



**TO:** Planning Committee (South)

**BY:** Head of Development

**DATE:** 18 June 2019

**DEVELOPMENT:** Change of use of existing barns to form a wedding venue with ancillary facilities, erection of a bar, and the replacement of a lean to structure (Full Application)

**SITE:** Southlands Farm Southlands Lane West Chiltington Pulborough West Sussex RH20 2JU

**WARD:** West Chiltington, Thakeham & Ashington (previously Chanctonbury before May 2019 boundary changes)

**APPLICATION:** DC/19/0121

**APPLICANT:** **Name:** J.M Kensett **Address:** C/O Batcheller Monkhouse New Bartram House 3-5 Swan Court, Station Road Pulborough West Sussex RH20 1RL

**REASON FOR INCLUSION ON THE AGENDA:** More than 8 letters of representation raising material planning considerations made within the consultation period contrary to the recommendation of the Head of Development.

**RECOMMENDATION:** To approve the application subject to conditions

## **1. THE PURPOSE OF THIS REPORT**

- 1.1 To consider the planning application.

### DESCRIPTION OF THE APPLICATION

- 1.2 The application seeks full planning permission for the change of use of the existing barn to a wedding venue, with demolition of the single storey projections to the north, and the replacement with a timber clad structure comprising kitchen, W.C. facilities and bar.
- 1.3 The existing barn measures to a length of 18.6m and a width of 8.6m, and incorporates a hipped roof measuring to an overall height of 7.4m. The barn is constructed of stone and timber cladding, under a tiled roof, with the constructed extensions projecting to the north and timber clad. The projections incorporate a pitched roof measuring to a maximum height of 4.2m, with an area of decking provided which steps down to the existing concrete yard.
- 1.4 The site is proposed to operate as a wedding venue from April to September of each year, with the premises rented out on a 3-day basis to allow for setting up and clearing away. A maximum of 2 events would be undertaken per week. Parking for up to 40 cars is proposed to the south of the building on the existing concrete hardstanding.

## DESCRIPTION OF THE SITE

- 1.5 The application site is positioned to the east of Southlands Lane, and is located outside of any defined built-up area boundary. The site therefore lies within the countryside in policy terms.
- 1.6 The barn forms part of a complex of rural buildings comprising Southlands Farm. The main farmhouse is a Grade II Listed Building, with the barn subject of the application considered to be curtilage listed. The application site also includes 2no. residential dwellings both under the ownership of the Applicant.
- 1.7 The site is surrounded by open countryside, with a number of buildings comprising both residential and commercial located to the west of the site.

## 2. INTRODUCTION

### STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

### RELEVANT PLANNING POLICIES

- 2.2 The following Policies are considered to be relevant to the assessment of this application:

#### **National Planning Policy Framework**

#### **Horsham District Planning Framework (HDPF 2015)**

- Policy 1 - Strategic Policy: Sustainable Development
- Policy 2 - Strategic Policy: Strategic Development
- Policy 3 - Strategic Policy: Development Hierarchy
- Policy 4 - Strategic Policy: Settlement Expansion
- Policy 7 - Strategic Policy: Economic Growth
- Policy 9 - Employment Development
- Policy 10 - Rural Economic Development
- Policy 11 - Tourism and Cultural Facilities
- Policy 24 - Strategic Policy: Environmental Protection
- Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
- Policy 26 - Strategic Policy: Countryside Protection
- Policy 31 - Green Infrastructure and Biodiversity
- Policy 32 - Strategic Policy: The Quality of New Development
- Policy 33 - Development Principles
- Policy 34 - Cultural and Heritage Assets
- Policy 35 - Strategic Policy: Climate Change
- Policy 36 - Strategic Policy: Appropriate Energy Use
- Policy 37 - Sustainable Construction
- Policy 40 - Sustainable Transport
- Policy 41 - Parking
- Policy 42 - Strategic Policy: Inclusive Communities
- Policy 43 - Community Facilities, Leisure and Recreation

