



TO: Planning Committee South

BY: Head of Development

DATE: 21st January 2020

DEVELOPMENT: Variation of Condition 5 of previously approved application DC/18/1695 (Construction of storage barn and retention of access) Relating to use of existing barn for volunteers

SITE: Land South of Kithurst Lane Storrington West Sussex

WARD: Storrington and Washington

APPLICATION: DC/19/2119

APPLICANT: **Name:** Mr Philip Orpwood **Address:** 8 Priory Close Storrington West Sussex RH20 4FQ

REASON FOR INCLUSION ON THE AGENDA: More than eight persons in different households have made written representations raising material planning considerations that are inconsistent with the recommendation of the Head of Development.

RECOMMENDATION: To approve planning permission subject to conditions

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

Permission is sought for the variation of condition 5 of DC/18/1695 which granted planning permission for the construction of a storage barn and retention of its access. Condition 5 of approved application DC/18/1695 states:

Condition 5: The barn hereby permitted shall only be used to store equipment on behalf of the Norbertine Order to maintain land within their ownership and management control.

This application seeks permission to vary this condition to allow the barn to be used as a muster point for volunteers where they would be given instructions, tools and also be able to take shelter in bad weather, to store their goods in the barn whilst working and taking light refreshments. This would be in addition to the use of the barn for the storage of tools and equipment previously permitted under application DC/18/1695.

The application documents refer to the storage of minor serving equipment such tools including sharpening tools within the barn. As these would fall under the definition of equipment to maintain the land on behalf of the Norbertine Order in relation to the current

condition 5 of DC/18/1695, they do not need to be included within this variation of condition application. The Supporting Statement also refers to reduction of a Leylandii hedge located outside the red edged application site. As this hedge lies outside the red edged application site, any maintenance works to hedges or trees would not need to be included in this material amendment application. The Applicant has however been notified that depending on the location of this hedge separate consent may be required under the Hedgerow Regulations.

DESCRIPTION OF THE SITE

The application site comprises a timber barn set within an open area of land outside the built up area of Storrington, which adjoins the southern edge of the village and with the northern edge of the South Downs National Park running some 250m to the south. The site lies between a cemetery to the south, Kithurst Lane to the north and residential properties, a residential plot to the west 'Furzedown', and open area called 'Matt's Meadow / Matt's Wood' to the east.

The application site has vehicular access off a track which leads to the cemetery, a couple of residential properties and St Joseph's Hall further to the south. There is a very pronounced change in ground levels between the access track and the application site, with recently re-graded and newly defined vehicular entrance and planted area off the track, and a well screened and vegetated boundary along the northern side (Kithurst Lane). It is noted that the land to the east of the application site, Matt's Wood, is within the Storrington Conservation Area. The wider application site and Matt's Meadow retain some connection to the Norbertine Order who used to occupy the Monastery that lies to the north-east.

PLANNING BACKGROUND

The wider application site is currently subject to an appeal Prior Notification application for the re-surfacing of an alternative field access from Kithurst Lane (DC/19/1113). Before the application for the storage barn was made in August 2018, two separate applications were made by the applicant in 2017 (DC/17/1989 and DC/17/1990) for the erection each of 1 detached chalet bungalow on the wider land shown as two subdivided parcels. Both planning applications were refused and subsequently dismissed at appeal, with the Inspector noting the site as having a 'pleasant, reasonably open and undeveloped quality' which makes an 'important contribution to the attractive character and appearance of this part of the countryside interface'.

Prior to these applications, permissions were sought by the same applicant in 2014 for the erection of 4 dwellings under DC/14/2139 and DC/14/0675, both refused with DC/14/2139 also dismissed at subsequent appeal.

Permission for a new storage barn was approved by the Planning Committee (South) at the end of November 2018 (DC/18/1695). The approved barn was to have a simple rustic vernacular, with open sided entrances to the west side and along the southern side, with the oak frame and dark-stained timber cladding emphasising the traditional rural farm building heritage. The approved design set out a simple three-bay design at ground floor only, with the interior stepped to relate to the sloping ground levels. The half-hipped roof was also of a simple and unbroken form.

