

Recommendation Report for Planning Permission

REF NO: P/119/18/PL

LOCATION: Lagnersh House
Lower Bognor Road
Pagham
PO20 1LW

PROPOSAL: Erection of agricultural barn for storage of farm machinery & hay along with associated hardstanding.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Erection of agricultural barn for a storage of farm machinery and hay along with associated with hardstanding.
SITE AREA	2.2 hectares
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Hedgerows and mature trees.
SITE CHARACTERISTICS	The proposal site is situated to the north of Longersh House, a Grade II listed building occupying the land adjacent to the Lower Bognor Road, with a historic barn converted to a dwelling to the west-north and a large garden set within a mature landscaped setting. The land is laid to grass with an overhead power line crossing the southern part of the proposal site.
CHARACTER OF LOCALITY	Rural area

RELEVANT SITE HISTORY

P/79/05/	Conversion of existing barn into detached dwelling.	ApproveConditionally 07-10-05
P/29/03/	Conversion of existing barn into detached dwelling.	ApproveConditionally 10-07-03

History noted

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Pagham Parish Council

Pagham Parish Council has raised no objection

No representations received from the nearby occupiers.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments Noted

CONSULTATIONS

Engineering Services Manager

Engineers (Drainage)

CONSULTATION RESPONSES RECEIVED:

Engineers:- please apply PCENG2, PCENG3 and INFORMD.

Soakaways must be investigated for surface water disposal.

Infiltration rates for soakage structures are to be based on percolation tests undertaken in the winter period and at the location and depth of the proposed structures. The percolation tests must be carried out in accordance with BRE 365, CIRIA R156 or a similar approved method and cater for the 1 in 10 year storm between the invert of the entry pipe to the soakaway, and the base of the structure. It must also have provision to ensure that there is capacity in the system to contain below ground level the 1 in 100 year event plus 40% on stored volumes, as an allowance for climate change. Adequate freeboard must be provided between the base of the soakaway structure and the highest recorded annual groundwater level identified in that location.

Any SuDS or soakaway design must include adequate groundwater monitoring data to determine the highest winter groundwater table in support of the design. The applicant is advised to discuss the extent of groundwater monitoring with the Council's Engineers. Supplementary guidance notes are also enclosed for information.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted

POLICY CONTEXT

Designation applicable to site:

Outside built up area

Settlement Gap

DEVELOPMENT PLAN POLICES

[Arun Local Plan 2011 - 2031:](#)

CSP1	C SP1 Countryside
DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
ENVDM2	ENV DM2 Pagham Harbour
ENVDM5	ENV DM5 Development and biodiversity

SDSP3 SD SP3 Gaps Between Settlements
SDSP2 SD SP2 Built-up Area Boundary

PLANNING POLICY GUIDANCE:

NPPF National Planning Policy Framework
NPPG National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

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.

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).

Pagham Neighbourhood Development Plan has reached Regulation 14 stage and the relevant policy 9 Agricultural Land will be considered.

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 the proposed development would be for the operational needs of agriculture, would make an efficient use of the land and would not cause demonstrable harm to the character of the 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 proposed development is situated outside the built-up boundaries defined as Countryside where the principle of development is acceptable referring to a specific use or type of development.

The Policy C SP1 of the Arun Local Plan sets out criteria for what kind of development would be

permitted in the countryside and Policy 9 of the emerging Pagham Neighbourhood Plan states that only proposals that prevent the degradation in biodiversity or in integrity of the strategic gap will be supported.

DESIGN AND VISUAL AMENITY

The application seeks planning permission for the construction of agricultural barn for the storage of a farm machinery and hay along with associated hardstanding.

The proposed barn would be situated within the south-eastern corner of the field associated with the main house, approximately 1.5m from the overhead electricity line; would be 13.7 m wide and approximately 9m deep with a flat roof 3.65m high with a roofing felt. Three pairs of large gates are proposed on its south-western elevation facing to the proposed hardstanding area. It would be covered with a dark stained boarding.

The proposed hardstanding area would be approximately 525 square metres large (in the between of the proposed barn and an existing access road). The access to the proposed barn would be via an exiting track on the western side of the proposal site.

The proposed barn with an associated hardstanding would have a simple design and would serve for the operation needs of agriculture. Given its position behind a mature landscaped garden, an existing boundary treatment and rather flat terrain, the proposed development would not have an adverse impact on the streetscape and landscape and would maintain the physical and visual separation between settlements without compromising the integrity of the strategic gap.

The proposed barn would be constructed from the materials that will soften its impact on the existing landscape. Generally it would be hidden from the wider views due to its height and an existing boundary treatment.

It is considered that the proposed barn with associated hardstanding would be an appropriate development for the countryside, would not result in an unacceptable adverse impact on the surrounding area, would maintain the undeveloped gap between Bognor Regis to Chichester, would support the continuation of an efficient use of agricultural land without degradation in biodiversity value therefore would accord with policies C SP1, D DM1 and SD SP3 of the Arun Local Plan and Policy 9 of the emerging Pagham Neighbourhood Plan.

