criteria:*
1. Support the needs of agriculture or forestry;
2. Enable the extraction of minerals or the disposal of waste;
3. Provide for quiet informal recreational use; or

4. Enable the sustainable development of rural areas.

In addition, proposals must be of a scale appropriate to its countryside character and location. Development will be considered acceptable where it does not lead, either individually or cumulatively, to a significant increase in the overall level of activity in the countryside, and protects, and/or conserves, and/or enhances, the key features and characteristics of the landscape character area in which it is located, including;
1. The development pattern of the area, its historical and ecological qualities, tranquillity and sensitivity to change;
2. The pattern of woodlands, fields, hedgerows, trees, waterbodies and other features; and
3. The landform of the area.'

It is noted that a similar proposal was refused in 2017 for the erection of a steel framed general purpose agricultural building, application reference DC/17/2815.

The proposal would involve the construction of a new multi-purpose storage barn to be partially used for agricultural purposes and partially for the storage of vehicles including other ancillary equipment associated with the applicant's business. The applicant wishes to graze his own sheep and the proposed barn is intended to provide storage area for feed and hay. However, the proposed barn would not be used to accommodate livestock.

No confirmation has been provided on how many sheep the applicant intends to graze on the land. It is acknowledged planning permission reference DC/10/0445 provides 63m2 of agricultural storage with a condition restricting the use for agricultural purposes only. The approved barn was considered acceptable for 7.5 hectares of land and 24 sheep grazed on land at that time owned by a local farmer. The applicant fails to demonstrate why this barn is no longer suitable for the storage they need.

The agricultural activities on site appear to have significantly decreased since 2017 with no presence of sheep on site (at the time of the site visit in May 2024) as such, the size of the proposed building does not demonstrate an agricultural need. Furthermore, it has not satisfactorily been demonstrated how the storage use associated with vehicles in connection with the applicant's business would accord with Policy 26 as above. Therefore, it is not reasonably required as supporting the needs of agriculture on the holding in terms of the above policy. Furthermore, Policy 26 does not allow development for the storage of personal vehicles and therefore it is considered that the 216m2 allocated for this use is unjustified in terms of the above policy.

Design and Appearance:

Policies 25, 32 and 33 of the HDPF promote development that is of a high quality design, which is sympathetic to the character and distinctiveness of the site and surroundings. The landscape character of the area should be protected, conserved and enhanced, with proposals contributing to a sense of place through appropriate scale, massing and appearance.

It is viewed that the proposed barn would be of a design and form functionally required for agricultural purposes if it could be considered on balance that the harm to the rural character of the area would be outweighed by the need for the building. However, as it has been found that the building is not required for the purposes of agriculture it is considered that the building would result in development in the countryside which would be sporadic in form and would not relate sympathetically with its surroundings.

Amenity Impacts:

Policy 33 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.

Due to the remote location of the application site, the positioning as well as the layout of the proposal and the resulting relationship with adjacent properties would be sufficient to prevent any unacceptable harm to neighbouring amenity.

Tree Impacts:

Policy 33(6) of the HDPF aims to maintain presumption in favour of the retention of existing important landscape and natural features, for example trees, hedges, banks and watercourses. Development must relate sympathetically to the local landscape and justify and mitigate against any losses that may occur through the development.

Whilst amended plans were submitted the revised design/layout of the proposed barn and associated landscaping still does not reasonably take account of the constraints posed by the existing hedgerow oak trees which would be detrimentally impacted upon by the proposed extent of new hardstanding, as highlighted by the Council's Arboricultural Officer. The siting of the barn in its proposed location would result in harm to the key landscape features by compliance with the minimum recommendations of the relevant design standard BS5837. The proposal would thus result in potential harm to nearby planting, resulting in adverse harm to established trees/hedging which is characteristic of its rural setting, thus would be contrary to Policy 33(6) of the HDPF.

Water Neutrality

The application site falls within the Sussex North Water Supply Zone as defined by Natural England which draws its water supply from groundwater abstraction at Hardham. Natural England has issued a Position Statement for applications within the Sussex North Water Supply Zone which states that it cannot be concluded with the required degree of certainty that new development in this zone would not have an adverse effect on the integrity of the Arun Valley SAC, SPA and Ramsar sites.

Natural England 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 statement alleges that the proposed barn would be used for agricultural storage, in addition to the storage of vehicles and other equipment. On 25 March 2024, the applicant confirmed that mains water connection would not be required. As presented, there is no clear or compelling evidence to suggest that the development would result in an increase abstraction of water from the supply zone. As such, the development can therefore be screened out from significant effect.

Conclusions:

The proposal is considered to be contrary with the above-mentioned policies and guidance therefore the development is recommended for refusal.

Recommendation: Application Refused

Reasons for Refusal:

1 It has not been demonstrated to the satisfaction of the Local Planning Authority that the proposed barn would be essential to its countryside location. The proposal is therefore contrary to Policy 26 of the Horsham District Planning Framework (2015).

2 The design and layout of the barn and associated landscaping fails to take reasonable account of the constraints posed by the existing hedgerow oak trees which would be detrimentally impacted upon by the proposed extent of new hardstanding. The proposal is therefore contrary to Policy 33(6) 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/24/0095
Schedule of plans/documents **not approved**:

Plan Type	Description	Drawing Number	Received Date
Supporting Statement	Preliminary Ecological Appraisal	NONE	14.03.2024
Location plan		NONE	11.01.2024
Block plan	As proposed	23.12.13.002	11.01.2024
Floor plan	As proposed	23.12.13.003	11.01.2024
Elevation plan	South and East, as proposed	23.12.13.004	11.01.2024
Elevation plan	North and West, as proposed	23.12.13.005	11.01.2024
Elevation plan	South, as indicative	23.12.13.006	11.01.2024
Design & Access Statement	Planning	NONE	11.01.2024

DELEGATED

Case Officer sign/initial Halima Chowdhury Date: 10.05.2024

Authorising Officer sign/initial RHERMITAGE Date: 10.05.2024