

Agenda Item :

Report to **Planning Committee (South)**
Date **05.10.2020**
By **Director of Planning**
Local Authority **Horsham District Council**
Application Number **SDNP/20/01471/FUL**
Applicant **Mr James Gaffney**
Application **Erection of a temporary farm office.**
Address **Pippin Farm
Toat Lane
Pulborough
RH20 1BZ**

Reason for Inclusion on 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: That the application be Approved subject to the conditions set out in paragraph 10 of this report.

Executive Summary

Planning permission is sought for the retention of a farm office for a temporary period not exceeding three years. An extant permission for permanent office facilities on the holding remains (ref: SDNP/19/01320/FUL), though such permanent facilities have not yet been implemented, with the office subject of this application provided as a temporary measure until permanent facilities are in place.

Agricultural activities on the holding appear modest in scale with regard to the information before the Authority, comprising of hay-production and the grazing of a small sheep flock. The office proposed to be retained is modest, however, and considered proportionate to an agricultural need. The structure does not possess any aesthetic merit, though, is grouped with existing/extant structures on the holding and does not prominently feature within public perspectives. It is not considered that the proposal is detrimental to landscape character or the visual amenities of the public realm, with a temporary siting deemed acceptable in design terms.

The office-structure is enclosed by 1.8m closeboard fencing to two-sides, with no detrimental outlook considered to result from the facility to neighbouring garden spaces and dwellings. While the structure does slightly overtop this boundary treatment, it is not considered that the proposal results in unacceptable harm to the amenities of neighbouring occupiers in terms of loss of privacy, disturbance or overshadowing, given the scale of the office facility, its positioning and relationship with neighbouring dwellings to the north.

It is not considered that the transport or highways impact of an office structure for agricultural purposes incidental to its respective holding would prove significant, or more impactful than the permanent office facility consented pursuant to ref: SDNP/19/01320/FUL.

Overall it is considered that the temporary retention of an agricultural office, as proposed, would prove compliant with relevant Development Plan policy, with the proposal recommended for approval accordingly, subject to conditions requiring removal following occupation of permanent office facilities or within 3 years from the date of consent, and a restriction requiring agricultural use.

I Site Description

- 1.1 Pippin Farm occupies an area of ~9.2ha to the west and north-west of Toat Lane, extending to the course of the Wey and Arun canal at its northernmost extent. The site is accessed via Toat Lane, a metalled unadopted highway in this location, with access shared with several dwellings/agricultural facilities along the course of the highway. Public right of way 1980/1 runs to the east of Pippin Farm, while right of way 776/2/1 traverses the southernmost portion of the holding.
- 1.2 The dwelling of Pippin Farm is of circa 1960s construction, being subject to an agricultural occupancy condition. The office structure proposed to be retained for a temporary period is situated adjacent to the northernmost boundary of the plot, opposite an existing stable-block and north-west of an agricultural barn. A permanent car-port with farm office facilities above is consented to be sited to the opposite south of the temporary office structure, though has not yet been implemented.
- 1.3 The office structure occupies a footprint of ~50m², provided to a depth of 6.45m and width of 7.65m. The structure is flat-roofed, provided to a height of ~2.75m. The structure is timber clad, featuring white framed uPVC fenestrations.
- 1.4 The application site falls beyond a defined settlement boundary, constituting a countryside location in planning policy terms. The site falls within the South Downs National Park, though, is unaffected by any other environmental, biodiversity, landscape or heritage designations.

2 Proposal

- 2.1 Planning permission is sought for the temporary retention of an office structure for use as a farm office. The applicant proposes that the office be retained for a temporary period of three years. The building is to be removed once the permanent farm office consented elsewhere is provided.

