

Recommendation Report for Planning Permission**REF NO:** LY/5/17/PL**LOCATION:** Broomhurst Farm
Lyminster Road
Lyminster**PROPOSAL:** Steel framed storage barn**SITE AND SURROUNDINGS****DESCRIPTION OF APPLICATION**

As above. The proposal relates to a storage building 34m by 18m in area with a ridge 9.84m high and an eaves 8.5m high. The roof would be constructed of natural grey fibre cement sheets with 24 roof lights and the elevations would comprise precast concrete infill panels at low level with PVC coated box profile sheeting above. The building is to be used to store feed and bedding, farm machinery and equipment.

SITE AREA

898 sqm

RESIDENTIAL DEVELOPMENT DENSITY (NET) N/A**TOPOGRAPHY**

Predominantly flat.

TREES

None of any significance affected by the proposed development.

BOUNDARY TREATMENT

Timber and wire fencing to field boundaries

SITE CHARACTERISTICS

Farm yard comprises several farm buildings mainly open sided used for animals and hay storage. The buildings are constructed of brick, flint and grey cladding

CHARACTER OF LOCALITY

Predominantly rural

RELEVANT SITE HISTORY

LY/22/99/	Steel framed agricultural building for housing livestock	ApproveConditionally 03-09-1999
LY/15/07/	Steel framed agricultural building for cattle.	ApproveConditionally 19-11-2007
LY/16/07/	Steel Framed agricultural building for cattle (re-location of existing building from Upper Broomhurst Farm) .	ApproveConditionally 19-11-2007

REPRESENTATIONS

Representations received:

None

Comments on Representations received:

None

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

None

POLICY CONTEXT

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

DEVELOPMENT PLAN POLICIES

[Arun District Local Plan 2003:](#) [AREA10](#)
[GEN2](#)
[GEN3](#)
[GEN7](#)
[DEV6](#)

Strategic Gaps
Built-up Area Boundary
Protection of the Countryside
The Form of New Development
Agricultural Buildings
EMP DM1 Employment land:
Development Management
GI SP1 Green Infrastructure and
Development
SD SP2 Built-Up Area Boundary
SD SP3 Gaps Between Settlements
C SP1 Countryside
SO DM1 Soils

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

PLANNING POLICY GUIDANCE

NPPF	National Planning Policy Framework
NPPG	National Planning Practice 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 may be 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. The Examination into the submitted plan was commenced but is currently suspended whilst Arun District Council addresses matters raised by the Inspector.

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 is

taking place 10 April 2017 to 5pm on Tuesday 30 May 2017. 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 may also be material consideration to take into account.

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 are material considerations in the determination of this planning application. The emerging Plan was submitted in January 2015 and the examination is currently suspended. The examination is due to re-commence in summer 2017 following publication of modifications to the Plan.

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 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: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton. The written Ministerial Statement of 13 December 2016 confirms that relevant policies for the supply of housing in Neighbourhood Plans should not be deemed to be out of date where all of the following circumstances arise;

- The NDP has been part of the development plan for 2 years or less or the ministerial statement is less than 2 years old
- The NDP allocates sites for housing
- The Council can demonstrate a three-year supply of deliverable housing sites

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).

Lyminster does not have an adopted Neighbourhood Plan.

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.

Furthermore, 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.

IMPACT ON VISUAL AND RESIDENTIAL 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.

The barn has been sited adjacent to the existing concrete road which will reduce the increase in concrete hardstanding. Whilst the size of the building is significant it is located close to other buildings within the farm yard area and would not 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 and would be sited to reduce the impact on distant views from the south. The materials and colour of the building also assist in its assimilation into the landscape. They would be the same as those used on nearby buildings. The building height would also be similar to others on the farm. The building is a typical utilitarian type associated with modern farming practices. 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.

AGRICULTURAL JUSTIFICATION

The building is required for agricultural storage associated with the sheep and cattle grazing on the farm. The barn is required to increase the farm's storage capacity as part of the farms expanding production. The farm currently has 500 acres based at Lyminster with approximately 3000 acres rented locally. Recently the farm has rented arable land with the aim to grow crops for feeding the animals in order to improve provenance and traceability and sustainability.

The applicant confirms there are no other buildings on the farm that can safely and securely store any volume of crops from harvest for any length of time. Currently feed has to be purchased weekly. The floor area is determined by the amount of feed storage required and also squares off with the existing building. The crops which need storage are 210 acres wheat @3.5 tonnes per acre = 735 tonnes. 140 acres barley @3.2 tonnes per acre =448 tonnes. The building needs to be this size to safely store these crops and the proposed building height is required to enable the content of grain trailers to be tipped safely when delivering grain.

The size of the building is reasonably required for agriculture, is similar in height to other farm buildings in the area and is not in an isolated position. There is a need for secure storage of machinery. In 2015 two quad bikes were stolen from the farm (crime ref.47150141588).

RESIDENTIAL AMENITY

The site is not close to residential properties and noise generation would not adversely impact on residential amenity.

CONCLUSION

The application is recommended for approval subject to conditions. The possibility of imposing a condition with the following wording has been considered

'The building hereby approved shall be used as a farm machinery workshop and for storage of crops and agricultural products 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.'

It has not been included following the appeal decision for Roundstone Farm (A/128/14/PL) when the Inspector concluded such a condition was unnecessary, unreasonable and imprecise and went on to award costs against the Council for refusing permission on this basis.

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 (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.

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 Existing Location and Block Plan 1.01, Proposed Location and Block Plan 2.01 revA and Proposed Elevations 16-45913.

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 above damp proof course (DPC) level shall take place unless and until details of the precise colour of the PVC coated box profile steel sheeting to be used for external walls of the proposed building have been submitted to and approved by the Local Planning Authority and the colour 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 **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.