



TO: Planning Committee North

BY: Head of Development and Building Control

DATE: 4th October 2022

DEVELOPMENT: Retrospective application for the replacement of an Agricultural Building.

SITE: Stonehouse Farm Handcross Road Plummers Plain Horsham West
Sussex RH13 6NZ

WARD: Nuthurst and Lower Beeding

APPLICATION: DC/22/0829

APPLICANT: **Name:** Mr Gayne Cooper **Address:** Stonehouse Farm Handcross Road
Handcross Road Plummers Plain RH13 6NZ

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

By request of Councillor Bradnum

RECOMMENDATION: To approve retrospective planning permission subject to appropriate conditions

1. THE PURPOSE OF THIS REPORT

1.1 To consider the planning application.

DESCRIPTION OF THE APPLICATION

1.2 The application seeks retrospective planning permission for a steel clad (moss green) agricultural building with a mono pitched roof, with a floor area of 258sqm and dimensions of 37.9m (L) x 6.6m (W) x 5.2m (H) minimum – 6.6m (H) maximum; comprising two roller shutter doors to the east elevation. The footprint of the new storage building is 112sqm greater than that of the original small agricultural buildings.

1.3 The application includes the erection of a planter for landscaping and retaining wall approximately 1m high.

1.4. It is also advised by the applicant that the agricultural building will contain a workshop as well as storage space for plant, tools, and equipment associated with existing agricultural use on

site and will provide modern safe and secure workshop for maintenance and storage associated with the anaerobic digestion plant.

DESCRIPTION OF THE SITE

- 1.5 The application site forms part of an existing agricultural holding and comprises 41 hectares of land with for grazing of the applicant's dairy herd (which were recently sold), the farm is currently establishing a flock of 100 breeding ewes and 40 suckler cows. The site was originally purchased in 2002 and comprises the original Stonehouse Farm comprising land fronting onto Handcross Road (the southern part of the holding) plus the land previously known as Jacksons Farm fronting onto Hammerpond Road (the northern part of the holding). The whole site is now called Stonehouse Farm. The agricultural building subject to this application is located amongst a cluster of buildings to the south east of the site close to Handcross Road, in the location of former agricultural storage buildings now demolished.
- 1.6 The site is approximately 0.75ha in size, with mature established hedging and trees to the northern, eastern and western boundaries. The wider site boundaries to the north slopes sharply to the south, opening out to adjoining agricultural fields within the central and southern areas of the wider site and to the south western part of the site which is subject to this application. The agricultural building subject to this application is located within an area adjacent to the existing farm yard (with a temporary 'commercial' B1 / B8 building and yard area) to the south east of the wider site, where the adjacent buildings are of a similar style and design.
- 1.7 A public footpath (FP1708) crosses the farm between Handcross Road and Hammerpond Road north to south, close to the eastern boundary of the site. The wider site comprises a number of vacant, former farm buildings to the north of the site (adjacent to Hammerpond Road), a mobile home (within the old milking barn, cow shed, and a feed / storage barn immediately west of the area subject to this application within the southern part of the site and a new livestock building located centrally within the wider site boundaries, and located close to the existing anaerobic digestion plant to which the applicants advise is intrinsically linked to the current application.
- 1.8 The wider farm site area is generally characterised by open fields with mature tree boundaries. The southern area of the farm site, adjacent to Handcross Road, comprises an agricultural unit and dairy processing barn along with hardstanding areas which are currently subject to a temporary B1 / B8 permission, but have a reserved use for agricultural purposes. These temporary uses expire on or before the 30 March 2023 when the uses revert back to agricultural purposes.
- 1.9 To the rear/south of these buildings are a cluster of agricultural buildings. Some of these buildings are dilapidated and in a poor state of repair. The agricultural building subject to this application is located within this cluster, along with other agricultural buildings, one of which houses a mobile home for which an lawful development certificate has recently been granted. At the entrance from Handcross Road there are some further B1 office uses alongside parking areas. Further to the east are three ponds.
- 1.10 Elsewhere within the wider farm site there is a large recently constructed agricultural building (a dairy milking barn) housing an Anaerobic Digester (AD) plant alongside. These attached buildings are located more centrally within the wider site some 500m west of the application site, and are accessed via a separate track from Handcross Road.
- 1.11 On the northern boundary of the wider site fronting Hammerpond Road are further agricultural buildings now vacant. Prior to their sale, the dairy herd occupied many of these buildings, however they were then relocated to the new large dairy building in the centre of the site. Since the sale of the dairy herd the applicant has purchased a new breed of cattle

(which he intends to grow in numbers) and they will be housed in the new dairy barn going forward.