The barn is within 5km of Pagham Harbour where policy ENV DM2 is relevant. Due to the size and nature of the development it is not considered necessary for a financial contribution to be sought as is required by other development as it is not likely to result in additional visitor trips to the harbour.

Given the position and the nature of the development it is considered that the proposal would not have any adverse impact on residential amenity.

SUMMARY

The proposed development is deemed to accord with relevant development plan policies and as such is recommended for approval subject to the following conditions and informaties.

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:
Location Plan - Drawing 1
Block Plan - Drawing 2
Site Plan - Drawing 3A
Proposed Elevations and Floor Plan - Drawing 6

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 of the Arun Local Plan.

- 3 No external lighting shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage have been submitted to and approved in writing by the Local Planning Authority. The scheme should seek to conform with the recommendations within BS5489:1-2013 but also minimise potential impacts to any bats using the trees, hedgerows and buildings by avoiding unnecessary artificial light spill through the use of directional light sources and shielding. The lighting approved shall be installed and shall be maintained in accordance with the approved details.

Reason: In the interests of the amenities of the area, the site biodiversity (particularly in respect of bats), the interests of minimising crime and to minimise unnecessary light spillage outside the development site in accordance with policies QE SP1, QE DM2 & ENV DM5 of the Arun Local Plan.

- 4 No removal of trees, shrubs or other vegetation that may contain birds' nests shall take place between 1st March and 31st August inclusive, unless a suitably qualified ecologist/wildlife

specialist has undertaken a careful, detailed, check of vegetation for active birds' nests immediately before the vegetation is cleared and confirmed that no nests will be harmed. Where nests are discovered, the vegetation shall remain in place until nesting activity has ended naturally and the ecologist has confirmed that it is safe to proceed.

Reason: To prevent interference with the breeding success of wild birds in the interests of biodiversity conservation, as well as to ensure compliance with the legal protection of birds, their nests and eggs under Section 1 of the Wildlife and Countryside Act 1981, as amended and in accordance with policy ENV DM5 of the Arun Local Plan.

- 5 The barn and hardstanding shall only be used for the purposes of agriculture and for no other use.

Reason: The site lies outside the Built-up Area where in accordance with Arun Local Plan policy C SP1 development unrelated to the essential needs of agricultural and/or forestry would not normally be permitted.

- 6 Development shall not commence, other than works of site survey and investigation, 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, and the recommendations of the SuDS Manual produced by CIRIA. Winter groundwater monitoring to establish highest annual ground water levels and winter Percolation testing to BRE 365, or similar approved, will be required to support the design of any Infiltration drainage. No building / No part of the extended building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order in perpetuity.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies W SP1, W DM1, W DM2 and W DM3 of the Arun Local Plan. This is required to be a pre-commencement condition because it is necessary to implement the surface water drainage system prior to commencing any building works.

- 7 The development shall not proceed until details have been submitted to and approved in writing by the Local Planning Authority for any proposals: to discharge flows to watercourses; or for the culverting, diversion, infilling or obstruction of any watercourse on or adjacent to the site. Any discharge to a watercourse must be at a rate no greater than the pre-development run-off values. No construction is permitted, which will restrict current and future land owners from undertaking their riparian maintenance responsibilities in respect to any watercourse or culvert on or adjacent to the site.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies W DM1, W DM2 and W DM3 of the Arun Local Plan. And to ensure that the duties and responsibilities, as required under the Land Drainage Act 1991, and amended by the Flood and Water Management Act 2010, can be fulfilled without additional impediment following the development completion. It is considered necessary for this to be a pre-commencement condition to protect existing watercourses prior to the construction commencing.

- 8 INFORMATIVE: Infiltration rates for soakage structures are to be based on percolation tests undertaken in the winter period and at the location and depth of the proposed structures. The

percolation tests must be carried out in accordance with BRE365, CIRIA R156 or a similar approved method and cater for the 1 in 10 year storm between the invert of the entry pipe to the soakaway, and the base of the structure. It must also have provision to ensure that there is capacity in the system to contain below ground level the 1 in 100 year event plus 40% on stored volumes, as an allowance for climate change. Adequate freeboard must be provided between the base of the soakaway structure and the highest recorded annual groundwater level identified in that location. Any SuDS or soakaway design must include adequate groundwater monitoring data to determine the highest winter groundwater table in support of the design. The applicant is advised to discuss the extent of groundwater monitoring with the Council's Engineers.

Supplementary guidance notes regarding surface water drainage are located here <https://www.arun.gov.uk/surfacewater> on Arun District Councils website. A surface water drainage checklist is available here <https://www.arun.gov.uk/drainagechecklist> on Arun District Councils website, this should be submitted with a Discharge of Conditions Application.

- 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.