

Agenda Item

Report to	Planning Committee South
Date	17 September 2019
By	Director of Planning
Local Authority	Horsham District Council
Application Number	SDNP/19/03041/FUL
Applicant	Besley Farm Buildings
Application	Erection of two agricultural buildings
Address	Besley Farm River Lane Watersfield West Sussex

Recommendation: That the application be approved subject to the conditions set out in paragraph 10 of this report.

IMPORTANT NOTE: This application is liable for Community Infrastructure Levy.

This application is considered at committee due to the applicant being a Member of the South Downs National Park Authority.

1 Site Description

- 1.1 The application site comprises of a 1.7km² parcel of land situated approximately 100m south-east of the defined settlement boundary of Watersfield and 120m south-east of the closest dwelling of 'Silver Birches'. The site is non-contiguous with the historic farmyard for Besley farm, found approximately 180m in distance from the site and adjacent to the settlement boundary.
- 1.2 The application site itself comprises of open farmland bounded by hedgerows to the south-west and north-east and benefits from a pre-existing field access onto River Lane. The site is undeveloped and forms part of the wider field/development pattern to the south-east of Watersfield, characterised by gradually undulating fields interspaced by hedgerows and bounded by sporadic woodland to the north and east. The site itself its level, however, land gradually slopes upwards to the south opposite on River Lane.
- 1.3 The site is located within the South Downs National Park and beyond any defined settlement boundary. The site is not affected by any further statutory landscape, environmental or heritage designations.

2 Proposal

- 2.1 Planning permission is sought for the erection of two agricultural steel frame portal barns that would measure 18m in length, 9m in depth and incorporate dual-pitched roofs erected to an overall height of 6.8m and eave height of 5.5m. Both buildings would comprise of a concrete

panel/blockwork base with metal sheet cladding and fibre cement roofing. Both proposed barns would incorporate an open inward facing elevation.

- 2.2 Planning permission is additionally sought for the creation of an associated area of concrete hardstand that would extend 25m north-east of barn B and 25m south-east of barn A, with a 7.1m wide access leading onto River Lane.

3 Relevant Planning History

SDNP/16/02398/FUL	Erection of two new agricultural buildings	Application 10.08.2016	permitted
SDNP/13/02311/TIME	Application for a new planning permission to replace extant permission DC/10/0836 (2 new agricultural buildings) in order to extend the time limit for implementation	Application 09.07.2013	permitted
DC/10/0836	2 new agricultural buildings	Application 15.07.2010	permitted

4 Consultations

- 4.1 **Coldwaltham Parish Council:** No comments received

5 Representations

None Received

6 Planning Policy Context

- 6.1 Applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory development plan in this area is the **South Downs Local Plan 2014-2033 (2019)** and any relevant minerals and waste plans.

- 6.2 The development plan policies and other material considerations considered relevant to this application are set out in section 7, below.

National Park Purposes

- 6.3 The two statutory purposes of the SDNP designation are:

- To conserve and enhance the natural beauty, wildlife and cultural heritage,
- To promote opportunities for the public understanding and enjoyment of the special qualities of their areas.

- 6.4 If there is a conflict between these two purposes, conservation takes precedence. There is also a duty to foster the economic and social well being of the local community in pursuit of these purposes.

7 Planning Policy

Relevant Government Planning Policy and Guidance

- 7.1 Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010 and The National Planning Policy Framework (NPPF) which was issued and came into effect in 2018. The Circular and NPPF confirm that National Parks have the highest status of protection and the NPPF states that great weight should be given to conserving landscape and scenic beauty in the national parks and that the conservation of wildlife and cultural heritage are important considerations and should also be given great weight in National Parks.

National Planning Policy Framework (NPPF)

7.2 The following National Planning Policy Framework documents have been considered in the assessment of this application:

- NPPF2 – Achieving Sustainable Development
- NPPF6 – Building a strong, competitive economy
- NPPF7 – Requiring Good Design
- NPPF15 – Conserving and enhancing the natural environment

Partnership Management Plan

7.3 The South Downs Partnership Management Plan (SDPMP) was adopted on 3 December 2013. It sets out a Vision and long term Outcomes for the National Park, as well as 5 year Policies and a continually updated Delivery Framework. The SDPMP is a material consideration in planning applications and has some weight pending adoption of the SDNP Local Plan.

