

Recommendation Report for Planning Permission

REF NO: A/42/14/PL

LOCATION: Roundstone Farm
Littlehampton Road
Ferring

PROPOSAL: General purpose steel framed agricultural machinery storage building

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

The proposal relates to the provision of an agricultural building measuring 36.576m by 30.48m with an eaves height of 5m and a ridge height of 8.9m. It would be constructed of fibre cement 'Profile 6' sheeting colour natural grey and box profile steel olive green sheet cladding to the elevations.

The building is proposed to be used to store trailers and farm machinery, fertilisers and chemicals connected to Roundstone Farm.

SITE AREA

111.48 hectares

RESIDENTIAL DEVELOPMENT DENSITY (NET) N/A

TOPOGRAPHY

Predominantly flat.

TREES

None of any significance affected by the proposed development.

BOUNDARY TREATMENT

Evergreen hedging to the farm access road measuring approximately 3m. To field boundary to west hedging to approximately 3m high. To rear to the railway line and east approximately 2m high hedging.

SITE CHARACTERISTICS

Open grassed area to rear of existing farm buildings and rough surfaced turning area for farm vehicles leading to farm access. Adjacent to other grey clad farm buildings which have doors fronting onto access road.

CHARACTER OF LOCALITY

Predominantly rural. Railway line to south. Front single storey unit is being used by a stonemason. Residential properties to east, ASDA store beyond.

RELEVANT SITE HISTORY

activities

20-11-2001

REPRESENTATIONS

Representations received:

Angmering Parish Council

Objection - Not enough detail on the external appearance of the building, doesn't appear to be in keeping with neighbouring buildings which are vernacular knapped flint. The size of the proposed structure is excessive and the proposal adversely affects the view from the National Park.

Ferring Conservation Group - If this building is genuinely for the necessary storage of agricultural machinery, used in farming the adjacent land, there could be no objection.

1. The area, which is adjacent to the enormous ASDA store is under intense and continual pressure for development. It was only last year that an application was made to build a large car showrooms, workshops and vehicle storage area on the field immediately to the west. A large industrial-type building here is a dangerous precedent. Once built it can easily be used for other purposes - with or without permission.

2. The applicant had such a large barn built on his land on the north side of Littlehampton Road some 10 years ago. Very soon afterwards, permission was sought and granted to change its use to that of a car body and paint-spraying workshop, in which use it continues today. If the applicant still owns this barn, there would seem to be the option of using it for its original purpose and avoiding the construction of another large building on an agricultural site.

There is a long record in Ferring and Angmering of developments which, having gained planning consent, then change into something which would not have been given consent had it been applied for in those terms. The Council should be very careful in assessing the intentions and requirements of the applicant and, if granting permission, in applying suitable conditions to prevent the use of this building for any other purpose than that applied for.

Comments on Representations received:

Comment on parish council comments - There is adequate detail on the building elevations. Drawing 2405/003 clearly refers to the proposed materials for the roof and elevations. The building is directly comparable in appearance with the existing agricultural buildings to the north which have grey clad elevations. The size of the structure is essential to allow for articulated lorries to be able to access the building and turn and tip. The building will not adversely affect views from the National Park which is located north of the A259. It would be located close to existing farm buildings of similar size and ASDA is approximately 120m to the east.

Comment on other representation - The application is recommended for approval subject to a condition restricting use of the building to the purposes applied for to ensure that it cannot change use without planning permission.

The car body repair building on the south side of the A259 cannot be used by the applicant. It has a 9 year lease and is in the ownership of Ham Manor Farms Limited, not the applicant.

CONSULTATIONS

Highways Agency

WSCC Strategic Planning

Environment Agency

Engineering Services Manager
Engineers (Fluvial Flooding)
WSCC Strategic Planning

Consultations responses received:

County Highways -First Consultation Request further information.

Second Consultation - Additional information comprises:

1. Current traffic movements in and out of the site on a daily basis - 4 cottages with three cars in total, postman and dustcart delivery and collection. Two units let, 8 employees, cars in the morning - stay all day and maybe 4 deliveries per day between them. Farm tractors in and out daily depending on weather conditions - dry, hot and sunny more movements. The farm has 8 tractors, 1 combine and 1 telehandler. Deliveries of vegetable plants, fertilisers and sprays and machinery parts.

