

Report to **Planning Committee**
Date **12 October 2016**
By **Head of Planning Services**
Local Authority **Chichester District Council**
Application No. **SDNP/16/03667/FUL**
Applicant **Mr and Mrs Bruce and Peta Ives**
Application **Livestock building.**
Address **Dunreyth Alpacas
Adsdean Park Road
Adsdean
Funtington
West Sussex
PO18 9DN**

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

Executive Summary

This application was withdrawn from the 12 October 2016 Planning Committee agenda by officers in order to resolve an issue with the siting of the proposed building in relation to a protected oak tree adjacent to the site. This matter has now been resolved and has resulted in the building being re-sited 5 metres to the north of its previously proposed position away from the site boundary and the protected tree. There has also been a minor revision to the design of the building.

Dunreyth Alpacas is an established farming enterprise breeding and selling alpacas, alpaca wool and products and offering guided alpaca walks. It appears to be a successful rural business that is contributing to the local economy and is enabling visitors to enjoy the special qualities of the South Downs. This application seeks permission to erect a livestock building to provide shelter for the alpaca herd consisting of approximately 35 animals. The livestock building measures 17 metres in length and 10 metres in width with an eaves height of 3 metres and a ridge height of 4.2 metres. It is considered that it has been demonstrated that the building is reasonably required for the purposes of agriculture, would have limited impact on the landscape character of the national park and would not result in harm to neighbouring amenity through overlooking, loss of light or through noise or odours resulting from the building. On balance it is considered that this proposal is acceptable and the application is recommended for approval.

1 Site Description

1.1 Dunreith Alpacas is an established farming enterprise breeding and selling alpacas, alpaca wool and products and offering guided alpaca walks within the South Downs National Park. The animals are currently accommodated in a series of small field shelters within a 5.26 hectare grassland enclosure. The site includes a bungalow with a large vehicle hardstanding and an existing barn to the south west of the site. The site is screened to the north and west by Down Copse and to the east by The West Plantation. The site is to the north east of Adsdean House adjacent to the former service accommodation (The Coach House) and is accessed from the former drive to the house. Established vegetation forms the south boundary between the site and the curtilage of The Coach House.

1.2 There is an existing barn on site used in connection with the business. The first floor of the existing barn is used as an office. On the ground floor is a small retail area displaying goods made from the alpaca wool and a work bench to clean the fleeces. The remaining ground floor is used for the storage of animal feed, agricultural equipment and related items used for animal husbandry.

2 Proposal

2.1 This application seeks permission to erect a livestock building to provide shelter for the alpaca herd consisting of approximately 35 animals. The livestock building measures 17 metres in length and 10 metres in width with an eaves height of 3 metres and a ridge height of 4.2 metres. It is positioned adjacent to the existing barn on the site and constructed from similar materials.

2.2 Whilst in some circumstances a building of this size, scale and use could be permitted development in this case the new livestock building would be within 400 metres of the curtilage of a protected building (i.e. neighbouring dwelling) and as such requires planning permission.

3 Relevant Planning History

FU/11/05096/FULNP - Erection of agricultural dwelling and associated garden.
Permit 14.02.2012

SDNP/15/02187/FUL - The siting of two shepherds huts on existing agricultural land.
Approved 24.07.2015

4 Consultations

4.1 Parish Council

If the applicants had not already obtained consent to convert original barn to living accommodation then the need for a new barn would be non-existent. Concern is that the new barn will be a house in time to come. Further information is required so far as public health implications are concerned bearing in mind the immediate proximity of residential property.

4.2 CDC Environmental Health Officer

The building lies approximately 11m from the nearest neighbouring property. There are to be no opening windows on this façade of the building and the building is to be clad in metal cladding. The floor is to be concrete and the lower wall block construction. There is

no external lighting proposed at the building. Given that there is no machinery proposed to be sited in the building, noise levels are not predicted to be significant from the proposed use.

In order to minimise any odours arising from this structure, manure must be frequently removed and stored at a location away from the boundary with the adjacent residential property.

During construction of the building measures to minimise dust and other emissions should be taken. All wastes must be disposed of in accordance with current Waste Regulations.

5 Representations

5.1 None received.

6 Planning Policy Context

Applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory development plan in this area is the Chichester District Local Plan 1999.

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

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)

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

National Planning Policy Framework: Core Principles, Sections 7 (Good Design) and Paragraphs 17 (Sustainable Development) and 115 (Conserving the Landscape and Scenic Beauty of National Parks).

The draft South Downs Local Plan Preferred Options 2015 was approved by the South Downs National Park Authority on 16 July 2015. The public consultation on the document took place in September and October 2015. The document and the policies contained therein are now a material consideration when determining planning applications within the National Park, however at this stage the policies will carry limited weight.