7.4 The following Policies and Outcomes are of particular relevance to this case:

- Outcome 1 – The landscape character of the National Park, its special qualities and local distinctiveness have been conserved and enhanced
- Policy 1 – Conserve and enhance the natural beauty and special qualities of the landscape and its setting
- Policy 50 – Housing and other development in the National Park should be closely matched to the social and economic needs of local people, and should be of high design and energy efficiency standards

The South Downs Local Plan 2014-2033

7.5 The South Downs Local Plan was formally adopted following full Council resolution on 02.07.2019. This constitutes the statutory development plan for the National Park and replaces the previous Horsham District Local Development Framework Core Strategy (2007) and Horsham District Local Development Framework General Development Control Policies (2007) for development located both within the National Park and Horsham District. The policies of the Horsham District Local Development Framework no longer carry material weight.

7.6 The following policies of the South Downs Local Plan (2019) are relevant to this application:

- SD1: Sustainable Development
- SD2: Ecosystem Services
- SD4: Landscape Character
- SD5: Design
- SD8: Dark Night Skies
- SD9: Biodiversity and Geodiversity
- SD12: Historic Environment
- SD19: Transport and Accessibility
- SD25: Development Strategy
- SD34: Sustaining the Local Economy
- SD39: Agriculture and Forestry

8 Planning Assessment

Principle of Development:

8.1 Paragraph 83 of the NPPF provides that planning decisions should enable the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings

and well-designed new buildings and seek to support the development and diversification of agricultural and other land-based rural businesses.

- 8.2 Paragraph 84 of the NPPF provides that planning policies and decisions should recognise that development of sites beyond existing settlements, and in locations not well served by public transport, may be necessary to meet local business or community needs. In such circumstances the sensitivity of the landscape to development, impacts of development on local roads and improvements to access constitute significant considerations. Paragraph 84, further, supports the use of previously developed land and sites physically well-related to existing settlements.
- 8.3 Policy SD39 of the South Downs Local Plan (2019) provides that development proposals for new agricultural buildings or structures will be permitted where:
- a.) There is an agricultural need for development within the National Park can be demonstrated, and the scale of development is commensurate with that need.
 - b.) The development occupies the site best suited to conserving and enhancing the natural beauty, wildlife and cultural heritage of the National Park. Wherever possible, development should re-use or be on the footprint of an existing agricultural building, otherwise it should be related physically and functionally to existing buildings associated with the enterprise, unless there are exceptional circumstances relating to agricultural or forestry necessitating a more isolated location.
 - c.) The buildings are in keeping with local character and of a design that reflects the proposed agricultural or forestry use;
 - d.) The proposals include structure planning to integrate the development into the existing local landscape framework;
 - e.) A building has not been disposed of or converted to an alternative use at the holding in the past three years, which could have met the need of the development proposed; and
 - f.) Existing redundant buildings within the application site, that impact negatively on landscape character, are removed where appropriate.
- 8.4 This application is of an identical nature to permission granted originally under DC/10/0836 and subsequently renewed under SDNP/13/02311/TIME and SDNP/16/02398/FUL. Permission granted by SDNP/16/02398/FUL has now expired.
- 8.5 The adoption of the South Downs Local Plan (2019) and publication of the latest NPPF (2019) constitutes a material change in policy since permission granted under SDNP/16/02398/FUL, however, the planning history of the site remains a material consideration in the determination of this application.
- 8.6 The proposed agricultural buildings would serve localised agricultural hay/straw storage and livestock housing functions in support of Besley Farm as an organic dairy farm constituent of the wider Barlavington Estate. The agricultural holding occupies an area of 372 hectares and supports between 550-600 cattle.
- 8.7 Besley Farm, found a short distance north-east of the application site, comprises of a historic farmhouse and several former agricultural outbuildings now converted to three residential units pursuant to application CW/29/03 (permitted 17.12.2003). Whilst these buildings remain in the ownership of the applicant, there are presently no agricultural activities undertaken within the former farmyard, nor any additional buildings capable of supporting such a use. The main farmyard for the Barlavington Estate is found at Crouch Farm, approximately 5.8km west of the application site and to the south of Petworth.
- 8.8 The evidence provided in support of the application, inclusive of the asserted agricultural need, is identical to evidence previously submitted in support of application SDNP/16/02398/FUL. The Council's agricultural consultants, in response to SDNP/16/02398/FUL and the evidence provided in support, responded to advise that the buildings are required for agricultural purposes in support of the applicant's dairying business. Given that the proposal is of an identical nature to previous applications, and there has been no change in the nature or scale of dairying activities, it is considered that there is sufficient evidence of an agricultural need for the proposed buildings in this instance, and for these to be deemed acceptable in principle.

