

Parish: Sidlesham	Ward: Sidlesham
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SI/18/00768/FUL

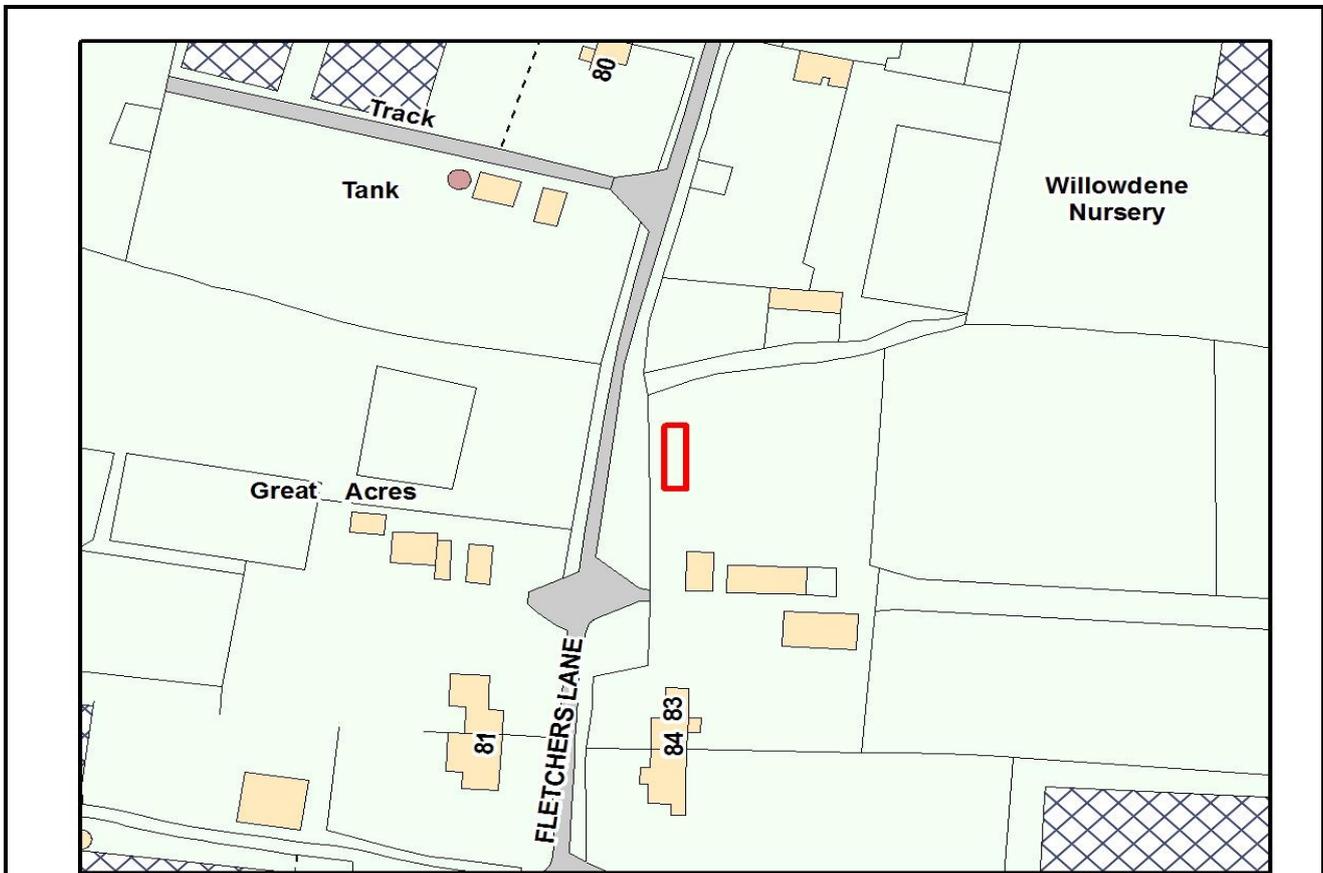
Proposal Erection of chicken shed.

Site 83 Fletchers Lane Sidlesham PO20 7QG

Map Ref (E) 484610 (N) 99238

Applicant Mr S Heath

RECOMMENDATION TO PERMIT



	<p>NOT TO SCALE</p>	<p>Note: Do not scale from map. For information only. Reproduced from the Ordnance Survey Mapping with the permission of the controller of Her Majesty's Stationery Office, Crown Copyright. License No. 100018803</p>
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1.0 Reason for Committee Referral

Parish Objection - Officer recommends Permit

2.0 The Site and Surroundings

- 2.1 The site is located to the eastern side of Fletchers Lane, in a countryside location, to the north west of the settlement of Sidlesham. It comprises a parcel of agricultural land, situated to the north of the associated residential property and extends to Boxham Lane to the east. The wider site comprises a number of single storey former agricultural buildings, converted under the prior approval process to residential use. Access is achieved via an existing track from Fletchers Lane, and mature trees and a 2m high timber fence form the boundary to the roadside.
- 2.2 Fletchers Lane is characterised by residential development, with associated horticultural development/small holdings. The area maintains a rural appearance.