- 1.12 The land is within the Mannings Heath Open Ridge and Valley Farmlands Landscape Character Area and forms part of this undulating landscape. The land to the north of Hammerpond Road and south of Handcross Road is within the High Weald Area of Outstanding Natural Beauty.

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 7 - Strategic Policy: Economic Growth

Policy 9 - Employment 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 30 - Protected Landscapes

Policy 31 - Green Infrastructure and Biodiversity

Policy 32 - Strategic Policy: The Quality of New Development

Policy 33 - Development Principles

Policy 35 - Strategic Policy: Climate Change

Policy 37 - Sustainable Construction

Policy 38 - Strategic Policy: Flooding

Policy 40 - Sustainable Transport

Policy 41 – Parking

RELEVANT NEIGHBOURHOOD PLAN

The **Lower Beeding Neighbourhood Plan** not yet been made. Following examination of the Draft Lower Beeding Neighbourhood Plan 2014-2031 the Independent Examiner published his report on the 1 July 2021. The Council published the decision statement on 23 September 2021 and it has been agreed the plan may now proceed to referendum in due course. A date for the Referendum has not yet been agreed or published. Although not 'made' the LBNP is considered to hold significant weight in the decision making process as has been through the public consultation stages and also through the Public Examination process.

Relevant NBNP Policies include:

Draft Policy 1 - Biodiversity

Draft Policy 2 - Landscape Character

Draft Policy 4 - Sustainability

Draft Policy 5 - Energy Efficiency

Draft Policy 17 - Existing Employment Sites

Draft Policy 18 - Economic Growth

PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/11/2010	Erection of an agricultural store and dairy processing unit - revised design to earlier planning approval under ref DC/06/1106 (which has been partially implemented) with the addition of solar panels to be mounted on the south-western part of the roof	Application Permitted on 25.11.2011
DC/12/2086	Prior notification for new agricultural building	Prior Approval Required on 03.12.2012
DC/13/0259	Prior notification for new agricultural building	Prior Approval Not Required on 05.12.2013
DC/13/1115	Non-material amendment to previously approved DC/07/2250 (Provision of sustainable drainage system for management of waters emanating from and in connection with a previously approved dairy unit (under application DC/06/1106), comprising 5 reedbeds, 3 attenuation ponds and importation of material for associated raising of land levels (Field located to the northeast of the existing farm buildings) to change the shape of the 3 x dairy reed beds	Application Permitted on 10.07.2013
DC/14/0729	Creation of agricultural building for Anaerobic Digestion (re-siting of building permitted under DC/13/0259)	Application Permitted on 10.07.2014
DC/14/2286	Portal frame Livestock Building	Application Permitted on 19.03.2015
DC/15/1831	Construction of dairy parlour to be served by farm track (to include resurfacing and widening) to be accessed from Handscross Road	Application Permitted on 02.06.2017
DC/16/0381	Retrospective change of use on agricultural barn to B1 light industry in a residential area	Application Permitted on 05.05.2016
DC/16/0454	Change of Use from slab making (Sui Generis) to B1 offices, with retention of existing parking	Application Permitted on 05.05.2016
DC/16/0702	Temporary change of use for a three year period of an agricultural store and dairy processing plant to B1 use	Application Permitted on 28.06.2016
DC/18/0109	Proposed change of use of existing hardstanding from Class B1 to Class B1 /B8 for the storage of full and empty skips and for overnight parking of vehicles in connection with the use.	Application Permitted on 08.06.2018
DC/19/1035	Temporary change of use for a period of three years of existing hardstanding from Use Class B1 to Use Class B1/B8 for the storage of full and empty skips and for overnight parking of vehicles in connection with the use (Renewal of DC/18/0109).	Application Permitted on 30.03.2020
DC/19/1046	Temporary change of use for a further three year period of an agricultural store and dairy processing plant to Use Class B1 and part B8 (Renewal of DC/16/0702).	Application Permitted on 30.03.2020
DC/19/1122	Amendments to dairy livestock building approval of full application DC/15/1831 to include an additional 384 sq. m of gross floor area and additional concrete yard area, creation of tracks as well as increasing the height of the building.	Application Permitted on 30.03.2020

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 Environmental Health: No objection

[summary] No objection, however if the building is to be used for agricultural purposes the hours of operation would need to be controlled by condition.

