

Recommendation Report for Planning Permission

REF NO: CM/35/17/PL

LOCATION: North Barn  
The Old Piggery  
Climping Street  
Climping

PROPOSAL: Variation of conditions 2 & 3 imposed under CM/15/16/PL relating to approved plans & roof materials.

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| <b>SITE AND SURROUNDINGS</b> |
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| DESCRIPTION OF APPLICATION | As above. The proposal relates to an additional window 900cm x 750cm in the north elevation and the provision of a natural black slate roof in lieu of the existing tile effect terracotta sheeting. |
| SITE AREA                  | 100 sq metres                                                                                                                                                                                        |
| TOPOGRAPHY                 | Predominantly flat.                                                                                                                                                                                  |
| TREES                      | None of any significance affected by the proposed development.                                                                                                                                       |
| BOUNDARY TREATMENT         | To South flint wall 1.7m high. Hedging to north to 2 -3 m height                                                                                                                                     |
| SITE CHARACTERISTICS       | The site lies in rural location and is accessed off Climping Street. Some works have already been undertaken. Earlier flint walling has been incorporated below new brickwork                        |
| CHARACTER OF LOCALITY      | Predominantly rural. Farm shop to north east. Other former farm buildings located close to application site. Walling/hedging to Climping Street.                                                     |

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| <b>RELEVANT SITE HISTORY</b> |
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|              |                                                                                                                             |                                  |
|--------------|-----------------------------------------------------------------------------------------------------------------------------|----------------------------------|
| CM/26/16/DOC | Application for approval of details reserved by condition imposed under CM/15/16/PL relating to condition No. 3 (materials) | DOC Approved<br>19-12-16         |
| CM/15/16/PL  | Rebuilding & enlargement of agricultural building.                                                                          | ApproveConditionally<br>25-10-16 |

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| <b>REPRESENTATIONS</b> |
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REPRESENTATIONS RECEIVED:

Climping Parish Council

No Objection

One Support - As the nearest neighbour to this development I have no objection to these changes, especially the change to the roof material to slate which I was disappointed was not insisted on in the first place. Terracotta tiles were completely out of keeping with all the other nearby properties.

#### COMMENTS ON REPRESENTATIONS RECEIVED:

The previously approved roofing material was approved on the basis that it matched other buildings close by, but it is agreed that slates will be more appropriate.

#### CONSULTATIONS

#### CONSULTATION RESPONSES RECEIVED:

- none

#### COMMENTS ON CONSULTATION RESPONSES:

- comments noted

#### POLICY CONTEXT

Designation applicable to site:  
Outside Built-Up Area Boundary  
Strategic Gap

#### DEVELOPMENT PLAN POLICES

[Arun District Local Plan \(2003\):](#)

|        |                               |
|--------|-------------------------------|
| AREA10 | Strategic Gaps                |
| GEN2   | Built-up Area Boundary        |
| GEN3   | Protection of the Countryside |
| GEN7   | The Form of New Development   |
| DEV6   | Agricultural Buildings        |

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

|         |                                        |
|---------|----------------------------------------|
| EMP DM1 | Employment land:Development Management |
| GI SP1  | Green Infrastructure & Development     |
| SD SP2  | Built -Up Area Boundary                |
| SD SP3  | Gaps Between Settlements               |
| C SP1   | Countryside                            |
| SO DM1  | Soils                                  |

[Clympling Neighbourhood Plan 2015 Policy CPN11](#) Quality of Design

Clympling Neighbourhood Plan 2015 Policy CPN7 Protection of open views

#### 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.

A new local plan is in preparation and is a material consideration when determining Planning Applications. At this stage the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and supporting documents were submitted for independent examination on 30 January 2015.

A number of Main Modifications to the Arun District Local Plan 2011-2031 (Publication Version) October 2014 were approved by the Council on 22nd March 2017 and consultation on these has taking place. The Main Modifications should be read alongside the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and where there are changes the Main Modification. The examination was completed in September 2017.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

### 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. 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).

The Main Modifications to the Arun Local Plan (2011-2031) are presently out for Public Consultation over a six week period starting on Friday 12 January 2018 until 5pm on Friday 23 February 2018.

