

Report to	<b>Planning Committee</b>
Date	<b>11 November 2016</b>
By	<b>Head of Planning Services</b>
Local Authority	<b>Chichester District Council</b>
Application Number	<b>SDNP/16/04030/FUL</b>
Applicant	<b>Miss Jess Prentice</b>
Application	<b>Erection of a pre-fabricated building for use as a gymnasium.</b>
Address	<b>Westfield Farm Sheepwash Elsted Midhurst West Sussex GU29 0LA</b>

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**Recommendation: That the application be approved for the reasons and subject to the conditions set out in paragraph 10 of this report.**

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## **Executive Summary**

The site at Westfield Farm comprises a detached house and several former agricultural buildings currently used for storage purposes. The siting of the proposed building whilst outside of the domestic curtilage of the dwelling is to be set amongst the existing buildings within the farm. The proposed development consists of the erection of an outbuilding of simple design and modest size and scale. It would be used as a gymnasium associated with the use of the dwelling and would be well screened from private and public views, having limited impact on the landscape due to its siting and existing boundary screening.

### **1 Site Description**

1.1 Westfield Farm is sited within the Rural Area and the wider South Downs National Park. It is located to the West of the village of Elsted to the south of the road connecting Elsted with Harting. Westfield Farmhouse is accessed along a 60 metre long driveway. On the east side of the driveway there are four buildings formerly used in connection with the agricultural use of Westfield Farm. They are currently used for storage purposes.

1.2 Westfield Farmhouse is sited to the south of the former farm buildings. It is a detached two-storey property constructed from grey painted timber boarding with a slate roof. The site is well screened from the north and east by a dense row of trees and a hedge that forms the boundary between the domestic curtilage and the former agricultural sheds referred to above. There is a public footpath approximately 200 metres to the south of the site.

## **2 Proposal**

2.1 This application seeks planning permission for the erection of a pre-fabricated timber clad building for use as a gymnasium associated with the domestic use of Westfield Farm house.

## **3 Relevant Planning History**

10/02997/DOM Single storey side extension. Approved, October 2010

03/01660/DOM Remove ground floor rear pitched roof, adding a roof terrace in its place with access provided through 2nd doors and alter bedroom four to main en-suite bathroom. Approved, July 2003

97/01228/DOM Extension of existing dwelling. Approved, August 1997

## **4 Consultations**

### **Parish Council Consultee**

4.1 The Parish Council met on 1st September and wishes to OBJECT to this application for the following reason:-

The applicant states that there are a number of redundant buildings, if this is the case, then surely it would be better to utilise the existing footprint than to build a new structure on undeveloped land.

In addition, the submitted plans appear to show a building of more than 22.5 sq. metres.

## **5 Representations**

5.1 No third party representations received.

## **6 Planning Policy Context**

Applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory development plan for this area is the Chichester District Local Plan First Review (1999) and the following additional plan(s):SDNPA Partnership Management Plan 2014

Policies relevant to this application are set out in section 7, below.

## 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 well-being of the local community in pursuit of these purposes.

## **7 Planning Policy**

### Relevant Government Planning Policy and Guidance

7.1 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) which was issued and came into effect on 27 March 2012. The Circular and NPPF confirm that National Parks have the highest status of protection and the NPPF states at paragraph 115 that great weight should be given to conserving landscape and scenic beauty in the national parks and that the conservation of wildlife and cultural heritage are important considerations and should also be given great weight in National Parks.

### National Planning Policy Framework (NPPF)

7.2 The following National Planning Policy Framework policies have been considered in the assessment of this application:

Section 7 (Requiring good design)

Section 11 (Conserving and enhancing the natural environment)

7.3 The development plan policies listed below have been assessed for their compliance with the NPPF and are considered to be compliant with the NPPF.

7.4 The following policies of the Chichester District Local Plan (1999) are relevant to this application:

BE11 – New development

RE1 – Development in the rural area

### Partnership Management Plan

7.5 The South Downs Partnership Management Plan (SDPMP) was adopted on 3 December 2013. It sets out a Vision and long term Outcomes for the National Park, as well as 5 year Policies and a continually updated Delivery Framework. The SDPMP is a material consideration in planning applications and has some weight pending adoption of the SDNP Local Plan.

The following Policies and Outcomes are of particular relevance to this case:

General policy 1

General policy 3

### The South Downs Local Plan: Preferred Options

7.6 The South Downs Local Plan: Preferred Options was approved for consultation by the National Park Authority on 16<sup>th</sup> July 2015 to go out for public consultation under Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The consultation period ran from 2<sup>nd</sup> September to 28<sup>th</sup> October 2015. The responses received are being considered by the Authority. The next stage in the plan preparation will be the publication and then submission of the Local Plan for independent examination. Until this time, the Preferred Options Local Plan is a material consideration in the assessment of this planning application in accordance with paragraph 216 of the National Planning Policy Framework, which confirms that weight can be given to policies in emerging plans following publication. Based on the early stage of preparation the policies within the Preferred Options Local Plan are currently afforded limited weight and are not relied upon in the consideration of this application.