### RELEVANT NEIGHBOURHOOD PLAN

- 2.3 West Chiltington Parish Neighbourhood Development Plan: Pre-submission (Regulation 14). The relevant policies of the emerging neighbourhood plan are as follows:

Policy EH3: Green Infrastructure and Ecosystems Services  
Policy GA1: Promoting Sustainable Movement  
Policy GA3: Parking and New Development  
Policy EE5: Sustainable Recreational and Tourism Activities  
Policy EE6: Rural Buildings

#### PLANNING HISTORY AND RELEVANT APPLICATIONS

2.4 No relevant planning history

### 3. OUTCOME OF CONSULTATIONS

3.1 Where consultation responses have been summarised, it should be noted that Officers have had consideration of the full comments received, which are available to view on the public file at [www.horsham.gov.uk](http://www.horsham.gov.uk)

#### INTERNAL CONSULTATIONS

3.2 **HDC Leisure Services:** No Comment.

3.3 **HDC Conservation:** No Objection.

Southlands barn is a significant historic building which reinforces the historic farmstead character of Southlands Farm. It is a building that will benefit from alternative uses if it is now redundant as a farm building. The proposal would not result in harm to the special interest of the Listed Building.

3.4 **HDC Environmental Health:** No Objection.

Although situated in a noise sensitive area, no objections are raised in principle to the proposed use. However, although the venue will be subject to a premises licence, the intensity of the use at weekends, as evidenced by recent licensed events, is likely to prejudice the amenity of other residential occupiers in the locality. It is therefore suggested that a condition be imposed restricting the number of weekend events to no more than 1 per calendar month.

3.5 **HDC Economic Development:** Support.

The provision of a wedding venue would encourage short stays within the local area for guests, potentially increasing the visitor spend in the District. The proposal would also help an existing business to diversify and grow. The proposal will therefore help to deliver the objectives of the Visitor Economy Strategy.

#### OUTSIDE AGENCIES

3.6 **WSCC Highways:** No Objection.

No Objection on traffic or transport grounds.

3.7 **WSCC Public Rights of Way:** No Objection.

3.8 **Ecology Consultant:** No Objection.

Following the receipt of additional information, sufficient information has been provided on the impacts on habitats and appropriate mitigation identified.

3.9 **Southern Water:** No Comment.

#### PUBLIC CONSULTATIONS

- 3.10 44 letters of objection were received from 35 separate households, and these can be summarised as follows:
- No need for facility.
  - Impact on neighbouring properties
  - Use of fireworks
  - Traffic generation
  - Safety concerns for pedestrians and vehicles
  - Noise and disturbance
  - Number of guests
- 3.11 13 letters of support were received from 13 separate households, and these can be summarised as follows:
- Needed farm diversification
  - Preserve the rural character of the locality

#### PARISH COUNCIL CONSULTATION

- 3.12 **West Chiltington Parish Council:** No Objection subject to conditions on noise and use of fireworks.
- 3.13 **Thakeham Parish Council:** No Objection subject to conditions on noise, use of fireworks and usability of PROW.

#### **4. HOW THE PROPOSED COURSE OF ACTION WILL PROMOTE HUMAN RIGHTS**

- 4.1 Article 8 (Right to respect of a Private and Family Life) and Article 1 of the First Protocol (Protection of Property) of the Human Rights Act 1998 are relevant to this application, Consideration of Human rights forms part of the planning assessment below.

#### **5. HOW THE PROPOSAL WILL HELP TO REDUCE CRIME AND DISORDER**

- 5.1 It is not considered that the development would be likely to have any significant impact on crime and disorder.

#### **6. PLANNING ASSESSMENTS**

- 6.1 The application seeks full planning permission to convert the agricultural barn to a wedding venue. From an Officer site visit it was noted that the works to facilitate the conversion of the barn to a wedding venue have been completed.

