

PLANNING APPLICATION REPORT

REF NO: LY/4/20/PL

LOCATION: Broomhurst Farm
Lyminster Road
Lyminster
BN17 7QW

PROPOSAL: Erection of steel framed storage barn.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	<p>The barn would have a floor area of 28.5m x 18m, a height to eaves of 6.1m and to ridge of 8.5m. The roof comprises natural grey fibre cement sheets. It has a concrete apron outside the main entrance which would be 11m deep at its narrowest point.</p> <p>The barn will be to the North West side of an existing group of barns at Broomhurst Farm on a level site which is used as grazing land for sheep and cattle.</p> <p>The barn has been sited adjacent to the existing concrete road access to the main Lyminster road and the rest of the farm site with a small increase in concrete hardstanding.</p>
TOPOGRAPHY	Predominantly flat.
TREES	None of significance affected by the development.
BOUNDARY TREATMENT	Timber and wire fencing to field boundaries.
SITE CHARACTERISTICS	<p>Adjacent to existing group of farm buildings close to the main farmhouse.</p> <p>The Farm yard comprises several farm buildings mainly open sided used for animals and hay storage.</p> <p>The buildings are constructed of brick, flint and grey cladding.</p>
CHARACTER OF LOCALITY	Rural. The site is part of an established farm.

RELEVANT SITE HISTORY

LY/11/19/PL	New access construction to serve as an access for Broomhurst Farm & its residents.	ApproveConditionally 25-11-19
LY/5/17/PL	Steel framed storage barn	ApproveConditionally 26-06-17

LY/15/07/

Steel framed agricultural building for cattle.

ApproveConditionally
19-11-07

The proposal is identical to the barn approved in 2017 under LY/5/17/PL. This permission has been implemented.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Lyminster & Crossbush Parish Council

Objection:

- Adverse visual impact on landscape and views between ancient town of Aundel and the Lyminster Conservation Area.

One Objection:

- Overdevelopment of site.

COMMENTS ON REPRESENTATIONS RECEIVED:

The proposal is not considered to adversely impact on the landscape for the reasons set out in the conclusions section.

CONSULTATIONS

Engineering Services Manager

Engineers (Drainage)

Ecology Advisor

Natural England

WSCC Strategic Planning

CONSULTATION RESPONSES RECEIVED:

Drainage Engineer - No Objection. Surface water drainage subject to building regulations.

County Highways - No Objection. Conditions suggested.

Natural England - No Objection.

Ecology Officer - No Objection subject to conditions.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted. Officers consider the conditions requested by County Highways are not considered to be necessary.

POLICY CONTEXT

Designation applicable to site:
 Outside Built Up Area Boundary
 Within Settlement Gap

DEVELOPMENT PLAN POLICIES

[Arun Local Plan 2011 - 2031:](#)

SDSP3	SD SP3 Gaps Between Settlements
DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
CSP1	C SP1 Countryside
TSP1	T SP1 Transport and Development
LANDM1	LAN DM1 Protection of landscape character
ENVDM5	ENV DM5 Development and biodiversity

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

Lyminster does not have an adopted Neighbourhood Plan.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is considered to comply with relevant Development Plan policies in that there would be no materially adverse effect on visual amenities or the character of the area.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

PRINCIPLE

The site lies outside the built up area boundary where development proposals will be assessed against policy C SP1.

The proposal accords with part (a) of this policy which requires development to meet the operational needs of agriculture. The application includes adequate justification to demonstrate that it is required for the operational needs of the farm. The site is in agricultural use and the building would be used for associated agricultural storage.

The National Planning Policy Framework at para. 83 supports the development of rural business stating that planning policies and 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. It is considered that the building would accord with this paragraph since it is of appropriate design and sufficiently justified.

IMPACT ON VISUAL AMENITY, CHARACTER OF THE AREA AND DESIGN

Arun Local Plan policies D SP1 and D DM1 (1) require that development proposals should reflect the characteristics of the local area in terms of character and design.