- 8.9 It is, however, deemed appropriate to recommend a condition requiring the use of these buildings solely for agricultural purposes as development unessential to this location would be not considered compliant with the spatial strategy of the Development Plan.

Landscape Impact, Character, Design and Appearance:

- 8.10 Policy SD4 of the SDLP (2019) provides that development will only be permitted that conserves and enhances landscape character through the retention and enhancement of existing landscape features, positive design, layout and scale that reinforces distinctive landscape characteristics and the evolution of the landscape and by safeguarding the amenity and experiential qualities of the landscape
- 8.11 Policy SD5 of the SDLP (2019) requires a landscape led approach to design, through sensitive and high quality design that makes a positive contribution to the overall character and appearance of an area. Development *inter alia*, will be required to complement landscape character, contribute to local distinctiveness and incorporate architectural design appropriate to its setting in terms of height, massing, density, roof form and relevant detailing.
- 8.12 In respect of the location of new agricultural buildings, criterion b) of policy SD39 encourages new agricultural buildings in proximity to, or in replacement of existing structures, and where best suited to conserving the natural beauty, wildlife and cultural heritage of the National Park. Policy SD39 discourages isolated agricultural buildings in the absence of exceptional circumstances. In this regard, the requirements of policy SD39 are more stringent than the previous requirements of policy DC23 of the Horsham District Local Development Framework, General Development Control Policies (2007).
- 8.13 In this instance the proposed buildings are not contiguous with the historic Besley farmyard and are sited in a mainly open field setting some 100m to the south-east of Watersfield. As such their location does not strictly accord with the requirements of Policy SD39 b). Nevertheless it is considered that the location for the building in this instance is acceptable for a number of reasons.
- 8.14 Firstly, the former Besley farmyard, 180m to the north-west, is constrained in heritage terms by virtue of the Grade II listed status of Besley Farmhouse, adjacency to the Watersfield Conservation Area and siting within a designated archaeological notification area. It is considered, therefore, that opportunities to introduce further agricultural development, especially of a modern commercial scale, in proximity to the historic farmyard would be limited without potentially resulting in harm to the special interest of these designated heritage assets.
- 8.15 Secondly, as Besley farmyard has been converted to residential use, it is considered that the siting of an agricultural building for the housing of livestock in proximity to such uses may give rise to greater amenity impacts in terms of noise/smell disturbance.
- 8.16 Finally, the proposal is in reasonable proximity to the nearest buildings in Watersfield (some 100m to the north-west) and constitutes a relatively modest addition in the context of the wider landscape, identical to the previous acceptable proposals. As such it would not materially influence the local field pattern or the legibility of this. The proposal would be reflective of its proposed agricultural use in design terms and would preserve existing hedgerows to the south and west of the site, and would not be considered to adversely affect any individual landscape elements significant to the local landscape character. It is anticipated that the proposal will be visible within public perspectives on River Lane, however, there are no public-rights of way in the vicinity of the application site and it is not expected that the proposal will be visible to the south owing to the rising nature of land.
- 8.17 The use of facilities at Crouch Farm (5.8km from the application site) is not considered a practical alternative to the use of proposed buildings for the housing of livestock and associated storage connected with the use of the surrounding fields within this part of the holding given its considerable distance. Some material weight must, furthermore, be assigned to the planning history of the site and previous permissions granted for buildings in this location. Despite a semi-

isolated siting, therefore, it is considered that agricultural buildings in this location can be justified as an exceptional circumstance under policy SD39.