3 Relevant Planning History

SDNP/20/03465/NMA	Non material amendment to previously approved SDNP/18/06053/FUL (Erection of an agricultural storage barn) Amendments to the roof to replace the permitted hipped cat-slide roof along the east elevation with a gable and Sussex hip to match the west elevation.	Application withdrawn 16.09.2020
SDNP/20/03468/NMA	Non material amendment to previously approved SDNP/19/01320/FUL (Erection of detached garage with office space on first floor) Amendments to the external staircase to ascend from the lower level to the north.	Application approved 16.09.2020
SDNP/19/04665/TEL	Install 1 x 9 m Wooden Pole (7.2m above ground)	No comments on prior notification given on 18.10.2019
SDNP/19/01320/FUL	Erection of detached garage with office space on first floor	Application approved 03.07.2019

SDNP/18/06053/FUL	Erection of an agricultural storage barn	Application approved 12.03.2019
SDNP/16/01345/LDE	Breach of Agricultural Occupancy Condition for a period in excess of 10 years (Certificate of Lawful Development - Existing)	Application refused 19.05.2016
PL/39/88	Removal of agricultural occupancy condition.	Application refused 22.06.1988
PL/72/62	Bungalow in connection with agricultural holding	Application approved 06.02.1963

4 Consultations

Pulborough Parish Council: No objection.

5 Representations

5.1 15 letters of representation from 13 independent addresses were received in connection with this application. 11 letters were received in objection to the proposal, with 4 letters of representation received in support.

5.2 The main material grounds for objection can be summarised as:-

- Concerns regarding the effects of the office structure on the level of natural light received by neighbouring dwellings;
- Concerns regarding the effects of the office structure on the level of privacy enjoyed by neighbouring occupiers;
- Concerns regarding the effects of increased traffic on Toat Lane;
- Concerns regarding overdevelopment of Pippin Farm to the detriment of local character and appearance;
- Concerns regarding loss of vegetation and provision of hardstand to detriment of local character and appearance;
- Concerns regarding the agricultural need for an office facility;
- Concerns regarding the accuracy of the applicants submissions, including the agricultural justification;
- Concerns regarding the proportionality of drainage facilities, and associated effects on amenity of neighbouring occupiers and ecology;
- Questions as to the possibility of an alternative, non-agricultural, use undertaken at the site;
- Concerns regarding effects of increased traffic on local character.

5.3 The main material grounds for support can be summarised as:-

- Full planning permission for the provision of garages with offices above has already been given. Once built there will be no need for the temporary office and it can be removed;
- The timber cladding applied to the office gives the appearance of a small barn.

5.4 Other material comments, neither in objection to or support of the proposal can be summarised as:-

- A time limit should be imposed on any 'temporary period'.

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).

Development plan policies considered relevant to this application are set out in section 7, below.

6.2 National Park Purposes

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.

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

7 Planning Policy

7.1 Relevant Government Planning Policy and Guidance

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) , updated February 2019. The Circular and NPPF confirm that National Parks have the highest status of protection, and the NPPF states at paragraph 172 that great weight should be given to conserving and enhancing landscape and scenic beauty in national parks and that the conservation and enhancement of wildlife and cultural heritage are also important considerations and should be given great weight in National Parks.

7.2 National Planning Policy Framework (NPPF) (2019)

The National Planning Policy Framework (2019) sets out the Government's planning policies for England and how these should be applied. This provides a framework within which locally prepared plans for development can be produced. The provisions of the Framework are a material planning consideration and have been considered in the assessment of this application.

The development plan policies listed below have been assessed for their compliance with the NPPF and have been found compliant with the NPPF.

7.3 South Downs Local Plan (SDLP) (2019)

The following policies of the South Downs Local Plan (2019) are deemed of relevance to this application:-

- SD1: Sustainable Development
- SD2: Ecosystem Services
- SD4: Landscape Character
- SD5: Design
- SD7: Relative Tranquillity
- SD8: Dark Night Skies
- SD9: Biodiversity and Geodiversity
- SD19: Transport and Accessibility
- SD22: Parking Provision
- SD25: Development Strategy

- SD34: Sustaining the Local Economy
- SD39: Agriculture and Forestry
- SD48: Climate Change and Sustainable use of Resources
- SD50: Sustainable Drainage Systems

7.4 Partnership Management Plan

The Environment Act 1995 requires National Parks to produce a Management Plan setting out strategic management objectives to deliver the National Park Purposes and Duty. National Planning Policy Guidance (NPPG) states that Management Plans "contribute to setting the strategic context for development" and "are material considerations in making decisions on individual planning applications." The South Downs Partnership Management Plan as amended for 2020-2025 on 19 December 2019, sets out a Vision, Outcomes, Policies and a Delivery Framework for the National Park over the next five years. The provisions of the South Downs Partnership Management Plan have been considered in the assessment of this application.