The following Policies are of particular relevance to this case:

SD5 – Landscape character

SD6 – Design

SD7 – Safeguarding views

SD9 – Dark night skies

## **8 Planning Assessment**

8.1 The main issues with this planning application are considered to be:

- The principle of the siting of the proposed building outside of the curtilage of the property given its proposed use for purposes incidental to the residential use of Westfield Farm.
- The impact of the proposed building on the landscape character and views of the South Downs National Park.

### The principle of the siting of the proposed building outside of the curtilage of the property given its proposed use for purposes incidental to the residential use of Westfield Farm

8.2 The proposal is for the erection of a 5.5m x 5.3m timber outbuilding to be used as a home gym. The proposal is for the building to be sited outside of the garden of Westfield Farm house but to be located immediately to its north and adjacent to existing buildings which have historically been used in association with the use of the site as a farm. The buildings are currently used for the storage of a range of products including motor vehicles, boats, general non-perishable materials, machinery for the maintenance of the fields, such as a trailer and lawn mower as well as other materials used for farming. The site is well screened by existing vegetation and other adjacent buildings.

8.3 It is considered that although the building is not strictly within the domestic curtilage of the dwelling, it would be located where it would be well screened and would cause little harm. In principle therefore it is considered that the siting of the building adjacent to the garden of Westfield Farm is acceptable in this instance. The Parish Council has suggested that existing buildings on the site could be used for the home gym however these are currently in use for storage purposes as outlined above and are not considered suitable by the applicant for the purpose proposed.

#### The impact on the landscape character and views of South Downs National Park

8.4 The proposed outbuilding measures 29 sq. metres, including the small overhanging front canopy. In terms of its design, the building would be roughly square in shape with a mono-pitched roof of shallow pitch. Fenestration is appropriately simple and relates to the simple character of the building. It is proposed to construct the building from shiplap boarding.

8.5 In terms of its wider impact Westfield Farm is set back from the road and the proposed building would not be visible from it. However, the house is partially seen from the public right of way that runs from east to west approximately 200 metres to the south of the property however it is not possible to view the proposed building because of the modest scale of the development and the existing boundary treatment.

8.6 The National Park operates a dark skies policy (General Policy 3 of the SDNP Partnership Management Plan 2014-19 and emerging policy SD9 of the South Downs Local Plan), therefore artificial external light would be limited through condition. The proposed large glazed opening on the front elevation could potentially entail internal light spillage and result in light pollution. However, it is considered that this would be negligible due to the proposed overhanging canopy that would obstruct upwards light and the incidental use of the gymnasium which would not be constantly used, especially at night time.

8.7 The use of the outbuilding would be controlled by condition to be incidental to the main house.

## **9 Conclusion**

9.1 The proposed outbuilding would be a modest and simply designed outbuilding that would be constructed from materials appropriate to its siting and would not result in harm to the character and appearance of the rural area or the wider landscape.

9.2 This development would be in accordance with policies RE1 and BE11 of the Chichester District Local Plan (1999) and General Policies 1 and 3 of the SDNP Partnership Management Plan 2014-2019. It would be consistent with sections 7 and 11 of the National Planning Policy Framework and the purposes of designation of the national park.

## 10 Reason for Recommendation and Conditions

It is recommended that the application be approved for the reasons and subject to the conditions set out below.

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

Reason: To comply with the provisions of Section 91 (1) of the Town and Country Planning Act 1990 (as amended)/ To comply with Section 51 of the Planning and Compulsory Purchase Act 2004

2. The application has been assessed and determined on the basis of the schedule of plans in 'Appendix 2 - Plans Referred to in Consideration of this Application'

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

3. The development hereby approved shall not be carried out otherwise than in complete accordance with the submitted plans and specifications, including the materials to be used as stated on drawing 1/1 (Proposed floor plans and elevations). All aspects of the scheme hereby approved shall be completed before the development is brought into use, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To accord with the terms of the application and in the interests of the amenities and character of the area.

4. No external lighting shall be installed either on the building or anywhere within the site. This exclusion shall not prohibit the installation of sensor-controlled security lighting which shall be designed and shielded to minimise light spillage beyond the site boundary.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity.

5. The existing hedge immediately to the South of the proposed outbuilding shall be retained at a height of no less than 2 metres and any part of the hedge which is removed without consent or dies or becomes severely damaged or diseased during a period of five years from the date of the completion of the development, shall be replaced in the next planting season with a hedge of a similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of preserving the visual amenities of the area.

