Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/24/0815
Heath Flower Farm, Park Lane, Ashington, Pulborough, RH20 3AN,

DESCRIPTION:
Prior notification for the use of existing barn for the storage of equipment used for agriculture and for use as a winery.

RELEVANT PLANNING HISTORY:

DC/21/1592	Change of use of agricultural land for the siting of 3 No. glamping pod holiday lets.	Permitted on 03.09.2021
DC/20/0640	Prior notification for the erection of an agricultural barn	Permitted on 22.05.2020
DC/20/0964	Erection of an agricultural building partly used as a winery. Creation of a private way, hardstanding, fresh water connection and waste water connection (Certificate of Lawful Development - Proposed)	Permitted on 25.09.2020
DC/19/2499	Retrospective application for the creation of new access and earth works onto Park Lane	Application Permitted 17/02/2020

SITE AND SURROUNDINGS:

The application site is located east of Park Lane, between Ashington, outside of the built-up area boundary, a countryside location in terms of planning policy. The overall land within the applicants (Heath Farm) control is 5.14 hectares of agricultural land. Public Right of Way ref. 2486 runs east to west, opposite the entrance to the site, and further PROW refs 2612 and 2621 are located to the south of the site. The nearest bus stop is approximately 2.7km from the application site. It is noted the access itself was granted under DC/19/2499 such that whilst the agricultural building and associated hardstanding are sought under this application, the access already has permission.

DETAILED DESCRIPTION:

This notification seeks prior approval under Part 6, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 to form an agricultural building used for the processing of grapes and agricultural equipment. The agricultural building would be located approximately 40 metres to the east of the Park lane access and would be 25 metres in width and 12 metres in depth. The hardstanding would, from what appears to be indicated on the submitted location plan, to include an area for the manoeuvring of agricultural machinery and parking in advance for the agricultural building. The submitted elevation plans cannot be scaled given the format in which they have been submitted, however the application form details that the eaves height would be 3.5 metres and ridge height 7 metres. The external materials will be composite steel sheets with timber cladding in black and composite steel sheet roof.

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

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:

Parish Comments:
None received

Representations:
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

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 (GPDO). 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.

Permitted Development

Class A of Part 6 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 the erection, extension or alteration of a building; or
(b) any excavation or engineering operations, which are reasonably necessary for the purposes of agriculture within that unit."

The application seeks the erection of 1 agricultural building to be used for the storage of agricultural equipment and winery equipment and incorporates as part of the application hardstanding for the movement of agricultural equipment from Park Lane.

The proposed buildings are considered to be designed for the purposes of agriculture and are considered to be reasonably necessary for the agricultural activities undertaken on the unit. As such, the proposed development is considered to represent permitted development under Class A of Part 6, subject to the conditions as outlined within the relevant Class.

Siting, Design and Appearance

Paragraph A.2(2)(a)(i) of Class A of Part 6 of Schedule 2 of the GPDO imposes a condition upon permitted development in respect of matters relating to the siting, design and external appearance of the building.

Policy 25 of the Horsham District Planning Framework (HDPF) states that the natural environment and landscape character of the District, including landscape, landform and development pattern, together with protected landscapes, will be protected against inappropriate development. Proposals should protect, conserve and enhance the landscape character, taking into account areas identified as being of landscape importance. Policy 26 continues that outside built-up area boundaries, development should protect, and/or conserve, and/or enhance the key features and characteristics of the landscape character area in which it is located, including the development pattern of the area, its historic and ecological qualities, tranquillity and sensitivity to change; the pattern of woodlands, fields, hedgerows, trees and other features; and the landform of the area.

The building would be located 40 metres east of Park Lane and would include the provision of hardstanding. It is noted that the design is similar to that under DC/20/0640 which did not require prior notification, although the positioning and hardstanding have been slightly altered. Additionally, the colour of the external cladding has changed to be black composite steel sheet rather than green. It is acknowledged that this would not be as sympathetic in appearance to the rural context in which the building is proposed, the overall impact of the design and scale of the building would not be harmful given that it would still appear as an agricultural building in a countryside location. For this reason, the overall appearance of the building would be acceptable.

Conclusion

The proposed development is considered to be reasonably necessary for agriculture and would be of a design and external appearance that would be anticipated within an agricultural and rural context. While recognised that the structure would be somewhat distanced from the existing built form of the site, it would remain intervisible with these buildings and would be read in this context. Given the spatial context of the wider site, which limits views through the site, it is not considered that the siting would result in harm. For these reasons, Prior Approval is not required.

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-conservationof-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.

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/24/0815

Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Supporting Statement		NONE	28.05.2024
Block plan		NONE	28.05.2024
Elevation plan		NONE	28.05.2024
Location plan		NONE	28.05.2024

DELEGATED

Case Officer sign/initial Hannah Darley Date: 24/06/2024

Authorising Officer sign/initial RHERMITAGE Date: 24.06.2024