

## REPORT UPDATE

Application No: FG/58/14/PL

### Reason for the Update / Changes

Reason for Update/Changes: The agent has reduced the height of the building by 0.5m and substitute plans have been submitted in this regard.

Officers Comment:

The condition relating to plan number has been amended accordingly

Note: The changes to conditions are attached on the amended replacement recommendation sheet.

**Notes: Changes to recommendations, conditions and / or reasons for refusal will always be reflected in the recommendation section of the attached Officer's Report/Recommendation.**

**FG/58/14/PL**

### Recommendation Report for Planning Permission

**REF NO:** FG/58/14/PL

**LOCATION:** Hangleton Farm Equestrian Centre  
Hangleton Lane  
Ferring

**PROPOSAL:** Demolition of existing barn and erection of new storage barn.

#### **SITE AND SURROUNDINGS**

##### DESCRIPTION OF APPLICATION

The proposal relates to the provision of a barn. It would have colour coated profiled steel cladding for the elevations and fibre cement sheeting for the roof. It would be 24.2 long, 5.6m high and 6.1m wide. It would replace an existing stable building measuring 26m by 3.5m with a height of approx 2.5m.

##### SITE AREA

10.11 hectares

##### RESIDENTIAL DEVELOPMENT DENSITY

N/A

##### TOPOGRAPHY

Predominantly flat.

##### TREES

None of any significance affected by the proposed development.

##### BOUNDARY TREATMENT

Fencing to approx 1.8m high and evergreen

report

hedging to approx 4m.

**SITE CHARACTERISTICS**

The site of the proposed barn is currently occupied by a timber stable block. There are a number of stables buildings of similar appearance and size which surround a parking area.

**CHARACTER OF LOCALITY**

Predominantly rural. The site is part of an established equestrian centre.

**RELEVANT SITE HISTORY**

|            |                                                                            |                                    |
|------------|----------------------------------------------------------------------------|------------------------------------|
| FG/112/06/ | 3 no. stable blocks.                                                       | ApproveConditionally<br>25-10-2006 |
| FG/133/06/ | Retrospective application for stables, tack rooms and covered storage area | ApproveConditionally<br>06-12-2006 |

**REPRESENTATIONS**

**Representations received:**

Ferring Parish Council

Objection - The proposed size of the barn is enormous.

The proposed barn will be overbearing and out of keeping with the area and it will also be clearly visible from the National Park.

The site for the proposed barn is strictly agricultural land, we fail to see the relevance for vintage cars to be stored on agricultural land. Furthermore, at this site there are a number of existing barns, should this application be approved this could set a precedence for further applications to demolish the existing barns and to replace with barns of this enormous magnitude.

**Comments on Representations received:**

The height of the barn has been reduced by 1.3m. It would not be readily visible from outside the site given the presence of tree screening to the west and other structures within the equestrian complex. The colour and design of the building would be appropriate for this setting and the agent has confirmed that the primary purpose of the new barn is for the storage of hay and straw due to the inadequate amount of existing suitable storage space. It is essential to have a barn of the submitted size to store hay and straw and benefit from the economies of scale derived from large orders.

**CONSULTATIONS**

Environment Agency

**Consultations responses received:**

Environment Agency - No comment

**Comments on Consultation responses:**

None

**POLICY CONTEXT**

Designation applicable to site:  
Outside built up area boundary

## **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 \(February 2014\):](#)

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

## **PLANNING POLICY GUIDANCE**

### **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 is an established equestrian centre and the principle of the provision of a barn within the complex to store hay and straw associated with this use is acceptable in principle.

##### **JUSTIFICATION FOR THE PROPOSAL**

The agent has advised that the building is required primarily for the storage of hay and straw, particularly hay. Currently, because there is no adequate storage on this relatively large equestrian establishment, hay is purchased in small quantities. The purchase of larger quantities of hay, apart from achieving economies of scale, provides security of supply and a significant reduction in the number of deliveries. The prevailing bale size for purchase in larger quantities is 1.5 x 1.5 x 2.4 or 0.9 x 0.9 x 2.75 which to maximise delivery are required to be stacked to the fullest available height. In common with the majority of barns for hay/straw storage, eaves height is necessarily in the order of 6 metres. The barn will also be used to safely store horse-drawn vehicles including vintage vehicles. The need for a building of this size is therefore accepted as reasonably necessary for the established use of the site.

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

The agent has confirmed that this part of the site was chosen because there has historically been a building in this position, the current building is in a poor state of repair and needs replacing and it was important to ensure that storage was as close as possible to the stables. Following discussion with the agent the overall height of the barn has been reduced by 1.3m to 5.6m a 17% reduction. The plans indicate the elevations would be green in colour and precise details of this colour are to be conditioned. The building would be located close to others in the complex and

would benefit from tree screening to the west. It would not therefore appear as a prominent or isolated feature in the locality and its size and design would be appropriate for its use and visually in keeping with its rural location.

## **CONCLUSION**

It is therefore recommended that the application is approved subject to the following 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 (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 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).

## **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 8059/1A and 2C.  
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 precise colour of the external walls and roof of the proposed building shall be submitted to and approved by the Local Planning Authority before development is commenced and the colour so approved shall be used in the construction of the building.

Reason: In the interests of amenity to achieve a reasonable visual quality in the buildings in accordance with policy GEN7 of the Arun District Local Plan.

- 4 The building hereby approved shall be used for storage of hay and straw and vintage vehicles associated with the equestrian centre use of the land and for no other purpose and shall be removed from the site within 3 months of the use 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.

- 5 **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 identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.