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

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).

Policies 7 and 11 of Climping Neighbourhood Plan are considered relevant to consideration of this application.

## 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 where development which meets the operational needs of agriculture is considered acceptable. The site is in agricultural use and the building would be used for agricultural storage.

Paragraph 28 of the NPPF states that local planning authorities should support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well-designed new buildings and promote the development and diversification of agricultural and other land-based rural businesses.

Furthermore, this application amends an earlier permission so the principle of the development is established.

##### IMPACT ON VISUAL AMENITY AND CHARACTER OF THE AREA

The site is in a Strategic Gap which is covered by AREA10 of the Local Plan and SDSP3 and GISP1 of the emerging Local Plan. These policies seek to ensure development does not undermine the physical or visual separation of settlements, the integrity of the gap is not compromised, there is no opportunity to locate elsewhere, the character of the undeveloped coastline is maintained and green infrastructure functions of the gap are maintained.

There were the remains of a former agricultural building on the site and the overall footprint of the building will not significantly increase. The size of the building is not significant and it is located close to other buildings and is a replacement and would not therefore undermine the visual separation of the gap or compromise its integrity. The farm is located within the gap and the opportunity to site the building with less impact elsewhere in the gap is limited. The proposal retains and utilises existing mature hedging for both screening and as green infrastructure. The use of flint and brick materials would assist in its assimilation into the landscape. They would be the same as those used on nearby buildings. The proposed building is considered to be in compliance with Gap policies.

Policy DEV6 of the Local Plan and EMP DM1 of the emerging plan state that agricultural buildings will be permitted provided their scale, siting, design and materials minimise the visual impact on the landscape and new buildings are grouped with others to minimise their impact on the landscape.

The proposal is considered to accord with these criteria.

The changes to the roofing material and additional window are not considered to materially impact on the prominence of the building in the landscape. Slate is a typical roofing material on agricultural barns in this

area. The proposal would therefore accord with policies CPN7 and CPN11 of Climping Neighbourhood Plan.

#### AGRICULTURAL JUSTIFICATION

The building is required for agricultural storage. The applicant has advised that the other empty agricultural buildings to the east of the site cannot be adapted and are not suitable storage purposes. They are subject of planning consent CM/4/11. Prior to this, the building was designed to accommodate pigs and therefore was always unsuitable in height and design to enable storage of a tractor, hay, general farm equipment, animal and duck feeds, or other ancillary agricultural products and materials.

Some of the items are currently being stored off site in an alternative 3rd party premises which is now no longer available. Currently a tractor is hired when required but the applicant would prefer to purchase her own, but needs somewhere secure to store it. She has had to turn her hay into silage as she does not currently have a suitable dry building to store it in. At present she is also unable to purchase the duck feed in bulk at the right price because she is unable to store the quantity she would need to buy. She has to purchase smaller amounts more often and store them in the offices, which is very inconvenient and adds expense to her duck egg production business.

#### RESIDENTIAL AMENITY

The building would not be located adjacent to a residential curtilage since it is located on the other side of the access track. A distance of 15m from the nearest residential curtilage. The building would be used for storage in an area that is part of the farm and which has previously been used for access and storage associated with the agricultural use of the land and noise generation would not therefore adversely impact on residential amenity. The additional window would be inserted in the north elevation facing over agricultural land and is being added to provide additional light within the barn.

#### CONCLUSION

The application is recommended for approval subject to conditions.

#### 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 (right to respect 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 the following 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).

The proposal would have a neutral impact on the protected characteristics.

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| <b>RECOMMENDATION</b> |
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**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, Block, Elevations.

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 The development shall proceed in accordance with the material details referred to in the applicant's e-mail dated 23-02-2018.

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 **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.