OUTSIDE AGENCIES

Agricultural Advisor: (RAC): No Objection

Overall I would consider that the replacement agricultural storage building and workshop is reasonably required for the purposes of agriculture on the holding and associated with the applicant's Anaerobic Digester plant. The proposal is compliant with national and local plan policy.

WSCC Highways: No Objection

WSCC Fire and Rescue: Comment

Having viewed the plans for the planning application no. DC/22/0829 for the replacement of an Agricultural Building, the nearest fire hydrant to this site is 300 metres away, 280 metres further than the 90 metres distance required for a commercial premises. If an alternative supply of water for firefighting is to be considered it will need to conform with the details identified in Approved Document – B (AD-B) Volume 2 2019 edition: B5 section 16.

- 3.2 **Lower Beeding Parish Council:** Object

- The size, scale and position of the building is not compatible with the stated purpose of an agricultural workshop to support the bio digester.
- Overdevelopment.
- Design – no justification for large size and height.
- Visual Impact
- Noise and Light disturbance
- No evidence has been provided to support the application statement that the bio digester is in continuous operation. There are many local anecdotal reports that the bio digester is not in use at all, and as such, no workshop building would be required.
- An agricultural building was erected immediately next to the site of the proposed building and was immediately declared as being redundant and temporary B1/B8 use was granted on the building. A comment was made by HDC at the time that B1/B8 use would not normally be permitted in this rural location. This temporary consent expires in March 2023 and so this building could be used as the agricultural workshop. There is no need for the application building.
- The design of the proposed building appears to be more industrial than agricultural, and given the proximity of the proposed building to the existing building that has temporary B1/B8 consent, there is a concern that the proposed building represents an attempt to continue the industrialisation of this rural site.
- Due to the fact that this application is a Retrospective Application it is immediately objected to by LBPC.

PUBLIC CONSULTATIONS

3.3 10 neighbour letters of representation were received objecting to the proposals on the following grounds:

- Another warehouse on this farm constitutes overdevelopment and inappropriate development in rural location
- Over industrialisation of the 'farm'.
- Already existing agricultural buildings on site with temporary consent for alternative purposes as agricultural business cannot sustain agricultural use.
- History of the farm and gradual change of existing farm buildings to industrial use.
- Further agricultural building not justified.
- Existing anaerobic digester building to which the application relates not in service.
- Location of unit in relation to anaerobic digester.
- Concerns about Industrialisation of farm site and the impact on the countryside.
- No suitable hard surfaced or haul roads between the bio digester plant and the workshop facilities for the frequency of plant maintenance that would be needed to justify the scale of the building
- Floodlights
- Hardly any farming activity on site.
- Cumulative impact of hardstanding areas on natural habitat. Flora and fauna and impact of grey water wash down of non-agricultural lorries on site
- Not sustainable development