8 **Planning Assessment**

Principle of Development:

- 8.1 Policy SD25 of the South Downs Local Plan (SDLP) (2019) establishes the 'principle' of development within defined settlement boundaries, where of an appropriate scale and function. Policy SD25, further, provides that exceptionally development will be permitted outside settlement boundaries, where compliant with relevant local plan policy, appropriate in landscape context and *inter alia* there is an essential need for a countryside location. In considering proposals beyond settlement boundaries positive regard will be had to the delivery of multiple benefits in line with the purposes and qualities of the National Park, with regard to the ecosystems services and compliance with an endorsed Whole Estate Plan.
- 8.2 Policy SD39 of the SDLP (2019) provides that proposals for new buildings or structures for the purposes of agriculture or forestry will be permitted where there is an agricultural or forestry need for the development and the scale is commensurate with that need. Policy SD39, further, encourages the siting of buildings where best suited to conserving and enhancing the natural beauty, wildlife and cultural heritage of the National Park, including through the re-use or siting on the footprint of existing buildings, or physically and functionally related to existing buildings associated with the enterprise. SD39, additionally, provides that buildings must be in keeping with local character, of a design that reflects the proposed agricultural or forestry use, incorporation of appropriate structure planting, that the need could not have been satisfied through the re-use of a building disposed of or converted in the preceding three years and encourages the removal of existing redundant buildings where appropriate.
- 8.3 Paragraph 83 of the NPPF (2019) *inter alia* provides that planning policies and decisions should enable the development and diversification of agricultural and other land-based rural business.
- 8.4 Planning permission is sought for the temporary retention of a farm office. In support of this application the applicant has provided a written statement, in the form of a Design and Access Statement, together with a latterly submitted Agricultural Appraisal and supporting letter which seek to explain the nature and scale of agricultural activities on the holding. The proposal is advanced on the basis of an administrative and storage need associated with the agricultural function of the holding. The submitted Design and Access Statement explains that the temporary structure is required as a short-term measure whilst the permanent farm office consented pursuant to ref: SDNP/19/01320/FUL is constructed.
- 8.5 The submitted Agricultural Appraisal explains that agricultural activities undertaken on the holding include the keeping of a small flock of sheep and the production and sale of hay. Broader management responsibilities, including the management of land, the requirements for a storage space for record-keeping, and provision of washing/meeting facilities associated with the administration of the holding are further referenced. On the basis of the submitted information

agricultural activities within the holding are modest taking account of its overall size (~9.2ha) and the type and intensity of agricultural activities.

- 8.6 As observed during the officers site visit (May 2020) the northernmost field of the holding was given over to grass, with sheep and horses grazed on the southernmost field. The office structure hosted a desk, storage/filing cabinets, a W/C and kitchen with sink. The office, as detailed on the submitted plans, is comfortably accommodated within the holding at ~50m², with the facilities observed overall deemed consistent with an office in use for an administrative function as described in the submitted Agricultural Appraisal.
- 8.7 While it is recognised that agricultural activities on the holding would appear of a minor intensity, the building proposed to be retained for a temporary period is modestly proportioned and provides a small administrative space deemed commensurate to the management needs of the overall holding. The proposal would not result in an increase in staffing levels on the holding, though, would provide welfare facilities for existing staff and persons visiting the holding, including vets and rural inspectors.
- 8.8 It is considered significant that the holding benefits from an extant permission for the provision of a permanent farm office of a comparable scale pursuant to ref: SDNP/19/01320/FUL. As explained within the accompanying documentation the applicant intends to site the temporary office facilities only until permanent facilities are provided. It is not considered that there has been a significant change in circumstance or planning policy since this preceding determination, with no justification in planning policy terms for an alternative conclusion with regard to the 'need' for such a facility. Subject to conditions that the temporary office is removed and land restored to a state to be agreed with the Local Planning Authority following first occupation of the permanent office, and that the temporary office is solely used for purposes ancillary to the agricultural use of the holding, it is considered that the proposal would prove compliant with policies SD25 and SD39 as an appropriate form of agricultural development to a countryside location.
- 8.9 It is recognised that the Authority has received several representations alleging a non-agricultural use of the office building, though, the Authority must solely consider this application on the grounds proposed. Planning permission is not sought for a commercial (or other) use, nor could the Authority reasonably determine this application on such a basis. As reasoned above, subject to a condition requiring that the office facility were used solely ancillary to an agricultural use of the holding, it is considered that the proposal would prove compliant with policies SD25 and SD39 of the SDLP (2019).