3.0 The Proposal

- 3.1 The proposal seeks planning permission to construct a timber building to house the applicant's chickens. The building would be situated towards the western boundary of the associated agricultural field and access would be achieved from the existing access point onto Fletchers Lane. No additional hardstanding access track is proposed.
- 3.2 The building would be constructed with timber shiplap cladding, measuring 14.1m long by 3.4m wide, with a floor area of approximately 47m². It would measure 2.3m to the eaves and 3.1m to the ridge, with brown Onduline roofing sheets and an eaves overhang. There would be four openings to the east elevation, with mesh over providing security for the chickens.

4.0 History

15/02178/PA3Q	YESPAP	Part 3, Class PA3Q: Change of use of agricultural building to 1 no. dwelling (C3 Use Class).
15/03438/PA3Q	YESPAP	Part 3, Class PA3Q: Change of use of agricultural building to 1 no. dwelling (C3 Use Class).
16/01058/FUL	PER	Change of use from agriculture to 1 no. dwelling (C3 use class) and erection of pitched roof over building alternative to part 3, class Q prior approval SI/15/03438/PA3Q.
16/02089/FUL	PER	Change of Use from Agriculture to 1 no. Dwelling (C3 Use Class) and erection of pitched roofs over flat roof parts of building - alternative to Part 3, Class Q Prior Approval - SI/15/02178/PA3Q.

16/04049/NMA	PER	Non-material amendment of permission SI/16/02089/FUL, changes to fenestration - re-orientation of rooms and window positions.
17/02711/DOC	DOCDEC	Discharge of conditions 6 and 12 from planning permission SI/16/01058/FUL.
17/03449/FUL	PER	Erection of field shelter and creation of new field access onto Boxham Lane.

5.0 **Constraints**

Listed Building	NO
Conservation Area	NO
Rural Area	YES
AONB	NO
Tree Preservation Order	NO
EA Flood Zone	NO

6.0 **Representations and Consultations**

6.1 **Parish Council**

Sidlesham Parish Council discussed the above Planning Application at its Planning Committee Meeting on 18th April 2018. The PC object to the application. The shed would be too close to the road but might be more appropriate if sited towards the rear of the plot of land.

7.0 **Planning Policy**

The Development Plan

7.1 The Development Plan for the area comprises the Chichester Local Plan: Key Policies 2014-2029 and all made neighbourhood plans. There is no made neighbourhood plan for Sidlesham at this time.

7.2 The principal planning policies relevant to the consideration of this application are as follows:

Chichester Local Plan: Key Policies 2014-2029

Policy 1: Presumption in Favour of Sustainable Development

Policy 2: Development Strategy and Settlement Hierarchy

Policy 39: Transport, Accessibility and Parking

Policy 42: Flood Risk and Water Management

Policy 45: Development in the Countryside
Policy 47: Heritage
Policy 48: Natural Environment
Policy 49: Biodiversity

National Policy and Guidance

7.3 Government planning policy now comprises the National Planning Policy Framework (NPPF), paragraph 11 of which states:

At the heart of the NPPF is a presumption in favour of sustainable development,

For decision-taking this means:

- a) approving development proposals that accord with an up-to-date development plan without delay; or
- b) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

7.4 Consideration should also be given to Sections 1 (Achieving Sustainable Development) 4 (Decision-Making), 9 (Promoting Sustainable Transport), 11 (Making effective use of land), 12 (Achieving well-designed places), 14 (Meeting the challenge of climate change, flooding and coastal change), 15 (Conserving and enhancing the natural environment).

Other Local Policy and Guidance

7.5 The following Supplementary Planning Documents are material to the determination of this planning application:

Surface Water and Foul Drainage SPD

8.0 Planning Comments

8.1 The main issues arising from this proposal are:

- i. Principle of development
- ii. Impact upon visual amenities and character of the area
- iii. Impact upon the amenity of neighbouring properties
- iv. Ecological considerations