- 8.18 The proposed buildings are considered to possess a simple utilitarian character, deemed typical of modern agricultural development and appropriate to the proposed commercial agricultural uses. No specific details of intended colours or finishes have been provided in support of this application, however, subject to a condition requiring the submission of a schedule of materials, colours and finishes, it is considered that the use of appropriate colours/finishes could be secured, such as the use of green tinted/painted metal cladding and green/darkened roofing. In addition a condition requiring the submission of details of hard/soft landscaping has further been recommended in order to facilitate an assessment of secondary landscape impacts (for example arising from additional fencing) and to enable the incorporation of additional planting.
- 8.19 The proposed hardstand is considered proportionate to the scale of proposed buildings, and would not encroach onto surrounding field-land to an extent considered to be detrimental to the visual amenities of the National Park.
- 8.20 Subject to the recommended conditions it is not considered that the proposed agricultural buildings would appear inappropriate within views on River Lane, nor would prove detrimental to the local landscape character or the public understanding of this.
- 8.21 On balance, therefore, it is considered that the siting, scale and appearance of the proposed buildings would suitably preserve the natural beauty and cultural heritage of the National Park in accordance with Policies SD4, 5 and 39 of the South Downs Local Plan (2019).

Amenity Impacts:

- 8.22 Policy SD5 of the SDLP (2019) *inter alia* provides that development must have regard to avoiding harmful impacts upon any surrounding uses or amenities.
- 8.23 The application site is some notable distance removed from nearby dwellings, at or in excess of 120m. By virtue of this significant intervening distance it is not considered that the proposal would result in any reasonably established detriment to the amenities of nearby occupiers in terms of overbearingness, overshadowing or loss of privacy.
- 8.24 As the proposed buildings would involve the housing of livestock it is acknowledged that some noise/smell disturbance would be expected to arise from the proposal. It is not anticipated, however, that any harm would prove significant to nearby occupiers, given the intervening distance, nor that some degree of noise/smell disturbance arising from agricultural activity would be unexpected of a rural location. As reasoned above, it is further recognised that the proposed siting of the buildings away from the settlement boundary reduces the potential for conflict between agricultural/residential uses. On balance, whilst some noise/smell impact would be anticipated, it is not considered that this would exceed a threshold of unacceptable harm sufficient to warrant a justifiable refusal of planning permission.
- 8.25 Notwithstanding the above, in order to secure the appropriate disposal of waste, a condition has been recommended requiring the submission and implementation of a plan for the disposal of waste in order to avoid any exceptional impacts in respect of smell disturbance.

Ecosystem Services:

- 8.26 Policy SD2 of the SDLP (2019) provides that development will be permitted that secures an overall positive impact on the ability of natural environment to contribute goods and services. Development should incorporate high quality design and deliver opportunities to sustainably manage the use of resources, mitigate/increase resilience to the impacts of climate change, improve public health and improve habitats and biodiversity.
- 8.27 The proposal would involve the loss of a minor amount of managed farmland, considered to possess limited biodiversity significance. As theorised under figure 1.3 of the SDLP (2019), a

separate aspect of the National Parks ecosystem offer is the provisioning services that it provides, inclusive of food production. As the proposal would support the continued operation of Besley Farm as a viable commercial agricultural enterprise it is considered that the proposal would broadly prove supportive of these objectives and the positive goods and services provided by agricultural activity. Whilst no further measures would be deemed necessary to secure a positive ecosystem services gain in this instance, it is considered that further potential to introduce native planting to reinforce local habitats is available through the recommended landscaping condition.

Dark Night Skies:

- 8.28 Policy SD8 of the SDLP (2019) provides that development will be permitted that conserves and enhances the intrinsic quality of dark night skies and the integrity of the Dark Sky Core. Development must demonstrate that all opportunities to reduce light pollution have been taken, including the avoidance of unnecessary lighting and appropriate mitigation where unavoidable.
- 8.29 The application site is situated within the Dark Sky Core (Zone E0) classified as an area with significant sensitivity to light pollution arising from external lighting and/or light-spill from interior lighting.
- 8.30 The application makes no reference to the installation of external lighting and/or floodlighting in association with the proposed buildings. By virtue of the separation between the site and nearby dwellings, and the absence of any on-site accommodation, it is accepted that some need for lighting may arise for purposes of security. In order to enable control over the amount of eventual lighting, and to secure the use of lighting designed to limit sky glow, glare and unnecessary light spill, it is deemed necessary and appropriate to recommend a condition restricting the installation of external lighting/floodlighting without the formal approval of the Authority in order to preserve the intrinsic quality of the Dark Skies Core.