##### **Principle of Development**

- 6.2 Policy 10 of the Horsham District Planning Framework (HDPF) states that sustainable rural economic development and enterprise within the district will be encouraged in order to generate local employment opportunities and economic, social and environmental benefits for local communities. In the countryside, development which maintains the quality and character of the area, whilst sustaining its varied and productive social and economic activity will be supported in principle. Any development should be appropriate to the countryside location and must: contribute to the diverse and sustainable farming enterprises within the district or, in the case of other countryside-based enterprises and activities, contribute to the wider rural economy and/or promote recreation in, and the enjoyment of, the countryside; and either, be contained wherever possible within suitably located buildings which are appropriate for conversion.

- 6.3 Draft Policy EE6 of the West Chiltington Neighbourhood Development Plan states that the re-use, conversion and adaptation of rural buildings for small business, recreation, or tourism purposes will be supported subject to the following criteria: the building is structurally sound and capable of conversion without substantial re-construction; the use proposed is appropriate to a rural location; the conversion/adaptation works respect the local character of the surrounding area and/or buildings; the use proposed will not have an adverse impact on any archaeological, architectural, historical or environmental features; and the local road network is capable of accommodating the traffic generated by the proposed new use, and adequate parking can be accommodated within the site.
- 6.4 The barn the subject of this application was previously used in connection with the dairy business which operated from the farm until 2017. The main barn housed the milking machinery motors, with the rear extensions to the building used as a dairy office and for the storage of the milk tanks. Following the sustained downturn of the dairy industry, it became unviable for the dairy farming and contracting business to run from the site, with the reduction of the milking herd and an increased proportion of arable farming taking place on the site. Farming remains an important part of the business, however the view has now been taken to consider diversification options to provide further income. The main barn is no longer suitable for modern day farming as the machinery is too large, and it is also not suitable to house livestock. On this basis, the barn was converted into a wedding venue, and has been used successfully for at least one wedding.
- 6.5 Permission is therefore sought to retain the converted barn and extensions in operation as a wedding venue from April to September of each year, with the premises rented out on a 3-day basis to allow for setting up and clearing away. A maximum of 2 events would be undertaken per week, with the events suggested to end no later than 11.30pm.
- 6.6 The proposal would contribute to the diversification of the farming enterprise, while contributing to the rural economy and generating economic and social benefits for the local community. The proposal would be contained within a suitably located building appropriate for conversion and is considered to support productive social and economic activity in the countryside.
- 6.7 The proposed use for a wedding venue is therefore considered acceptable in principle, subject to all other material considerations.

### **Design and Appearance**

- 6.8 Policies 25, 32 and 33 of the HDPF promote development that is of a high quality design, which is sympathetic to the character and distinctiveness of the site and surroundings. The landscape character of the area should be protected, conserved and enhanced, with proposals contributing to a sense of place through appropriate scale, massing and appearance.
- 6.9 Draft Policy EE6 of the West Chiltington Neighbourhood Development Plan states that the re-use, conversion and adaptation of rural buildings for small business, recreation, or tourism purposes will be supported subject to the following criteria: the building is structurally sound and capable of conversion without substantial re-construction; the use proposed is appropriate to a rural location; the conversion/adaptation works respect the local character of the surrounding area and/or buildings; the use proposed will not have an adverse impact on any archaeological, architectural, historical or environmental features; and the local road network is capable of accommodating the traffic generated by the proposed new use, and adequate parking can be accommodated within the site.