The simple open-sided barn was approved on the basis that it would support the land management duties undertaken on behalf of the Norbertine Order and volunteers who continued to actively manage various land parcels off Kithurst Lane, including Matt's Wood to the east and the wider application site. The wider land also includes a storage shed at the southern end of the wider land parcel, close to the pond and orchard which has been planted and managed by volunteers over the past 5 years or so. The approved barn was

intended for equipment storage, including vehicles used for land management duties. The approved barn did not include any roof-lights, windows, nor was there a provision for a loft / storage space. The open structure was considered to be sufficiently secure owing to the location of the barn away from public view, and the presence of gates across the lane.

The barn now occupying the site has not been built in accordance with the plans approved under application DC/18/1695. The following deviations were noted on site: east and west-facing gable-end casement windows with diamond leaded lights, and three large roof-lights to the southern elevation. It is also noted that the barn as-built does not accord entirely with the approved design, as the gable-ends are higher than the approved scheme, estimated to be some 1m higher than the approved line, leading to an increased ridge length and massing of the roof-slope, and an apparent increase in ridge height over and above the approved scheme. The installed loft level, which was boarded out and provided with roof lights and windows, was being used for small machinery and equipment, and was accessed by way of a hatch and ladder. There was no apparent electricity supply in the barn, and the approved solar panels had not been installed as part of the as-built structure. A timber log store has also been added to the southern elevation of the building. More recently, doors have now been installed on the open sides of the barn on the southern and western elevations.

A material amendment application (DC/19/1638) was sought to application DC/18/1695 to amend the approved design of the barn and regularise the barn as constructed. This application was refused by the Council under delegated powers on the 4th October 2019. Officers considered that the increased bulk of the roof allied with the addition of the two windows and three roof lights on prominent elevations to the building had resulted in a more visually intrusive and dominant structure that was more residential in appearance and harmful to the prevailing rural character and appearance of the site and surrounds. The amendments were therefore considered to detract from the visual amenities of the rural locality contrary to Policies 10, 25, 26, 32 and 33 of the Horsham District Planning Framework (2015) and policy 14 of the Storrington, Sullington and Washington Neighbourhood Plan (2019). The Applicant has submitted an appeal against DC/19/1638 which was validated by the Planning Inspectorate on the 27th November 2019.

2. INTRODUCTION

STATUTORY BACKGROUND

2.1 The Town and Country Planning Act 1990.

RELEVANT PLANNING POLICIES

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 10 - Rural Economic Development

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

RELEVANT NEIGHBOURHOOD PLAN

The Storrington, Sullington & Washington Neighbourhood Plan 2018 – 2031

Policy 1: A Spatial Plan for the Parishes

Policy 8: Countryside Protection

Policy 14: Design

Policy 16: Local Green Spaces

PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/19/1638	Variation of Condition 1 of previously approved application DC/18/1695 (Construction of storage barn and retention of access). Part-retrospective alterations to amend the roof form and include two gable end windows and three roof lights. Proposed addition of barn doors and a temporary log store.	Application Refused on 04.10.2019 Appeal Lodged
DC/19/1113	Prior notification for resurface of an existing access track	Pending Consideration Appeal Lodged against Non-Determination
DC/18/1695	Construction of storage barn and retention of access.	Application Permitted on 23.11.2018
DC/17/1990	Erection of a four bedroom detached chalet bungalow featuring 3x dormers to southern elevation, 1x dormer to northern elevation, conservatory to southern elevation, open-sided integral double garage and log stores with associated hardstanding and parking.	Application Refused on 21.02.2018 Appeal Dismissed on 18.12.2019
DC/14/2139	The erection of 4 dwelling houses	Application Refused on 04.12.2014 Appeal Dismissed on 18.12.2015
DC/14/0675	The erection of 4 dwelling houses	Application Refused on 19.08.2014

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

INTERNAL CONSULTATIONS

HDC Conservation: Comment.

Any external lighting should not be prominent and should not result in light spillage so close to the rural edge of the conservation area.

OUTSIDE AGENCIES

Storrington & Sullington Parish Council: Strong Objection.

- Proposal contrary to Storrington, Sullington & Washington Neighbourhood Plan, is outside the Built Up Area Boundary and the proposed storage barn has makings of a house.
- The site was rejected for allocation within the Neighbourhood Plan due to the negative effects on landscape, transport, rural character of the area, South Downs National Park, loss of hedgerows and impact on the Listed Building to the south.
- The condition should not be changed. The variation suggests that noise, light pollution, traffic and disturbance will only increase in this rural location.
- It is believed that the Norbertine Order is no longer resident in the area, nor has it been for a number of years.