Visual Impact and Landscape Character:

- 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 The office facility is grouped with existing stabling and barn facilities at the northern extent of the Pippin Farm holding adjacent to the northernmost boundary of the plot. The office is sited approximately 30m west of public perspectives on right of way 1980/1. Land to the north and east of the office forms the front-garden spaces of Arunway and Toat Cottages, with hardstand west and south of the office separating the structure from the incidental domestic curtilage of Pippin Farm.

- 8.13 The temporary office is bounded by 1.8m fencing to the north and east, which afford a notable level of screening given the total ~2.7m height of the structure. Overall, given the height and siting of the structure this does not prominently feature within public perspectives on right of way 1980/1 to the east of the holding. Where this structure can be perceived this is appreciated in the context of existing development at Pippin Farm, including the barn and stable block, together with domestic structures present to the front gardens of Arunway and Toat Cottages. It is not considered that the structure is detrimental to local visual amenity or to broader landscape character, with no detrimental effect considered in relation to local openness or an appreciation of the rural qualities of the site surroundings. The proposal would be considered concordant with policy SD4 accordingly.
- 8.14 The office structure itself does possess limited aesthetic merit, further possessing a utilitarian character as predominantly derived from its flat-roofed form. While the provision of timber cladding does act to soften the external appearance of the structure, it is not considered that the structure is of a quality of design that would prove acceptable for permanent retention. A condition requiring the removal of the structure and restoration of land to a state to be agreed with the Local Planning Authority is, further, necessary in the interests of design in accordance with policy SD5. The structure does not affect the setting of the Grade II Listed Building of Ham House, however, nor is the appearance and design quality of the structure deemed so deficient to warrant a refusal of temporary consent on the basis of policy SD5.

Amenity:

- 8.15 Policy SD5 of the SDLP (2019) *inter alia* provides that development should have regard to avoiding harmful impacts upon any surrounding uses and amenities.
- 8.16 The structure proposed to be retained for a temporary period is sited in close proximity (~1.5m) to the southernmost boundaries of Arunway and Toat Cottages. The structure is sited ~20m south of the principal elevation of Toat Cottage, separated by the front garden spaces of both dwellings and associated parking and turning areas. It is considered, given the scale of the structure and the degree of intervening distance, that the structure subject of this proposal would not detrimentally influence the level of natural light received to the interior living spaces of both dwellings north of the site.
- 8.17 The structure does slightly overtop the adjacent boundary treatment by approximately 0.8m-1m, though, the degree of harm considered to arise from such a relationship is considered marginal, amounting to a minor shadowing effect to adjacent front-garden spaces.
- 8.18 The structure does feature windows set within its northern and eastern elevations, though, these are provided to a maximum height approximately equivalent to the 1.8m height of existing boundary treatments. Accounting for the height of adjacent boundary treatments, therefore, together with the ~1.5m separation to the boundary it is not considered that openings offer a meaningful outlook over neighbouring front-garden land to the detriment of the privacy of neighbouring occupiers. In any instance it is noted that the office building is some distance removed from the primary living spaces of both dwellings, and that both dwellings additionally benefit from rear garden spaces which would be unaffected by the proposal. It is, overall, considered that the proposal does not affect a change in relationship which would compromise the objective enjoyment of Arunway and Toat Cottages, with the proposal, therefore, compliant with policy SD5 in this regard.
- 8.19 It is recognised that some representations seek to refer to the cumulative effect of the office structure together with works consented pursuant to ref: SDNP/18/06053/FUL and SDNP/19/01320/FUL in terms of overshadowing and privacy. It is not considered, however, that the cumulative effect of these works would prove unacceptable in terms of the effects on neighbouring occupants, with a temporary siting condition governing the siting of the structure

cumulative with ref: SDNP/19/01320/FUL following initial occupation of the permanent farm office.