Other Matters:

- 8.31 The proposal would utilise an existing 6m field-access onto River Lane, and does not propose any alterations to the existing access arrangement. The introduction of two agricultural buildings would not be considered a significant intensification of use within the context of the public highway network. There are not considered to be any unacceptable implications in terms of highway safety, or severe impacts in terms of highway operation, arising from the proposed works.

9 Conclusion

- 9.1 It is considered that there is sufficient evidence of an agricultural need for the proposed buildings in this instance. Whilst it is accepted that the application site is not contiguous with the historic Besley farmyard, the siting of the proposed buildings would not be considered detrimental to the local landscape character of the National Park and would avoid potential conflict with residential occupiers and on heritage grounds arising from a siting in closer adjacency to Besley Farm. The use of facilities at Crouch Farm, in excess of 5km from the application site, is not considered a practicable alternative for the proposed storage and livestock housing functions the proposed buildings would serve, as such, it is considered that these factors together constitute an exceptional circumstance warranting a more isolated location in this instance.
- 9.2 The design of proposed buildings is deemed appropriate to the proposed agricultural functions, and subject to conditions requiring the submission of a schedule of materials, colours and finishes in addition to details of soft/hard landscaping would be considered to maintain the visual amenities of the public realm. Some disturbance to nearby occupiers in terms of noise and smell disturbance may arise from the proposal, however, such harm would not be deemed significant nor to exceed a threshold of disturbance expected from agricultural development in a rural location.
- 9.3 The proposal would support agricultural enterprise as a provisioning service significant to the ecosystem services offer of the National Park, and subject to conditions regulating the installation

of external lighting/floodlighting would not be considered harmful to the intrinsic quality of the Dark Sky Core.

- 9.4 It is considered that the proposal satisfies the relevant policies of the Development Plan and is recommended for approval accordingly.

10 **Conditions:**

It is recommended that the application be Approved for the reasons set out above and subject to the conditions set out below.

1. **Approved Plans**

The development hereby permitted shall be carried out in accordance with the plans listed below under the heading "Plans Referred to in Consideration of this Application".

Reason: For the avoidance of doubt and in the interests of proper planning.

2. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the provisions of Section 91 (1) of the Town and Country Planning Act 1990 (as amended)/ To comply with Section 51 of the Planning and Compulsory Purchase Act 2004

3. **Pre-Commencement (Slab Level) Condition:** No development above ground floor slab level of any part of the development hereby permitted shall take place until a schedule of materials, finishes and colours to be used for external walls, windows and roofs of the approved buildings has been submitted to and approved by the Local Planning Authority in writing. All materials used in the construction of the development hereby permitted shall conform to those approved.

Reason: As this matter is fundamental 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 SD5 of the South Downs Local Plan (2019).

4. **Pre-Commencement (Slab Level) Condition:** No works or development above ground floor slab level shall take place until full details of all hard and soft landscaping works, inclusive of existing trees and hedgerows proposed to be retained have been submitted to and approved in writing by the Local Planning Authority. All such works shall be carried out in accordance with the approved details. Any plants which within a period of 5 years from the time of planting die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure a satisfactory development in the interests of amenity and to reinforce local landscape character in accordance with policies SD4, SD5 and SD39 of the South Downs Local Plan (2019).

5. **Pre-Occupation Condition:** The buildings hereby approved shall not be used for the housing of livestock, or storage of animal waste, slurry or manure, until precise details for the disposal of such waste has been submitted to and approved by the Local Planning Authority. Waste shall thereafter be disposed of in accordance with the agreed details unless otherwise agreed in writing with the Local Planning Authority.

Reason: To preserve the amenities of nearby occupiers and in accordance with Policy SD5 of the South Downs Local Plan (2019).

6. **Regulatory Condition:** No external lighting or floodlighting shall be installed other than with the permission of the Local Planning Authority by way of formal application.

Reason: In the interests of the amenities and to preserve the intrinsic quality of the Dark Sky Core in accordance with Policy SD8 of the South Downs Local Plan (2019).

7. **Regulatory Condition:** No burning of materials or waste shall take place within the application site.