PUBLIC CONSULTATIONS

10 Letters of Objection have been received from 9 separate households. The concerns relevant to this application are summarised below:

- The barn was granted under exceptional circumstances with relevant restrictive conditions. Proposal to vary condition 5 will create more noise, traffic, light, pollution and will urbanise rural location.
- Volunteers will create additional parking pressures in an area of limited parking.
- Insufficient justification to allow volunteers to shelter in barn.
- Query whether Norbertine Order own the site.

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

Principle

Planning permission DC/18/1695 was previously granted for the barn on the basis that it was for the storage of equipment for the active maintenance and management of the remaining parcels of land with the help of volunteers. In consideration of the previous application, DC/18/1695 it was noted that some of the larger work involves more organised volunteering events, where volunteers can travel to the site from further afield to help, for instance, with the tree planting at the adjacent Matt's Wood, the digging of the pond in the south-western field and the planting of the vines to the south. More day-to-day tasks were noted as being managed by the applicant, who remains the Estates Manager for the Order in Storrington, and three volunteers. Condition 5 of DC/18/1695 sought to restrict the use of the barn to its intended purpose:

Condition 5: The barn hereby permitted shall only be used to store equipment on behalf of the Norbertine Order to maintain land within their ownership and management control.

It is acknowledged that the barn has not been built in accordance with the plans approved under application DC/18/1695. These amendments have been refused by the Council under application DC/19/1638 and are now subject of a pending appeal.

The principle of a storage barn for equipment has though been approved on this site under DC/18/1695. Permission is now sought for the variation of condition 5 of this permission to allow the barn to be used for the temporary shelter of volunteers who are maintaining the land within the wider site. The Supporting Statement submitted with this application states that there are currently four regular volunteers with a possibility of a further seven volunteers who might assist with the planting and maintenance of the land.

The Supporting Statement states:

“We believe it is important to treat volunteers well and make life as comfortable and rewarding as possible and we wish to use the barn as a muster point for volunteers where they will be given instructions, tools and also be able to take cover in bad weather, store their goods whilst working and probably take light refreshments.”

Given the nature of planting and maintenance works that occur within the wider site and the assistance provided by volunteers, it is not considered unreasonable to allow volunteers temporary shelter within the barn during periods of bad weather, store their goods within the barn whilst working, and take light refreshments. There were no kitchen facilities located within the barn at the time of the Officer’s site visit in October 2019.

The wording of condition 3 as set out in the Recommendations section below requires the barn only to be used for the storage of equipment and for the temporary shelter of volunteers on behalf of the Norbertine Order to maintain land within their ownership. The other activities included within the Supporting Statement, which includes the maintenance of equipment stored in the barn, are considered minor incidental activities that are not required to be included in the wording of the condition.

The planting and maintenance of the wider site is already assisted by volunteers and these volunteers could currently park within the site and the surrounding roads to muster, get their equipment from the barn and access the land. It is therefore considered that the proposed variation of condition 5 of application DC/18/1695 to allow the storage barn to be also used for the temporary shelter of volunteers in connection with maintenance of the land, the storage of their goods and their taking of light refreshments would have no material impact in terms of the parking capacity or on the visual amenity of the area.

7. RECOMMENDATIONS

To approve planning permission subject to the following conditions

Conditions:

1. List of Approved Plans
2. **Regulatory Condition:** The landscaping scheme approved under DISC/19/0059 shall be fully implemented in accordance with the approved details within the first planting season following the first occupation of any part of the development. Unless otherwise agreed as part of the approved landscaping, no trees or hedges on the site shall be wilfully damaged or uprooted, felled/removed, topped or lopped without the previous written consent of the Local Planning Authority until 5 years after completion of the development. Any proposed planting, which within a period of 5 years, dies, is removed, or becomes 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 that is sympathetic to the landscape and townscape character and built form of the surroundings, and in the interests of visual amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015).

3. **Regulatory Condition:** The barn hereby permitted shall only be used to store equipment and for the temporary shelter of volunteers on behalf of the Norbertine Order to maintain land within their ownership and management control as set out within the Supporting Statement submitted with this application. The barn shall not be used for the temporary shelter of volunteers overnight.

Reason: Permission would not normally be granted for such development in this location under Policy 33 of the Horsham District Planning Framework (2015) but in granting permission exceptionally the Local Planning Authority have had regard to the particular circumstances relating to the proposal.

4. **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 of the locality and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

Background Papers: DC/19/1638 & DC/18/2119