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

Background

- 6.1 The applicant (Mr Gayne Cooper), trades as Hammer Valley Farm Limited, and operates as a livestock farming enterprise across two agricultural holdings totalling 81.93 hectares (202.45 acres). It is noted that Stonehouse Farm, Plummers Plain is the applicant's principal agricultural holding extending to 40.82 hectares (100.87 acres) and until Autumn 2021 there was a dairy herd on the holding which has since been sold.
- 6.2 The current livestock enterprises on the holding comprise of 20 pedigree Longhorn cattle (expanding to 40 breeding females) with calves at foot and 20 breeding Wiltshire Horn ewes and lambs. It is advised from discussions held on site that the applicant's revised 5 year business plan is to increase the breeding numbers of Longhorn Cattle to 40 suckler cows and rear the progeny to finish at three years old, which would result in a total of approximately 120 rearing calves on the site aged from one month to three years of age. In addition, it is advised that applicant is proposing to establish an outdoor pig herd initially with 20 breeding sows and finishing the progeny indoors in a section of the permitted large agricultural livestock building already on site. It is advised that the land at Stonehouse Farm is in a Mid-Tier Countryside Stewardship Scheme (Country Stewardship (CS) schemes provide funding to farmers and land managers to improve their local environment and provides support to help farmers and land managers create enhanced environmental outcomes by restoring wildlife habitats and creating woodlands, to managing flood risk). The CS is a scheme for the majority of farmers and land managers to help protect and enhance the environment to help support the preservation of the countryside for future generations.
- 6.3 The applicant has confirmed that the Anaerobic Digester (AD) plant is currently out of commission following the dispersal of the dairy herd, but advises that it is to be re-commissioned next year as manures from the winter housing of the livestock become available. In addition, maize silage will be imported on to the farm to be used in the AD plant.
- 6.4 The applicant advises that the large agricultural building (permitted DC/15/1831 and DC/19/1122) which originally was to be used to house the dairy cattle and is sited next to the AD plant will be used to house the applicant's current and increased numbers of livestock throughout the winter period.
- 6.5 The applicant advises that there has been several significant thefts of equipment and machinery associated with the AD plant. Details of these incidents are noted in the Savills Supporting Statement submitted with this application.

Principle of Development

- 6.6 National planning policy guidance for development in the countryside is set out in the revised National Planning Policy Framework (NPPF - 2021). Section 6 is concerned with 'Building a strong, competitive economy' and at paragraph 81 notes:

"planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt..."

At paragraph 84 'Supporting a prosperous rural economy' it notes:

"Planning policies and decisions should enable:

- a) The sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;*
- b) The development and diversification of agricultural and other land-based businesses;*
- c) Sustainable rural tourism and leisure developments which respect the character of the countryside; and*
- d) The retention and development of accessible local services and*

community facilities, such as local shops, meeting places, sport venues, open space, cultural buildings, public houses and places of worship”

- 6.7 Lower Beeding Neighbourhood Plan whilst not yet ‘made’ carries significant weight in the decision making process as it has been through the public consultation process and has been subject to Independent Examination. The Councils decision Statement was published on the 23 September 2021 and as such the plan will proceed to referendum in due course. No date has been set for this given that there is no strategic solution to matters relating to Water Neutrality at this moment in time. Relevant policies relating to this application include Draft Policy 18 Economic Growth. This policy advises that

Policy 18: Economic Growth

Development proposals for employment uses will be supported where:

1. Development proposed is on previously developed land;
2. Is in keeping with the rural character of the local area;
3. Proposals have no significant detrimental impact on residential amenity; and
4. Would not have unacceptable impact on the local road network

- 6.8 HDPF Policy 10 Rural Economic Development states that 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
- a. Be contained wherever possible within suitably located buildings which are appropriate for conversion or, in the case of an established rural industrial estate, within the existing boundaries of the estate; or
 - b. Result in substantial environmental improvement and reduce the impact on the countryside particularly if there are exceptional cases where new or replacement buildings are involved. New buildings or development in the rural area will be acceptable provided that it supports sustainable economic growth towards balanced living and working communities and criteria a) has been considered first.

The policy also advises [point 2 refers] that it must be demonstrated that car parking requirements can be accommodated satisfactorily within the immediate surrounds of the buildings, or an alternative, logical solution is proposed.”

- 6.9 Policy 26 (Strategic Policy: Countryside Protection) states that outside the built-up area boundaries, the rural character and undeveloped nature of the countryside will be protected against inappropriate development. This policy states that any proposal must be essential to its countryside location, and in addition meet one of the following criteria; support the needs of agriculture or forestry, enable the extraction of minerals or the disposal of waste, provide for quiet informal recreational and enable to the sustainable development of rural areas.

In addition, proposals must be of a scale appropriate to its countryside character and location. Development will be considered acceptable where it does not lead, either individually or cumulatively, to a significant increase in the overall level of activity in the countryside, and protects, and/or conserves, and/or enhances, the key features and characteristics of the landscape character area in which it is located, including:

1. the development pattern of the area, its historical and ecological qualities, tranquillity and sensitivity to change;
2. the pattern of woodlands, fields, hedgerows, trees, waterbodies and other features; and
3. the landform of the area.”