Articulated lorries to collect grain and deliver fertiliser.

2. Current vehicle types entering and leaving the site during times specified in 1 above: - Tractors, cars, vans and some articulated lorries.

3. Proposed traffic movements if planning permission is granted during times specified in 1 Above: - No change in traffic movements when planning is granted. Winter hours are 7.30am to 5.00pm, summer hours from 7.00am to 9.00pm and harvest time sometimes later. The same as it has been for the last 40 years.

4. Proposed vehicle types that will use the site if planning permission is granted during times specified in 1 above: - Same as Section 1.

5. No changes to current access are proposed. Roundstone Farm has two access points onto the A.259. One on the roundabout and the other one is off the by-pass. The by-pass access has been used by Roundstone Farm for more than 100 years. The roundabout access was granted when the dual carriageway was built in exchange for us closing several accesses along the A.259. Most traffic that is coming from the west entering the farm uses the roundabout access and most vehicles leave from the old established farm entrance. If vehicles are coming from the east entering the farm they use the old farm entrance.

6. The proposal is for a general agricultural building, machinery workshop, storage of machinery, fertilisers and chemicals stored. Farm office also within the building. Trailers and machinery are stored outdoors at Roundstone Farm and would benefit from being undercover hence the requirement for the new building. The temporary store used by the applicant will be given up in two years time, which is 5000sq. ft and is two miles from Roundstone Farm.

Conclusion

Based on the revised information provided by the applicant's agent, the Highway Authority is satisfied that the development should not give rise to additional traffic movements in or out of the site. Given this, it would be difficult to insist that changes be made to the accesses. However, the Highway Authority asks that the applicant uses his best endeavours to minimise use of the roundabout access - particularly for vehicles exiting the site - instead using the eastern access to exit the site.

In addition, the Highway Authority recommends that the Planning Authority restricts by condition the use of the building to the storage of agricultural machinery only (and that such use be associated with the existing farm use on-site and not be made available to third parties) to prevent any other uses taking place that might increase traffic in and out of the site via the existing accesses.

Recommend highway condition relating to parking, turning, loading and unloading.

Environment Agency - The site is located in Flood Zone 1 and is outside of any groundwater

arrangements. No comment.

Engineers - No Objection. Conditions suggested.

Comments on Consultation responses:

Comments noted. Conditions requested by County Highways have been imposed and an informative will be added concerning use of roundabout access.

POLICY CONTEXT

Designation applicable to site:
Class A road
Outside Built Up Area Boundary
Right of Way

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003: [GEN2](#)
[GEN3](#)
[GEN7](#)

Built-up Area Boundary
Protection of the Countryside
The Form of New Development

[Publication Version of the Local Plan -
Excluding the Spatial Portrait, Employment,
Housing Allocations, Transport, Monitoring and
Implementation sections \(February 2014\):](#)

SD SP2 Built -Up Area Boundary
C SP1 Countryside
D SP1 Design
D DM1 Aspects of Form and Quality

PLANNING POLICY GUIDANCE

NPPF

National Planning Policy Framework

POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to visual and residential amenity.

The Development Plan consists of the Arun District Local Plan 2003.

Paragraph 215 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight. The weight afforded to the policies with Local Plan policies can be assessed according to their level of consistency of the various policies with the National Planning Policy Framework. It should be noted that the NPPF states that weight is given to individual policies and not to the plan as a whole.

NPPF Paragraph 216 confirms that weight can be given to policies in emerging plans following publication. The Council agreed the majority of the Arun Local Plan in February 2014 (Publication Version) and this is a material consideration in the determination of this planning application. The remaining chapters of the Local Plan namely: the Spatial Portrait, Employment & Enterprise, Housing Allocations, Transport, Monitoring and Implementation will be considered for publication at a later meeting of Full Council. Following 'publication' of the Local Plan a formal public consultation, examination and adoption process takes place. The chapters that have been published will undergo public consultation alongside the remaining chapters when they have been agreed. The weight given to the current published policies can be significant depending:

- the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);

- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given);
- the degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

The policies within this published version of the plan are at an advanced stage as they have been agreed by Full Council for regulation 19 consultation, they have been subject to independent audit and are considered to meet the NPPF and there are no known significant unresolved issues arising from regulation 18 consultation for the published policies.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The statement of representations procedure and statement of fact produced by the Council under regulation 19 explains that the consultation will take place once the remaining chapters / policies have been published.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is considered to comply with relevant Development Plan policies in that it would have no materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties, nor would it have an adverse impact upon the established character of the surrounding area.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

PRINCIPLE

The site lies outside the built up area boundary and is in agricultural use. Provided the development meets the operational needs of agriculture it would be compliant with policy GEN3 of Arun District Local Plan.

JUSTIFICATION

The applicant has advised that the building is to be used for agricultural purposes as a farm office and machinery workshop and for storage of chemicals, fertiliser and farm machinery. There are no other buildings in this part of the farm that are suitable for this use. The machinery to be stored in the building is currently kept outside or on another site which will not be available to the applicant in 2 years time. The building is therefore reasonably required for agricultural purposes. The height of the building is required to allow articulated lorries to turn and tip deliveries.

IMPACT ON VISUAL AMENITY AND CHARACTER OF THE AREA

The position of the building within the farm complex is considered to be acceptable. It would be

close to other utilitarian farm buildings and would not require the provision of an additional farm access. It would therefore be visually assimilated into the group of buildings. It would be clad in profile sheeting which would be similar to the adjoining buildings as would the shape and footprint of the building. It would be partially screened from public view by existing hedging and buildings and whilst it would be readily visible from the railway line it would be located close to the ASDA store and other farm buildings and would not appear as an isolated or prominent structure in the locality.

CONCLUSION

It is therefore recommended that the application is approved subject to the following conditions

HUMAN RIGHTS ACT

FOR APPROVAL

Human Rights Act:

The Council in making a decision should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as Arun District Council to act in a manner, which is incompatible with the European Convention on Human Rights.

Consideration has been specifically given to Article 8 (the right to respect for private and family life) and Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for approval of the grant of permission in this case interferes unreasonably with any local residents' right to respect for their private and family life and home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for approval is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

In assessing this proposal neutral impacts have been identified upon those people with the following protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation).

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

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

- 2 The development hereby approved shall be carried out in accordance with the following approved plans 2405/001, 2405/002, 2405/003.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with GEN7 of the Arun District Local Plan.

- 3 The building hereby approved shall be used as a farm machinery workshop, farm office, and for storage of agricultural machinery, fertilisers and chemicals associated with the agricultural use of the land by Roundstone Farm and for no other purpose and shall be removed from the site within 3 months of the uses ceasing.

Reason: In the interests of the visual amenities and character of the area in accordance with policies GEN3 and GEN7 of Arun District Local Plan.

- 4 The development shall not be occupied until space for the parking, turning, loading and unloading of vehicles clear of the highway for the development has been provided in accordance with plans to be approved by the Local Planning Authority. Thereafter it shall be retained specifically for its intended purpose.

Reason: To provide adequate parking, turning, loading and unloading facilities clear of the public highway and to accord with approved policy.

- 5 Development shall not commence until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority.

The design should follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations, the recommendations of the SUDS Manual produced by CIRIA.

Winter groundwater monitoring to establish highest annual ground water levels and Percolation testing to BRE 365, or similar approved, will be required to support the design of any Infiltration drainage.

No building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details.

Reason : To ensure that the proposed development is satisfactorily drained in accordance with policies GEN7 and GEN9 of the Arun District Council Local Plan.

- 6 INFORMATIVE: Statement pursuant to Article 31 of the Town and Country Planning (Development Management Procedure)(England) (Amendment No. 2) Order 2012. 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 and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

- 7 INFORMATIVE: The applicant is advised to minimise use of the roundabout access - particularly for vehicles exiting the site - instead, using the eastern access to exit the site.

- 8 INFORMATIVE: The applicant is advised that the proposed building would not benefit from the permitted changes of use covered by The Town and Country (General

Permitted Development) Order 1995 (as amended).