It is also necessary to consider the guidance within the National Planning Policy Framework (NPPF). Section 12 paragraph 127 states that planning policies and decisions are sympathetic to local character and history. Paragraph 130 goes on to say that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area.

The building is a typical modern storage barn appropriate to its rural setting which does not result in material harm to the visual amenities of the locality.

The scale of the building is appropriate and reflects that of the adjacent building. The farm complex would be visually expanded but not to a significant extent when viewed from outside the farm. The building would be located on the edge of the farm yard where it would benefit from the backdrop of other farm buildings of similar height and design.

The site benefits from some screening and additional planting is included within the proposal which would be sufficient to address the limited harm resulting to visual amenity.

It would also not have a significant impact on views into or out of the National Park to the north given its distance from it and the intervening A27 and mature tree planting to the north and east. It would therefore accord with the first part of policy LAN DM1.

Furthermore, given its siting and design it would not form a prominent or obtrusive feature in the rural landscape and would reflect the particular characteristics of the landscape in compliance with paragraph 2 of the policy.

The proposal is acceptable in design terms in accordance with policies D DM1 and D SP1 of the Arun Local Plan.

GAP BETWEEN SETTLEMENT POLICY

Broomhurst Farm is located within the Littlehampton to Arundel Settlement Gap which is covered by policy SD SP3 of Arun Local Plan. This policy seeks to ensure that development does not undermine the physical or visual separation of settlements, that the integrity of the gap is not compromised and that there is no opportunity for the development proposed to be located elsewhere.

The farm has recently been extended and rears beef and sheep from field to fork. It also grows and stores crops to feed the livestock. Storage demands have increased and cannot be met by smaller existing buildings within the farm which are outdated and cannot accommodate the equipment required to move stored materials. Another barn on the farm will cater for this growing storage demand meaning that the barn cannot be located elsewhere.

The building is located on the edge of the farm yard complex as close to the existing barn as possible with existing and further proposed planting to limit its visual and physical incursion into the Gap and maintain the visual separation of built form within the Gap.

The design (which is a typical utilitarian type associated with modern farming practices), materials and colour of the building assist in its assimilation into the building adjacent to it, reducing its visual impact in the landscape and further ensuring that the development does not compromise the integrity of the gap, either individually or cumulatively with other existing development.

The proposal therefore complies with policy SD SP3 of Arun Local Plan.

RESIDENTIAL AMENITY

The site is not close to residential properties and noise generation resulting from additional storage would not adversely impact on residential amenity. There is therefore no conflict with policy D DM1 (3) of the Arun Local Plan in this respect.

HIGHWAYS AND TRANSPORT

The development utilises the existing access, turning and parking areas which are acceptable. There is no objection from County Highways in respect of highway safety and adequate parking and turning is available in the farm yard.

The proposal would not significantly increase the use of the access road as the products to be stored are grown within the farm unit itself.

Paragraph 109 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. The impact on highway safety would not be severe or unacceptable and the proposal complies with policy T SP1 of the Arun Local Plan.

ECOLOGY CONSIDERATIONS

An Ecology Report accompanies the application which demonstrates that the development site falls outside the boundaries of any designated sites of biodiversity or geographical importance.

Mitigation in the form of bat and bird boxes and hedge planting is to be controlled by the imposition of conditions. Green corridors would be unaffected by the proposal, but the additional planting proposed would improve existing links and would result in a biodiversity gain.

The development would accord with policy ENV DM5 of Arun Local Plan.

CONCLUSION

The proposal will be visually in keeping with the existing barn and the character of the area and would not compromise the integrity of the gap or harm residential amenity or highway safety. The proposal would accord with the aims and objectives of the relevant national and local policy and guidance. The application is therefore recommended for approval subject to the following conditions.

HUMAN RIGHTS ACT

The Council in making a decision, should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as Arun District Council to act in a manner, which is incompatible with the European Convention on Human Rights.