- 6.10 The Councils Agricultural Advisor (RAC) has been consulted and as part of the assessment has considered the supporting information submitted by ‘Savills’.

- 6.11 It is noted by RAC that the Savills Supporting Statement provides aerial photographs of the small agricultural buildings that were previously sited where the new agricultural storage building has been erected, and that the Savills Statement advises that the original buildings were no longer fit for purposes to accommodate the modern machinery due to their height. It advises that the buildings were not watertight or fit to house livestock and that there were limitations to their use due to their state of disrepair as was illustrated within supporting photographic evidence provided within the supporting statement.
- 6.12 The Council's Agricultural Advisor states that on reviewing some of the other small existing agricultural buildings (at the site visit) that are in close proximity to the newly constructed agricultural storage building (the subject of this application), it is confirmed that they are also in a state of disrepair and would not be suitable for use as agricultural storage buildings.
- 6.13 The Council's Agricultural Adviser accepts that the applicants AD plant is not currently operational however, it has been advised by the applicant that it will be recommissioned next year and once operational will provide green electricity to a maximum of 1,000KW per day and manures for spreading back onto the applicant's farmland.
- 6.14 The Council's Agricultural Advisor is satisfied that the new agricultural building is acceptable, however they suggest that it would be advisable to impose a condition that the agricultural storage building and workshop is for the sole use of agricultural activities within the applicant's farming business – Hammer Valley Farm Limited. A suitable condition to restrict the use of the building for agricultural purposes is considered necessary and as such has been imposed.
- 6.15 It is therefore considered that there is an identifiable need for the building to support the agricultural operations of the site and therefore the grant of retrospective planning permission for this unit is considered to accord with the principles of policies 10 and 26 of the HDPF (2015).
- 6.16 The principle of development is therefore considered acceptable given that the building supports the needs of agriculture and is of a size and scale that is considered to be appropriate within the context of its immediate surroundings and the countryside. It is considered that the proposals conform with paragraph 83 of the NPPF and to the general principles of Policy 10 of the HDPF, and subject to compliance with all other relevant policies and the related criteria within the HDPF.

Design and Appearance:

- 6.17 Policies 32 and 33 of the HDPF seek to ensure high quality and inclusive design for all development in the district and ensure that it will; complement locally distinctive characters and heritage, contribute to both the buildings and spaces and integrate well with their surroundings, is locally distinctive in character and respects the character of the surrounding area.
- 6.18 The new building comprises a mono pitch steel framed building clad in green box profile measuring 37.9m x 6.8m (total floor area 257.7sqm). The building has two roller shutter doors and personnel doors located on the northern elevation, and has a ridge height of 6.6m and height to eaves of 5.2m. The building is to be used for the storage of machinery and equipment associated with the farm's Anaerobic Digestion plant and as a secure workshop. There is an existing access that serves this replacement agricultural building.
- 6.19 The building is set back well within the site boundaries to the rear of a cluster of other agricultural buildings (some of which that have temporary B1 /B8 use). The land slopes down to the rear of this cluster of buildings and as such the building sits within a dip and does not appear to be visually dominant within the immediate context of the surrounding area. The

agricultural building replaces previously outdated and dilapidated buildings which were visually unattractive and in poor repair.

- 6.20 The building in situ is considered to be of a size, scale and design that is acceptable within the context of the group of existing agricultural buildings and in an area that provides easy access to allow the safe movement into the building of large, bulky and heavy machinery associated with the applicant's AD plant. The building provides a secure area for the storage of all the machinery, spares and equipment associated with the applicant's AD plant and as such they are well screened from public views and from within the wider farm holding itself.
- 6.21 Local residents have raised concerns regarding the size, height and scale of the building and are concerned that it is located too far away from the existing AD plant to be put to viable use for purposes of storage and maintenance for it in the event that it (the AD plant) comes back into use. Concerns have also been raised that there are no hard surfaced roads or haul roads that lead from the AD plant to the new building and as such this would require further hardstanding areas across the farmland to make the relationship viable, thus resulting in likely further visual harm to the countryside.
- 6.22 During the officer site visit the applicant demonstrated that access to and from the AD plant was out past the existing agricultural barns (subject to temporary B1/B8 use) and out onto Handcross Road and back onto the site via an existing track that leads to the AD plant. It is not therefore considered that the creation of further tracks within the site itself would be necessary, and as such in this respect the use of the building in connection with the Anaerobic Digester plant would not necessitate further infrastructure that would cause visual harm to the countryside.
- 6.23 It is therefore considered that the proposal would not be significantly detrimental to the rural character of the area in accordance with Policies 32 and 33 of the HDPF.

