Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/24/1224
Land Known As Lady Brooks and Bird In Eye, Pound Lane, Upper Beeding, West Sussex,

DESCRIPTION:

Prior notification for the erection of an agricultural barn for calving and loafing herd of Sussex Cows (60+).

RELEVANT PLANNING HISTORY:

DC/11/1741	Prior Notification for a proposed road to give access to certain areas for agricultural machinery (land known as "Lady Brook and Bird in Eye", Pound Lane Upper Beeding)	Prior Approval Not Required on 26.09.2011.

SITE AND SURROUNDINGS:

The application site comprises an agricultural unit of approximately 39.9 hectares, the parcel of land part of this application would be over 1 hectare. The site is accessed via an access track approved under DC/11/1741 which provides access to Pound Lane in Upper Beeding. The wider surroundings are characterised by agricultural fields, with the River Arun running along the west edge of the site and Upper Beeding to the south.

DETAILED DESCRIPTION:

This notification is under Part 6, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 and seeks a determination as to whether the erection of an agricultural barn for calving and loafing herd of Sussex Cows would require prior approval.

The proposed building would be approximately 30.48m in length, have an eaves height of 4.57m and overall height of 6.86m. The proposed materials would be concrete panels to rear in natural grey colour with both side elevations in "Yorkshire" timber boarding which will weather to a silver-grey colour. The roof would have corrugated fibrous cement roof sheets in juniper green colour. The building would provide a calving and loafing barn designed for 60+ Sussex Cows.

RELEVANT PLANNING POLICIES

National Planning Policy Framework

Horsham District Planning Framework (HDPF 2015):
Policy 1 - Strategic Policy: Sustainable Development
Policy 24 - Strategic Policy: Environmental Protection
Policy 26 - Strategic Policy: Countryside Protection
Policy 33 - Development Principles
Policy 38 - Strategic Policy: Flooding
Policy 41 - Parking

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

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 (GDPO).

Permitted Development

Class A of Part 6 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order as amended relates to "*the carrying out on agricultural land comprised in an agricultural unit of 5 hectares or more in area of –*

a) *Works for erection, extension, or alterations of a building; or*
b) *Any excavation or engineering operations, which are reasonably necessary for the purposes of agriculture within the unit."*

The permitted development right is subject to a number of provisions and conditions. There is no apparent conflict with A.1(a) to (l).

The current use on site is agricultural, with 60+ Sussex Cows on site the majority are in calve. The site is located away from other sections of Newbrook Farm which has approximately 100 acres of land within Lady Brooks and Bird in Eye farmland. The fields in this location were retained for producing hay for feed, and the fields are used for grazing for the 60+ grazing land cows. There are no other agricultural buildings on this section of the agricultural unit and on the basis of the information provided the proposed agricultural building is considered reasonably necessary for the purposes of agricultural.

Further information was requested relating to the impact that the barn would have on the local wildlife site, floodplain, and adjacent Scheduled Monument. As well as information on any chemicals and livestock waste. The statement confirmed that there will be no change to the existing number of cows kept on the land and there will be no changes to the existing hedgerows, trees, or the existing grazing land. Furthermore, the Scheduled Monument which comprises salt workings on the adjacent land, will not be impacted on by the proposed barn. While the site is located within Flood Risk Zone 3, land and buildings used for agriculture and forestry are classified as less vulnerable in the flood risk vulnerability classification. The building is a loafing barn, a 3-sided building, and thus will not have any adverse effect on the flood plain area. In relation to the chemicals and livestock waste, there are no chemicals used on the land and animal waste is simply chain harrowed in whilst the animals are located in alternative pastures.

Siting, Design and Appearance

Article A.2(2)(a)(i) of Class A Part 6 of Schedule 2 of the GPDO imposes a condition on permitted development to determine whether prior approval is required for the siting, design, and external appearance.

It is recognised that the barn would be sited within Flood Zone 2 and 3 and within the River Adur Water Meadows and Wyckham Wood Local Wildlife Site. It is considered that the barn would be of a modest scale and the siting of the barn would not have an adverse effect on the function of the Local Wildlife

Site. The proposal would also be positioned at a sufficient distance from the Scheduled Monument so that no adverse impact would arise. In addition, the proposal would be classified as less vulnerable in the flood risk classification, and the proposal is considered acceptable in this regard.

The proposed barn would be a modern steel frame building and while an appreciable scale the external materials, of juniper green roof cladding and timber cladding to the elevations, would help to assimilate with the wider landscape. The presence of a building would not be unexpected in this landscape, with rural buildings also present to the south-west of this application site. The design and external appearance are what would be expected for an agricultural building and taking into account the specific nature of the intended use.

Conclusion

The proposed barn is considered to be reasonably necessary for the purposes of agriculture. The proposal would be of a siting, design and external appearance that would be anticipated within an agricultural context and is considered appropriate within a rural context. For these reasons, it is recommended that Prior Approval is Not Required.

Recommendation: Prior Approval Not Required

NOTE TO APPLICANT
The planning statement states that animal waste will be chain harrowed on the land. Please be advised that spreading animal waste on land near rivers and waterways may result in a risk of diffuse pollution. Please ensure that Farming Rules for Water are followed.

https://www.gov.uk/guidance/rules-for-farmers-and-land-managers-to-prevent-water-pollution#reduce-pollution-risks-when-you-use-manure-or-fertiliser

https://www.gov.uk/government/publications/applying-the-farming-rules-for-water/applying-the-farming-rules-for-water

https://www.nfuonline.com/updates-and-information/farming-rules-for-water-what-you-need-to-know/#:~:text=In%20addition%2C%20farmers%20must%20ensure,soon%20as%20possible%2C%20after%20application

It is advisable to contact the Environment Agency directly in regard to this process.

Plans list for: DC/24/1224
(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
Elevation & Floor plan	Prior Notification Details: Floor Plan and Elevation Details	90824-02	13.08.2024
Location plan	Location and Site Plan	90824-01	13.08.2024

DELEGATED

Case Officer sign/initial Bethan Tinning Date: 04.10.2024

Authorising Officer sign/initial Tamara Dale Date: 07.10.2024