- 6.10 Paragraph 127 of the NPPF states that planning decisions should ensure that developments function well and add to the overall quality of the area; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are sympathetic to local character and history, including the surrounding built environment and landscape setting; establish a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development; and create places that are safe, inclusive and accessible.
- 6.11 The existing barn measures to a length of 18.6m and a width of 8.6m, and incorporates a hipped roof measuring to an overall height of 7.4m. The barn is of a timber frame construction, with a stone plinth and timber cladding above, under a tiled roof, with the constructed extensions projecting to the north timber clad. The projections incorporate a pitched roof measuring to a maximum height of 4.2m, with an area of decking provided which steps down to the existing concrete yard used as an outdoor seating area. The existing barn is considered to be a characterful vernacular building which reflects and reinforces the rural countryside locality. The building is considered to make a positive contribution to the rural setting, and is considered to be of an aesthetic quality that would justify its retention.
- 6.12 The proposed alterations to the existing barn, along with the extensions to the rear, have retained the general proportion and character of the rural building, and are considered to be of a scale and form that retain the rural vernacular of the building. The proposed alterations and extensions are therefore considered to retain the special character and distinctiveness of the rural vernacular building, and are considered to accord with policies 25, 32, and 33 of the Horsham District Planning Framework (2015).

### **Heritage Impacts**

- 6.13 Paragraph 193 of the NPPF sets out that 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.'
- 6.14 This follows the requirements of s.66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, which sets out that 'In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'. In applying s.66, the identification of harm to a listed building or its setting carries significant importance and weight in the planning balance.
- 6.15 Policy 34 of the HDPF states that development should reinforce the special character of the historic environment through appropriate siting, scale, form and design; and should make a positive contribution to the character and distinctiveness of the area. Proposals should preserve and ensure clear legibility of locally distinctive vernacular building forms and their settings, features, fabric and materials.
- 6.16 The barn subject of the application is considered to be a significant historic building that reinforces the historic farmstead character of Southlands Farm. The use as a wedding venue would provide an alternative use for the redundant building, and would ensure its continued use.
- 6.17 The proposal also includes the erection of a free-standing structure within the farm yard that serves as a covered bar and seating area. While this is not considered to reflect a traditional

farm yard, it is considered to support the re-use of the building and provide public benefit in association with the wider use. The structure does not physically affect the historic building and can be removed in the future.

- 6.18 The proposal is not considered to result in harm to the significance of the Grade II Listed Building, and while resulting in some impact on the interpretation of the traditional building, is considered to be outweighed by the public benefit arising from the continued use. The proposal is therefore considered to accord with Policy 34 of the Horsham District Planning Framework (2015).

### **Amenity Impacts**

- 6.19 Policy 33 of the HDPF states that development should consider the scale, massing and orientation between buildings, respecting the amenities and sensitivities of neighbouring properties.
- 6.20 The application relates to the use of the barn as a wedding venue, with the Planning Statement outlining that the venue would be used from April to September of each year, with the premises rented out on a 3-day basis to allow for setting up and clearing away. A with a maximum of 2 events undertaken per week, with the events suggested to end no later than 11.30pm.
- 6.21 A number of objections have been received with concerns raised in respect of the impact the proposed use would have on the amenities of neighbouring properties, particularly given the trips generated, the number of guests, and the time of the events.
- 6.22 It is acknowledged that the use of the site for a wedding venue would likely lead to an increase in noise and activity. Following consultation with the Environmental Health Officer, no objection has been raised to the principle of the proposed use. It is acknowledged that the site lies within a noise sensitive area, however it is considered that suitably worded conditions could be imposed to restrict potential impact upon neighbouring properties. These conditions include restrictions on the hours of use as summarised in paragraph 6.5 and the imposition of a Noise Management Plan to ensure the respectful use of the site before, during, and after events.
- 6.23 It is noted that the Applicant intends to cater for up to 100 seated and 200 standing guests, with the view of increasing these numbers in the future. Objectors have raised concern with the number of guests and the resulting vehicle movements from the site. Given the noise sensitive location and the potential noise and disturbance resulting from the anticipated number of guests, it is considered reasonable to impose a regulatory condition restricting the number of guests to 100. This will enable the enterprise to establish, while limiting potential impacts on neighbouring properties and users of land.
- 6.24 Following the receipt of a number of noise complaints to the Environmental Health Team, the Environmental Health Officer has requested a condition to restrict the number of events to be held on weekends. It is considered that this would mitigate potential impact on the amenities of nearby residential properties, and would reduce the potential noise and disturbance throughout the month. The imposition of a condition restricting the number of weekend events per calendar month would mitigate potential conflict with the nearby residential properties, and is considered reasonable given the noise sensitivity of the locality. It is considered that the imposition of this condition would be reasonable and necessary to overcome the concerns raised by the Environmental Health Officer and objectors, and will enable the enterprise to establish, while limiting potential impact on the amenities of nearby occupiers.