Amenity Impacts:

- 6.24 The replacement agricultural storage building is within the same location as the previously demolished buildings and given its separation from the nearest dwellings is not considered to result in any appreciable harm to private amenity. In this respect, the development proposals is considered to accord with Policies 32 and 33 of the HDPF.

Highways Impacts:

- 6.25 It is advised by the applicant that parking and turning arrangements will remain as existing. The applicant has also advised that they intend to utilise the existing vehicular access for this development, with no alterations to this arrangement proposed. WSCC Highways have been consulted and they have advised that there are no apparent visibility issues with the existing point of access on to Handcross Road.
- 6.26 Given the above, WSCC as Local Highway Authority have advised that given that the replacement building is not significantly larger than that of the previous, the LHA does not anticipate that the proposed development would give rise to a material intensification of movements to or from the site.
- 6.27 In conclusion, the LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 111), and that there are no transport grounds to resist the proposal.

Other Matters:

- 6.28 It is noted that The Parish Council raise concerns in their consultation response in regards to the consent relating to the temporary B1 /B8 uses currently being carried out in the existing dairy processing unit (which is located west of the building subject to this application). Specifically, the temporary permission expires in March 2023 and it is questioned why another agricultural building / workshop is required on site when this existing building could be used for the same purposes currently being sought.
- 6.29 The applicant states in their design and access statement that there are no buildings on the site that would be suitable to house the large anaerobic digester equipment to be serviced on the site, and that the building has been designed by the applicant so that large elements of plant associated with the digester and the electricity generation can be taken in or out of either end of the workshop. It is advised by the applicants that the reason for the replacement of the older buildings (since demolished) *'was also to provide secure workshop and space to store valuable plant tools and equipment used in connection with running and servicing the farm anaerobic digester which is an important and integral part of the sustainable farm model being developed together with the new livestock building'*. It is advised that the new building is approximately 45.7m from the farmhouse occupied by the applicant (Mr Cooper) and is close to other farm buildings which are occupied most of the time and therefore add to the security of the site. Observations of the new building during the Officer site visit revealed that there is a mobile hoist and that the building has been subdivided in part, to allow for the workshop area to be separated from the storage area.
- 6.30 The temporary uses of the existing barn and hardstanding area nearby expire on or before the 30 March 2023 and the use of these units then reverts back to the required agricultural use for dairy processing purposes. The use of these buildings for any other non-agricultural purposes would need to be applied for through a formal planning application, with any such alternative non-agricultural uses to be assessed against established and adopted countryside protection policies. It should be noted that the grant of a temporary use does not automatically mean that planning permission will be granted permanently. Of particular note is that the original application for the barn (DC/06/1106) states within Condition 3 that the agricultural store and dairy processing building cannot be used for housing livestock. On this basis it is not evidenced that this existing barn is truly available and with the necessary consents to be used as an alternative to the barn being considered under this application.
- 6.31 It should also be noted the barn generally complies with the requirements of permitted development set out within Schedule 2, Part 6, Class A of the General Permitted Development Order (England) 2015, however as it was commenced prior to receiving confirmation that it met the Part 6 criteria for an agricultural building, it was not possible to confirm that the structure was indeed 'permitted development'. The applicant advises that such an application was made prior to commencement of works in 2020, however records show that no such application was received by the Council, despite a Royal Mail receipt provided by the applicant. Accordingly it has been necessary for the applicant to submit this retrospective full application for the barn.