The office facility is situated a sufficient distance from other dwellings in the vicinity for the proposal to result in no reasonably established harm in terms of overshadowing or loss of privacy.

Highway Safety and Operation:

- 8.20 Policy SD19 of the SDLP (2019) *inter alia* provides that proposals must demonstrate the continued safe and efficient operation of strategic and local road networks.
- 8.21 The proposal seeks the temporary retention of an office facility incidental to the management of the Pippin Farm holding. The applicant resides at Pippin Cottage, with staffing levels for the holding believed to be low. While an agricultural office use may generate some vehicle movements these are not considered to be so substantial to amount to a 'severe' impact on the operation of the local/strategic road network, therefore, warranting objection in relation to paragraph 109 of the NPPF (2019).
- 8.22 The office is served by a pre-existing highway access, with the proposal seeking no change to existing access arrangements. As observed during the officers site visit visibility at both accesses to Pippin Farm would appear adequate, with the access layout not deemed to compromise the safety of vehicular or pedestrian highways users. The proposal, therefore, is deemed compliant with policy SD19.

Other Matters:

- 8.23 Policy SD8 of the SDLP (2019) seeks to preserve the intrinsic quality of the International Dark Sky Reserve. This policy provides that proposals will be permitted that preserve the quality of dark night skies and the integrity of the Dark Skies Core. Policy SD8, further provides that proposals must take all opportunities to reduce light pollution and mitigate effects on dark skies quality with regard to the sensitivity of the relevant 'dark skies zone'.
- 8.24 The application site falls within dark skies zone E1 (b), classified as a transition zone at the boundary of the International Dark Skies Reserve with moderate sensitivity to light pollution. The office facility mounts two external vertically downlit exterior lights, and omits any floodlighting or roof-glazing. The dark skies impact of the office, therefore, is considered minor and would not compromise the quality of local dark skies or the overall integrity of the International Dark Skies Reserve.
- 8.25 The office facility is a modest structure, which would not compromise the strategic delivery of ecosystem services across the National Park. Opportunities for a net-gain, including appropriate planting, can be secured at conditions stage in association with the restoration of land following the removal of the structure.
- 8.26 As observed during the officers site visit it is acknowledge that the drainage apparatus serving the office facility extends to the east of Pippin Farm. This apparatus, however, falls beyond the extent of the defined application site and is not subject of this application.

9 Conclusion

- 9.1 The holding benefits from an extant permission for the provision of a permanent farm office, with the facility subject of this proposal proposed as a temporary measure until permanent facilities are provided. It is considered that the proposed facility is proportionate to low-key agricultural uses on the holding, as an appropriate form of rural development in compliance with policies SD25 and SD39 of the South Downs Local Plan.

- 9.2 The office facility is not considered of a scale or siting that is detrimental to local landscape character or visual amenity, and subject to a condition requiring removal on occupation of the permanent office facility (or within a period of 3 years if not implemented), would be considered compliant with policies SD4 and SD5 of the SDLP (2019).
- 9.3 It is not considered that the office facility is of a scale and nature that would unacceptably impact the amenities of neighbouring occupiers, compromise the quality of the International Dark Skies Reserve or the efficient and safe operation of the highway network in compliance with policies SD5, SD8 and SD19 of the SDLP (2019).
- 9.4 Overall the proposed temporary retention of the farm office for agricultural purposes is deemed compliant with all relevant development plan policies, and is recommended for approval accordingly, subject to the conditions set out below.

10 Conditions

It is recommended that the application be approved subject to the below conditions: _

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. **Regulatory (Time) Condition:** The building hereby permitted shall be removed (or the use hereby permitted discontinued) and land restored to a condition to be agreed, in writing, with the Local Planning Authority on a date no later than 6 months following the first occupation of the farm office approved pursuant to ref: SDNP/19/01320/FUL, or within a period of 3 years from the date of this permission, whichever date falls soonest.

Reason: The proposed development is not considered satisfactory as a permanent measure in accordance with Policies SD5 and SD39 of the South Downs Local Plan (2019).

3. **Regulatory Condition:** The office hereby approved shall solely be used for purposes ancillary to the use of Pippin Farm, Toat Lane, Pulborough, RH20 1BZ, and its associated holding, as an agricultural unit and for no other purposes whatsoever.