- 6.25 It is therefore considered that subject to appropriately worded conditions, the proposed use would not result in harm to the amenities or sensitivities of neighbouring properties and users of land, in accordance with Policy 33 of the Horsham District Planning Framework (2015).

### **Highways Impacts**

- 6.26 Policies 40 and 41 of the HDPF promote development that provides safe and adequate access, suitable for all users.
- 6.27 Policy GA1 of the Draft West Chiltington Parish Neighbourhood Plan states that development proposals that increase travel demand will be supported where they can be demonstrated that: they are located in places accessible to public and community transport or can impact the accessibility of the site to public and community transport; and they do not result in the loss of any existing footpaths or cycle paths. In addition, draft Policy GA3 states that proposals must provide adequate parking in accordance with the standards adopted at the time.
- 6.28 The site is accessed via an existing track which extends from the east of Southlands Lane. This access track also forms part of a Public Right of Way which crosses through the site and continues to the east. The supporting documents indicate that up to 40 parking spaces would be provided on the site to accommodate visitors, and these would be laid out on the existing areas of hardstanding to the south and east of the barn.
- 6.29 Following consultation with WSCC Highways, no objections have been raised to the proposal. While recognised that a number of representations have raised concerns with potential traffic from the access, it is recognised that the established agricultural use requires the movement of large vehicles from this access point. It is considered that the entrance onto the public highway is sufficient for the intended volume of traffic proposed. It is not therefore considered that the proposal would result in harm to the safety and function of the public highway network, and the proposal is considered to provide sufficient parking for the required use. The proposal is therefore considered to accord with Policies 40 and 41 of the Horsham District Planning Framework (2015).

### **Ecology**

- 6.30 Policy 31 of the HDPF states that development will be supported where it demonstrates that it maintains or enhances the existing network of green infrastructure. Development proposals will be required to contribute to the enhancement of existing biodiversity, and should create and manage new habitats where appropriate.
- 6.31 Circular 06/2005 identifies that the presence of protected species is a material consideration when considering a development proposal that, if carried out, would be likely to result in harm to the species or its habitat. Therefore, it is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed application, is established before planning permission is granted.
- 6.32 The Applicant submitted a Preliminary Ecological Appraisal by Hutchinson Ecological Associates dated April 2019. This report outlines that the building subject of the application is considered to be of low ecological value, with no evidence of bats, barn owls, or nesting birds. The report concluded that the reduced levels of disturbance resulting from the change of use would be beneficial in enhancing the habitat.
- 6.33 Following consultation with the Ecologist, it is considered that the change of use would not result in harm to habitat and biodiversity, with the proposed enhancements considered to contribute to net gain for biodiversity.

## Conclusion

- 6.34 The proposed change of use and associated operational development is considered acceptable in principle, contributing to sustainable rural social and economic growth within the District. Subject to appropriately worded conditions, it is not considered that the proposal would result in harm to the amenities or sensitivities of neighbouring properties or users of land. The proposal is also considered to provide an appropriate level of parking and would not result in harm to the function or safety of the public highway network. The proposal is therefore considered to accord with all relevant local and national planning policies.

### COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 6.34 Horsham District Council has adopted a Community Infrastructure Levy (CIL) Charging Schedule which took effect on 1st October 2017.
- 6.35 **It is considered that this development constitutes CIL liable development.** At the time of drafting this report the proposal involves the following:

Use Description	Proposed	Existing	Net Gain
All Other Development	227.62	137.9	89.72
		<b>Total Gain</b>	
		<b>Total Demolition</b>	

- 6.36 Please note that exemptions and/or reliefs may be applied for up until the commencement of a chargeable development.
- 6.37 In the event that planning permission is granted, a CIL Liability Notice will be issued thereafter. CIL payments are payable on commencement of development.

## 7. RECOMMENDATIONS

- 7.1 To approve the application subject to the following conditions:

### Conditions:

- 1 Approved Plans**
- 2 Pre-Occupation Condition:** Prior to the first use of any part of the development hereby permitted, a plan showing the layout of the proposed development and the provision of at least 40 car parking spaces for vehicles shall have been submitted to and approved in writing by the Local Planning Authority. The use hereby permitted shall not be commenced until the parking spaces associated with it have been provided in accordance with the approved details. The areas of land so provided shall thereafter be retained for the parking of vehicles.  
  
Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles clear of all highways in accordance with Policy 40 of the Horsham District Planning Framework (2015)
- 3 Pre-Occupation Condition:** Prior to the use of any part of the development hereby permitted, details of the bound material to be laid along the access track serving

Southlands Farm to a minimum distance of 20m back from the surfaced carriageway of the public road shall be submitted to and approved in writing by the Local Planning Authority. The use hereby approved shall not commence until the agreed length of track has been laid with bound material in accordance with the approved details. The finished track shall thereafter be retained as such.

Reason: To ensure that safe and adequate conditions for all road users in accordance with Policy 40 of the Horsham District Planning Framework (2015)

- 4 **Pre-Occupation Condition:** The use hereby permitted shall not commence until a Noise Management Plan has been submitted and approved in writing by the Local Planning Authority. The Plan shall include but not be limited to, hours of operation, management responsibilities during all operating hours, measures to control noise from all activities and operations at the site (including the operation of any equipment, plant or building services) and minimising noise from vehicles, deliveries, collections and servicing. The Noise Management Plan shall be implemented and complied with thereafter for the duration of the use/development.

Reason: In order to ensure that the safe operation of the development and to protection of the amenities of nearby residents, in accordance with policies 33 and 40 of the Horsham District Planning Framework (2015).

- 5 **Regulatory Condition:** The use of the building hereby approved shall be as a wedding venue only and for no other purpose.

Reason: In the interests of amenity of the countryside and neighbouring properties, and in accordance with policies 10, 26, and 33 of the Horsham District Planning Framework (2015).

- 6 **Regulatory Condition:** The use hereby permitted shall only be carried out between April and September each year, unless otherwise agreed by way of a formal application.

Reason: In the interests of amenity, to enable the Local Planning Authority to regulate and control the development and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 7 **Regulatory Condition:** No more than one weekend event in association with the use hereby permitted shall take place per calendar month.

Reason: To safeguard the amenities of neighbouring properties in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 8 **Regulatory Condition:** The premises shall not be used for the use hereby permitted except between the hours of 08:00 and 23:30 Monday to Sunday.

Reason: To safeguard the amenities of neighbouring properties in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 9 **Regulatory Condition:** The total number of attendees shall be restricted to 100 at any time, unless otherwise agreed by way of a formal application.

Reason: In the interests of the amenities of the locality and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 10 **Regulatory Condition:** No amplified music or public address system shall be played within the building except between the hours of 10:00 and 23:30 and shall at no times be played outside of the building (including the bar and outdoor seating area).

Reason: To safeguard the amenities of neighbouring properties and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 11 **Regulatory Condition:** No external lighting or floodlighting, other than within the enclosed courtyard area, shall be installed without the permission of the Local Planning Authority by way of formal application.

Reason: In the interests of the amenities of the locality and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 12 **Regulatory Condition:** No outdoor fireworks or pyrotechnics shall be used anywhere on the premises.

Reason: In the interests of the amenities of the locality and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

Background Papers: DC/19/0121  
DC/19/0122