Water Neutrality

- 6.32 The application site falls within the Sussex North Water Supply Zone as defined by Natural England which draws its water supply from groundwater abstraction at Hardham. Natural England has issued a Position Statement for applications within the Sussex North Water Supply Zone which states that it cannot be concluded with the required degree of certainty that new development in this zone would not have an adverse effect on the integrity of the Arun Valley SAC, SPA and Ramsar sites.
- 6.33 Natural England advises that plans and projects affecting sites where an existing adverse effect is known will be required to demonstrate, with sufficient certainty that they will not

contribute further to an existing adverse effect. The received advice note advises that the matter of water neutrality should be addressed in assessments to agree and ensure that water use is offset for all new developments within the Sussex North Water Supply Zone.

- 6.34 It cannot be concluded that existing abstraction within the Sussex North Water Supply Zone is not having an adverse effect on the integrity of the Arun Valley SAC/SPA/Ramsar sites. Developments within Sussex North must therefore must not add to this impact and one way of achieving this is to demonstrate water neutrality. The definition of water neutrality is the use of water in the supply area before the development is the same or lower after the development is in place.
- 6.35 The Applicant advises in their Design and Access Statement that the water use associated with the new building is negligible and solely for toilet and washing facility within the building. The building is to be used for agricultural storage for the benefit of Stonehouse Farm therefore it would reasonably be expected that any water use within the building would simply be that that would otherwise have taken place elsewhere on the farm holding. On this basis officers conclude that there is no evidence that the building will result in additional mains water consumption that would result in an adverse impact on the integrity of the Arun Valley habitat sites, either alone or in combination with other plans and projects. An Appropriate Assessment of the proposals is not therefore required.
- 6.36 There is therefore no clear or compelling evidence to suggest the nature and scale of the agricultural barn in situ would result in a more intensive occupation that would result in an increased consumption of water which would result in a significant impact on the Arun Valley SAC, SPA and Ramsar sites, either alone or in combination with other plans and projects. The grant of planning permission would not therefore adversely affect the integrity of these sites or otherwise conflict with Policy 31 of the HDPF, NPPF paragraph 180 and the Council's obligations under the Conservation of Habitats and Species Regulations 2017.

Conclusions

- 6.37 The agricultural building as constructed is considered to be acceptable in terms of its impact on both visual and private amenities, its impacts on the landscape and countryside location, and in terms of its size, scale and appearance, and subject to the imposition of a condition to restrict its use to agricultural purposes. Whilst it is understood that a nearby barn may be a suitable alternative to provide the storage and workshop facilities in the alternative, this barn is currently under a temporary planning consent for other uses and would revert to a dairy processing use when those uses cease in March 2023. Given these circumstances, and the fact that the barn as applied for replaces an existing agricultural building set amongst a cluster of other agricultural barns, it is not considered that the potential availability of an alternative barn nearby to house the proposed uses is sufficient reason to withhold planning permission. The barn as constructed is acceptable in all other respects and overall is considered to accord with Policies 10, 26, 32, 33 and 40 of the HDPF.

7. RECOMMENDATIONS

- 7.1 To approve planning permission subject to the following conditions:

Conditions:

1. Plans list
2. **Regulatory Condition:** The building hereby permitted shall be used solely for agricultural purposes as defined in Section 336(1) of the Town and Country Planning Act 1990, and for the benefit of the farm holding at Stonehouse Farm only, and for no other purposes.

Reason: The site lies in an area where, in accordance with Policy 26 of the Horsham District Planning Framework (2015) development unrelated to an essential rural activity would not normally be permitted, and as alternative uses by different occupiers may result in an adverse impact on the integrity of the Arun Valley SAC/SPA and Ramsar sites.

3. **Regulatory Condition:** No external lighting or floodlighting shall be installed without the prior written approval of the Local Planning Authority. Any that is installed with the permission of the Local Planning Authority shall be maintained in accordance with the approved details.

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

4. **Regulatory Condition:** Within three months of the date of this permission a fire hydrant(s) to BS 750 standards or stored water supply (in accordance with the West Sussex Fire and Rescue Guidance Notes) shall have been installed, connected to a water supply with appropriate pressure and volume for firefighting, and made ready for use in consultation with the WSCC Fire and Rescue Service. The hydrant(s) or stored water supply shall thereafter be retained as such.

Reason: In accordance with fire and safety regulations in accordance with Policy 33 of the Horsham District Planning Framework (2015).