Reason: To preserve the amenity of nearby occupiers and in accordance with Policy SD5 of the South Downs Local Plan (2019).

8. **Regulatory Condition:** The buildings hereby approved shall be used solely for the purposes of agriculture, as defined under Section 336(1) of the Town and Country Planning Act 1990, and for no other purpose whatsoever.

Reason: The site is located outside of a defined settlement boundary, where development unessential to this location would not be deemed acceptable in relation to the spatial strategy of the Development Plan set out under Policy SD25 of the South Downs Local Plan (2019).

11. **Crime and Disorder Implications**

11.1 It is considered that the proposal does not raise any crime and disorder implications.

12. **Human Rights Implications**

12.1 This planning application has been considered in light of statute and case law and any interference with an individual's human rights is considered to be proportionate to the aims sought to be realised.

13. **Equality Act 2010**

13.1 Due regard has been taken of the South Downs National Park Authority's equality duty as contained within the Equality Act 2010.

14. **Proactive Working**

14.1 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, in order to be able to, where possible, grant permission.

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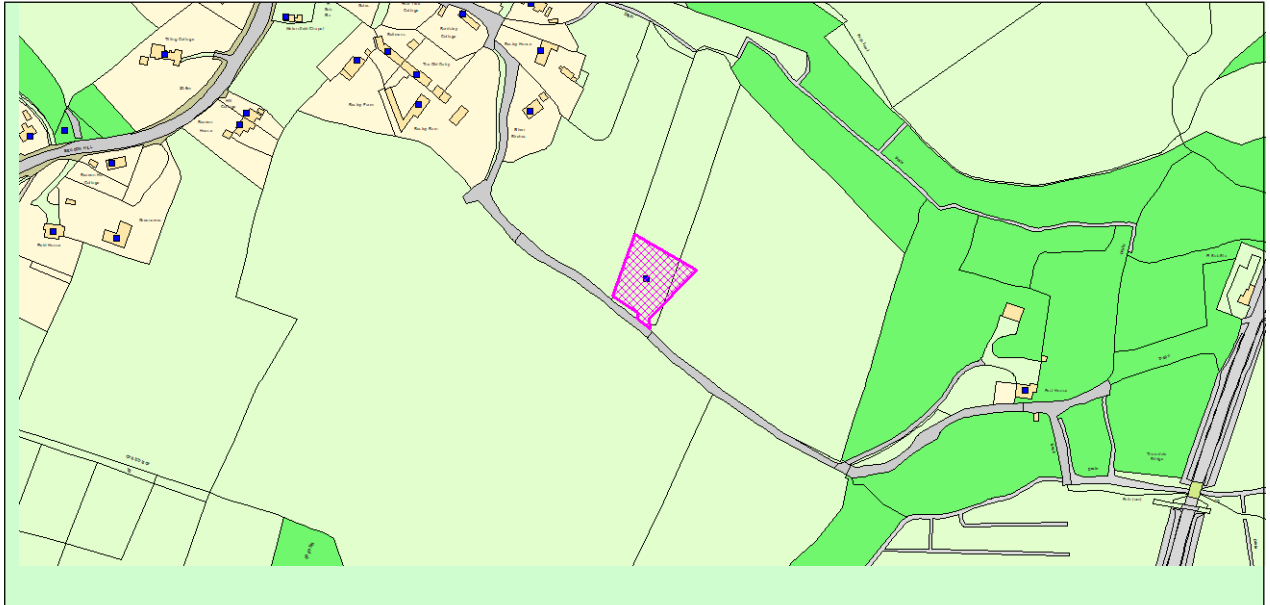
Appendices

Appendix 1 - Site Location Map

Appendix 2 – Plans Referred to in Consideration of this Application

Appendix I

Site Location Map



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Appendix 2 – Plans Referred to in Consideration of this Application

The application has been assessed and recommendation is made on the basis of the following plans and documents submitted:

Plan Type	Reference	Version	Date on Plan	Status
Plans - Site Location and Layout Plan	576/02	REV A	02.07.2019	Approved
Plans - Proposed Floor, Roof and Elevations	576/01		25.06.2019	Approved
Reports - Design and Access Statement and Noise Impact Assessment	NONE		25.06.2019	Approved

Reasons: For the avoidance of doubt and in the interests of proper planning.