Consideration has been specifically given to Article 8 (Right to respect private and family life), Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for refusal of permission in this case interferes with applicant's right to respect for their private and family life and their home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of neighbours). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for refusal is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

In assessing this proposal the following impacts have been identified upon those people with the following protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation).

The proposal would have a neutral impact on the protected characteristics.

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby approved shall be carried out in accordance with the following approved plans:

Proposed Location and Block Plan 2.01 revD
Existing Location Plan 1.02A
Existing Location/Block Plan 1.01B
Proposed Floor Plans and Elevations 2.02A

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy DDM1 of the Arun Local Plan.

- 3 Within 3 months of completion of the barn bat and bird boxes shall be installed on the site in accordance with details to be submitted to and approved by the Local Planning Authority. The boxes shall be retained on site in perpetuity.

Reason: In the interests of increasing biodiversity in accordance with policy ENV DM5 of Arun Local Plan.

- 4 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning

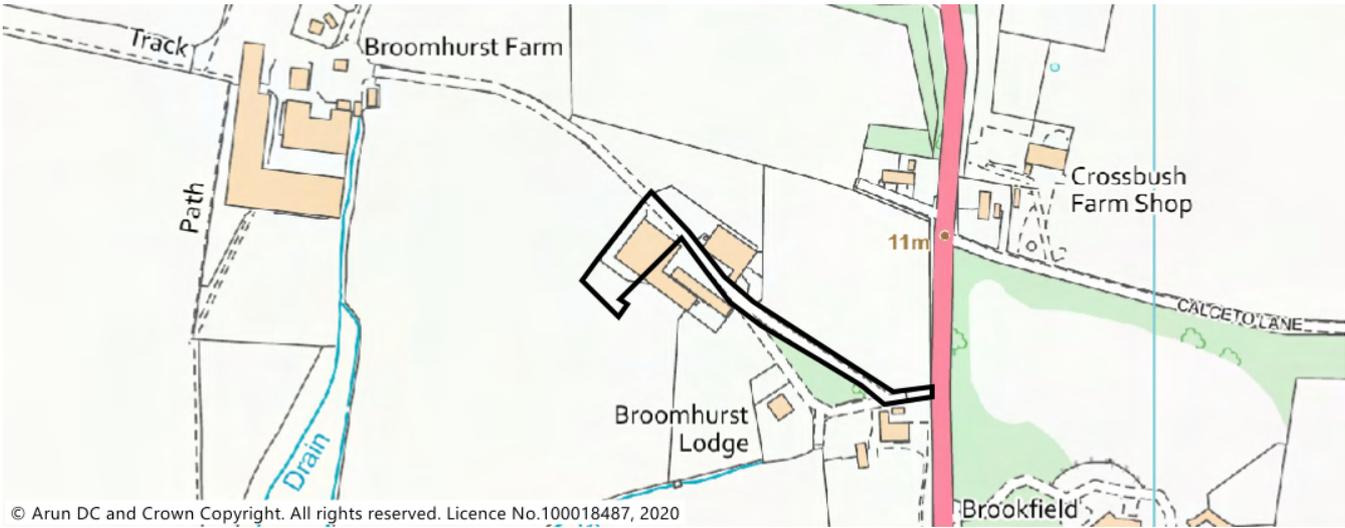
(Development Management Procedure)(England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

- 5 INFORMATIVE: Any lighting scheme for the site will need to take into consideration the presence of bats in the local area and the scheme should minimise potential impacts to any bats using the trees, hedgerows and buildings by avoiding unnecessary artificial light spill through the use of directional light sources and shielding
- 6 INFORMATIVE:As a precaution any trenches should be covered overnight, or a means of escape made available and any hazardous chemicals need to be suitably stored away so animals cannot access them.

BACKGROUND PAPERS

[The documents relating to this application can be viewed on the Arun District Council website by going to https://www.arun.gov.uk/weekly-lists and entering the application reference or directly by clicking on this link.](https://www.arun.gov.uk/weekly-lists)

LY/4/20/PL - Indicative Location Plan (Do not Scale or Copy)
(All plans face north unless otherwise indicated with a north point)



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