Assessment

i. Principle of development

- 8.2 Policy 45 of the Chichester Local Plan (CLP) states that within the countryside, development will only be granted where it requires a countryside location and meets the essential, small scale and local need which cannot be met within or immediately adjacent to existing settlements.
- 8.3 The applicant has 40 chickens on site, which are housed in Rabbit Hutch style box cages, which are a temporary solution. The chickens are a mix of breeds, including Brahma, Rhone Island Red and Buff Orpington's, some are bigger birds and are exhibited in events around the country. Small scale breeding takes place and the applicant takes chickens to exhibit across the country. The applicant's enterprise does not provide poultry or products for commercial sale, but it is a small scale use that would be compatible with its countryside location.
- 8.4 The birds are mainly kept in pairs to avoid aggressive behaviour. Separate larger pens are required for each breed. EU welfare for laying hens stipulates nine hens per square metre. For free range hens, the largest bird species would require 4 square metres per hen and the smallest 2 square metres per hen. There is limited guidance for show birds, but The Poultry Club of Great Britain stipulates 1-2 birds per square metre noting the size of the fowl. The useable floor space of the proposed building would be 45 square metres, which would accommodate the current stock and proposed future stock.
- 8.5 The holding no longer comprises any buildings which would be capable of meeting the requirement to house the birds. Two former agricultural buildings to the south of the proposed site have been converted under the prior approval process to residential properties. As such there are no existing buildings on site that could meet the proposed needs.
- 8.6 Overall it is considered the proposal, whilst not for commercial purposes, can demonstrate the requirement for its countryside location and an essential, small scale and local need which would not be met within or immediately adjacent to existing settlements. The proposed building would be functional in form, with clad elevations and openings as required for welfare purposes. Its proposed size has been justified in terms of welfare requirements for the birds. There are presently hens on site and the applicant resides on the same small holding as the building, just to the south. The principle of the proposal would therefore be acceptable, subject to the material considerations as set out below.

ii. Impact upon visual amenities and character of the area.

8.7 Policy 45 sets out that proposals requiring a countryside setting, for example agricultural buildings should pay special attention to scale, siting design and materials to ensure any impact on the landscape and rural character of the area is minimised. Policy 48 requires the development to respect distinctive local landscape character and sensitively contribute to its setting and quality.

8.8 The proposed building would be sited to the western boundary adjacent to Fletchers Lane. Whilst the building would be visible above the boundary fence, it would have low eaves of 2.3m and low pitch roof, with a ridge of 3.1m and it would be constructed of materials which would be reflective of its countryside location and functional need as a chicken shed. The Parish Council raise concern about the visibility of the building and feel it should be sited further back within the site. It is however considered by officers that its current proposed location would fit with the pattern of development that exists within Fletchers Lane, of buildings clustered together towards the front of the holdings and only larger buildings, such as glasshouses to the rear of the sites. Locating the building further within the site, away from the road would result in encroachment into the open field, representing a form of development which would be out of place with the prevailing pattern of development on Fletchers Lane.

8.9 Throughout the course of the application officers explored re-orientating the building so it would be east/west facing, so only the flank would be readily visible from the road. This option was not however considered possible due to impacts on the mature oak tree to the northern boundary and proximity to the new residential dwellings to the south of the building. Locating the building further to the south of its current proposed location would also not be possible due to the proximity to the newly converted residential property.

8.10 Overall it is considered that the proposal has been designed and constructed of materials sympathetic to its rural setting and its functional need. Its proposed siting would allow it to be read in the context of the existing buildings and not in isolation and therefore its impacts on the landscape and rural character of the area is minimised. The proposal would therefore accord with local development plan policies 1, 45 and 48.

iii. Impact upon the amenity of neighbouring properties

8.11 The closest neighbouring residential property would be 15m to the south of the site and is in the same ownership as the application site. It is considered that due to the distance, orientation and single storey nature of the proposal and the low level of activity, it is not considered that there would be an unacceptable impact on the amenities of neighbouring properties, in particular their outlook, privacy, available light or noise generated by the development.

iv. Ecological considerations

8.12 Policy 49 of the CLP seeks to ensure that the biodiversity value of a site is safeguarded and demonstrable harm which may arise to protected species or habitats is avoided or mitigated. The proposal by reason of its location on paddock land with low ecological value, its scale and form would not give rise to unacceptable biodiversity impacts and therefore would comply with policy 49 of the CLP.

Significant Conditions

8.13 As the proposal seeks the construction of a building to be used for purposes in connection with the hobby farming of keeping of hens, it is considered that it would be proportionate and justified to condition the building to be used for that purpose only and if that use ceases to be removed from the land and the land restored.

Conclusion

8.14 Based on the above assessment it is considered the proposal complies with development plan policies 1, 45, 47 and 48 and therefore the application is recommended for approval.

Human Rights

8.15 In reaching this conclusion the Human Rights of the applicants and nearby occupiers have been taken into account when reaching this recommendation and it is concluded that the recommendation to permit is justified and proportionate.

RECOMMENDATION

subject to the following conditions and informatives:-

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

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

2) The development hereby permitted shall not be carried out other than in accordance with the approved plans: Drawings: 1, 2, 3, 05

Reason: To ensure the development complies with the planning permission.

3) The development hereby permitted shall not be constructed other than in accordance with the materials specified within the application form and plans, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that a harmonious visual relationship is achieved between the new and the existing developments.

4) Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015, as amended, the building hereby permitted shall be used for agricultural purposes only as defined in section 336 of the Town and Country Planning Act 1990 (as amended) and if the building ceases to be used for that purpose the building shall be permanently demolished, all debris removed from the site and the land restored to its former condition or a condition to first be agreed in writing by the Local Planning Authority.

Reason: To accord with the justification and requirement for the building.

For further information on this application please contact Caitlin Boddy on 01243 534734

To view the application use the following link - <https://publicaccess.chichester.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=P68RQ6ERJZU00>