6. The building hereby permitted shall not be occupied at any time other than for purposes incidental to the residential use of the dwelling known as Westfield Farm;

Reason: To accord with the terms of the application and to prevent unrelated use to the main house contrary to the planning policies of the Authority.

## **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**

14.1 In reaching this decision the local planning authority has worked with the applicant in a positive and proactive way, in line with the NPPF.

**Tim Slaney**  
**Director of Planning**  
**South Downs National Park Authority**

Contact Officer:           Rafa Grosso Macpherson

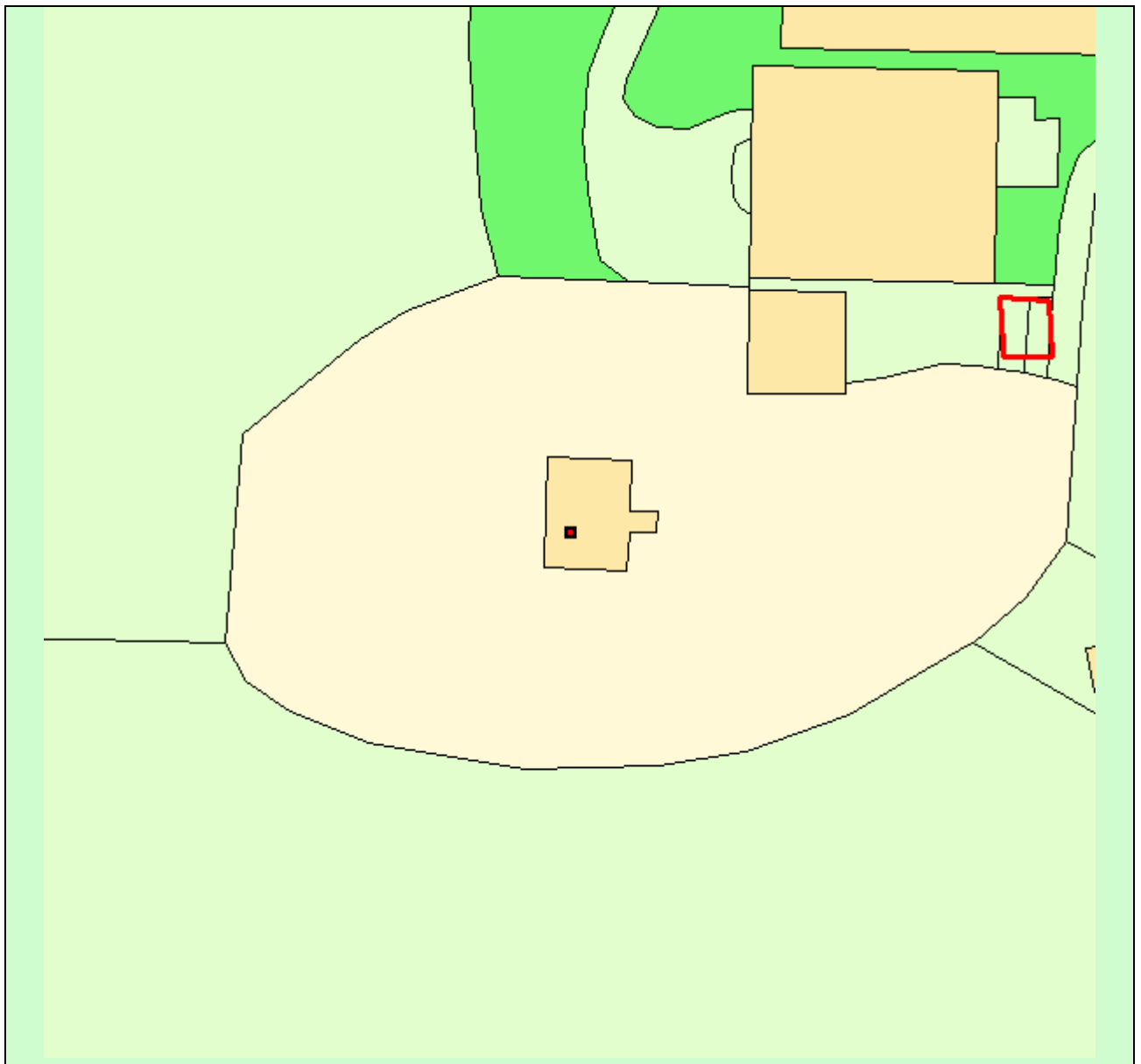
Appendices               Appendix 1 - Site Location Map  
                                  Appendix 2 – Plans Referred to in Consideration of this  
                                  Application

SDNPA Consultees

Background  
Documents

## 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
Plans - Floor plan and elevations	1/1		09.08.2016	Approved
Plans - Block plan			09.08.2016	Approved
Plans - Location plan			23.08.2016	Approved

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