

Recommendation Report for Planning Permission**REF NO:** CM/20/15/PL**LOCATION:** Northwood Farm
Yapton Road
Climping**PROPOSAL:** 1 No storage barn and earth bund.**SITE AND SURROUNDINGS****DESCRIPTION OF APPLICATION**

As above

The proposal relates to the provision of an agricultural building measuring 36m by 15m with an eaves height of 5m and a ridge height of 8.3m. It would be constructed of fibre cement board and metal cladding to the elevations.

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

The proposal also includes an earth bund to the south of the building 110m in length, 3m in width and 2m high.

SITE AREA

N/A

RESIDENTIAL DEVELOPMENT DENSITY (NET)

N/A

TOPOGRAPHY

Predominantly flat.

TREES

None of any significance affected by the proposed development.

BOUNDARY TREATMENT

Evergreen hedging to part of the farm access road and adjacent to field to rear measuring approximately 2m. To field boundary to west hedging to approximately 3m high

SITE CHARACTERISTICS

Open field to rear of existing farm buildings. Adjacent to other farm buildings to the north which front onto the access road. There are a number of large items, including trailers stored outside adjacent to the buildings.

CHARACTER OF LOCALITY

Predominantly rural.

RELEVANT SITE HISTORY

CM/42/03/HR

Removal of hedge

No Objection

05-01-2004

CM/4/51	Agricultural buildings	ApproveConditionally 19-09-1951
CM/4/51/C	Outline for conversion of disused farm buildings to two dwellings and garages	ApproveConditionally 08-07-1965

REPRESENTATIONS

Representations received:

Climping Parish Council

No Objection

Comments on Representations received:

None

CONSULTATIONS

Engineering Services Manager

Engineers (Fluvial Flooding)

Engineers (structural)

Consultations responses received:

Engineers - No Objection. Conditions suggested.

Comments on Consultation responses:

- comments noted

POLICY CONTEXT

Designation applicable to site:
Outside Built Up Area Boundary
Class B road

DEVELOPMENT PLAN POLICIES

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

[Publication Version of the Local Plan \(October 2014\):](#)

Built-up Area Boundary
Protection of the Countryside
The Form of New Development
SD SP1 Sustainable Development
SD SP2 Built-Up Area Boundary
C SP1 Countryside

PLANNING POLICY GUIDANCE

POLICY COMMENTARY

The Development Plan consists of the Arun District Local Plan 2003, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

Arun District Council's Development Plans:

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.

Paragraph 216 of the NPPF confirms that weight can be given to policies in emerging plans from the day of publication. The Council resolved that the policies and maps in the Publication Version of the Local Plan be used in the determination of this planning application. Following 'publication' of the Local Plan a formal public consultation, examination and adoption process takes place.

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 on 30th October 2014 for six weeks.

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan. Whilst an NDP is under preparation it will afford little weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation(Reg.14).

Made Plans in Arun District Council's Local Planning Authority Area are: Angmering; Arundel; Barnham & Eastergate; Bersted; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; and Yapton.

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 for storage of farm machinery. There are other buildings in this part of the farm but they are no longer suitable for storage use being too low, insecure and outdated. Many are former cattle sheds capable of only storing small items of equipment. The machinery to be stored in the building is currently kept outside or over winter on a neighbour's site, but they too are struggling for storage space. The height of the building is required to include storage of the combine harvester which is 4.8m in height. The building is therefore reasonably required for agricultural purposes and the size of the building is justified.

IMPACT ON VISUAL AMENITY AND CHARACTER OF THE AREA

The position of the building adjacent to 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 and would be of a typical modern day farm building design. It would be partially screened from public view by existing hedging and the proposed earth bund. It would not appear as an isolated or prominent structure in the locality. The Quickthorn hedge indicated on the submitted is outside of the red edge of the application site and cannot therefore be considered as part of the application.

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 location/site/block plan, drawing 1 plans and elevations, section and drawing 2.

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

- 3 No development shall be carried out unless and until a schedule of materials and finishes to be used for external walls and roof of the proposed building have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the building.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with policy GEN7 of the Arun District Local Plan.

- 4 The building hereby approved shall be used for storage of agricultural machinery, fertilisers and chemicals associated with agricultural use and for no other purpose.

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.

- 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 Details of the appearance and composition of the bund hereby approved shall be agreed with the Local Planning Authority before development is commenced, and the bund shall be provided along the southern boundary of the site prior to construction of the building hereby approved.

Reason: In the interests of the environment of the development and the visual amenities of the locality in accordance with policy GEN7 of the Arun District Local Plan.

- 7 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.
- 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 2015.
- 9 INFORMATIVE: 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 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.