Reason: The site lies in an area where, in accordance with Policy SD25 of the South Downs Local Plan (2019), development unrelated to the needs of agriculture or forestry would not normally be permitted.

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. 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.

Tim Slaney
Director of Planning
South Downs National Park Authority

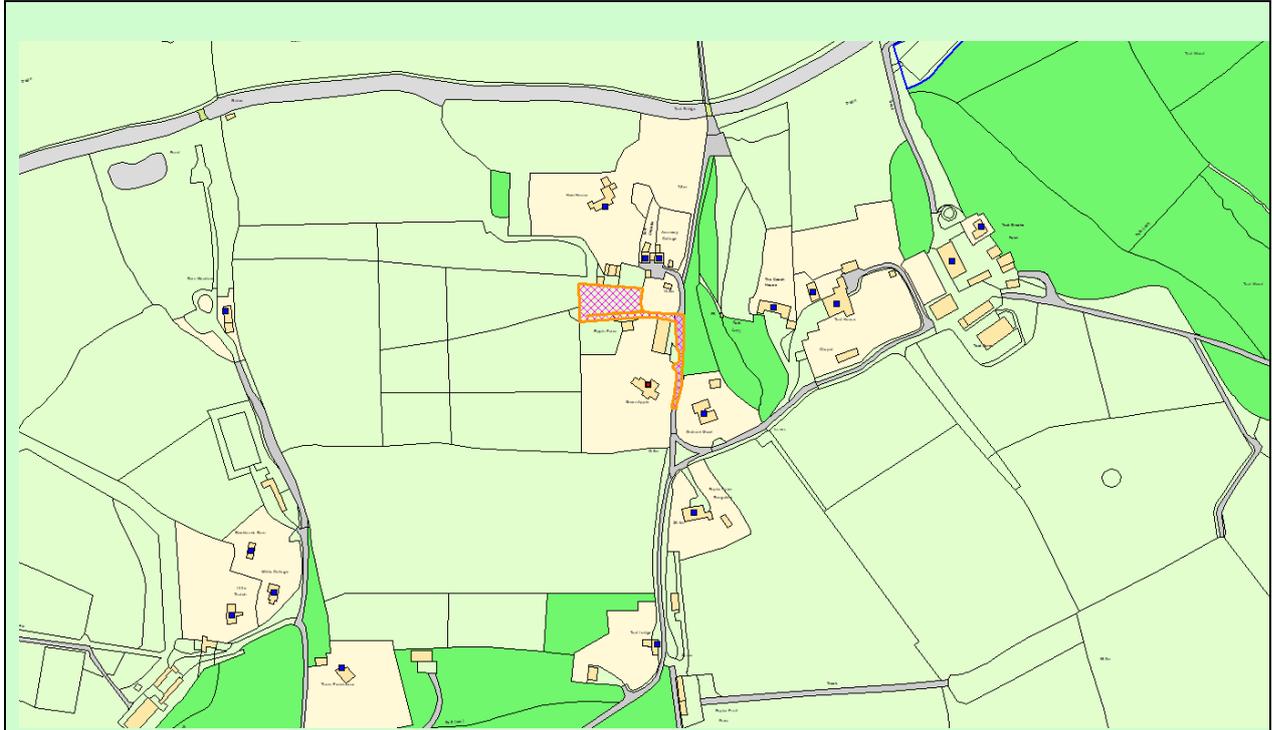
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Appendices Appendix 1 - Site Location Map
Appendix 2 – Plans Referred to in Consideration of this Application

Background Documents: SDNP/20/01471/FUL

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
Reports - Noise Impact Assessment	NONE		09.04.2020	Approved
Plans - Location	629-001		09.04.2020	Approved
Plans - Location and Block	621-002		09.04.2020	Approved
Plans - Floor and Elevations	628-105		09.04.2020	Approved
Plans - Site	628-102		09.04.2020	Approved
Reports - Design and Access Statement	NONE		09.04.2020	Approved
Reports - Ecosystems Services Statement	NONE		09.04.2020	Approved
Reports - Agricultural appraisal	NONE		09.09.2020	Approved

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