The following policies are considered relevant to this application:

- SD5 Landscape character
- SD6 Design.
- SD9 Dark Night Skies
- SD20 Sustainable Tourism and Visitor Economy
- SD27 Sustaining the Rural Economy
- SD46 Agriculture and Forestry
- SD47 Farm Diversification

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

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

- RE1 Development in the Rural Area Generally
- BE11 New Development
- BE14 Wildlife Habitat, Trees, Hedges and Other Landscape Features

Partnership Management Plan

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:

- Policy 1 - Conserve and enhance the natural beauty and special qualities of the landscape and its setting, in ways that allow it to continue to evolve and become more resilient to the impacts of climate change and other pressures.
- Policy 3 - Protect and enhance tranquillity and dark night skies.
- Policy 43: Support the development and maintenance of appropriate recreation and tourism facilities and visitor hubs, in and around the National Park, including a mix of quality accommodation, which responds to market demands and supports a sustainable visitor economy.

8.1 The main issues with this proposal are considered to be:

- The principle and need for the development
- The impact of the proposed livestock building on the character and appearance of the South Downs National Park.
- **The impact of the proposed building on adjacent trees.**
- The impact of the proposed livestock building on the amenities of the occupiers of neighbouring properties

The principle and need for the development:

8.2 Dunryth Alpacas is an established farming enterprise breeding and selling alpacas, alpaca wool and products and, offering guided alpaca walks. Planning permission has recently been approved for tourist accommodation in the form of two shepherd's huts on the site and this represents a further diversification of the business. The site lies in the Rural Area away from any defined settlement boundaries.

8.3 Dunryth Alpacas appears to be a successful rural business that is contributing to the local economy and is enabling visitors to enjoy the special qualities of the South Downs. The alpaca herd is central to the success of the business and the welfare of the animals is a key priority. The applicant has stated that the main purpose of the new barn will be to provide accommodation for the alpaca herd and is particularly important for the welfare of the animals. The site currently has a lack of natural shelter and it has been necessary to provide a series of temporary shelters to house the alpacas during inclement weather.

8.4 The proposal is intended to improve this arrangement by providing a permanent shelter for the alpacas but also providing space for their care when the need arises during birth or in the case of illness. The building is of a modest size and will improve the quality of the accommodation on the site rather than leading to an increase in the size of the herd or an intensification of the business. Temporary field shelters have been previously erected within the paddocks to provide shelter for the animals but as the business has developed there is insufficient space to house the whole herd of approximately 35 animals. Each alpaca requires approximately 2 square metres of space to shelter from inclement weather. The size of the proposed building is therefore appropriate for the size of the herd; the height of the building will facilitate the use of machinery for cleaning the bedding and removal of dung. The proposed barn will be sited adjacent to an existing barn, however this is fully utilised and cannot be practically used to accommodate animals.

8.5 In conclusion on this first issue, it is considered that it has been demonstrated that the building is reasonably required for the purposes of agriculture. An appropriate condition could secure the use of the building for agricultural purposes and to enable the control of its use for a purpose unrelated to agriculture.

The impact of the proposed livestock building on the character and appearance of the South Downs National Park:

8.6 The site is enclosed on three sides by woodland. The proposed building is located on the south west of the site and is to be constructed from materials to match the existing barn, which is sited to the south west of the proposed livestock building. The building is to be constructed from box profile coated steel cladding at base level with Yorkshire boarding above and a grey fibre cement roof which would be consistent with the existing barn on the site and typical of agricultural storage buildings in the National Park.

8.7 It is considered good practice to site buildings in rural locations together, in order to reduce their impact and the siting of the buildings together on the south western boundary helps to reduce their prominence and the impact on the landscape character of the National Park. The site is well screened from public vantage points however it will still be possible to glimpse the building from Asdean Park Road to the east. These views will however be limited by the wooded boundary of the site. **The re-siting of the building 5 metres to the north of where it was originally proposed will not result in a building that is significantly more prominent in the landscape than originally proposed. The building will still be seen against a backdrop of trees and remains sited adjacent to the existing barn on the site.** For these reasons it is considered that the building has limited impact on the character and appearance of the landscape. The building is to be constructed from materials appropriate to its agricultural character and rural setting and which match those of the existing barn. Conditions requiring the submission of materials and lighting are proposed.

8.8 The size of the proposed building is appropriate for the agricultural needs of the holding and for the size of the herd; the height of the building will facilitate the use of machinery for cleaning the bedding and removal of dung. In summary on this issue the proposal would be consistent with policy BE11 the Chichester District Council Local Plan as the development is reasonably necessary for the purposes of agriculture and would conserve the character of the national park.

The impact of the building on adjacent trees

8.9 **The building was originally proposed to be sited 1.0 metre off the southern boundary of the site and adjacent to a number of mature trees including a protected oak tree. Officers raised concerns in relation to the impact of the proposal on these trees and as a result the proposal has been amended. A tree report has been submitted and accurate root protection areas (RPA's) plotted for each of the trees. This has resulted in the need for the building to be re-sited further from the trees and the southern boundary of the site. The building is now to be sited outside of the RPA's and 5 metres further to the north of its previous siting (6 metres off the boundary) and, together with the use of pad foundations in its construction it is considered that the re-sited building will not result in any harm to these trees.**

The impact of the proposed livestock building on the amenities of the occupiers of neighbouring properties

8.10 The building would be sited on the south west boundary of the site to the west of the nearest neighbouring property, The Coach House (approximately 42 metres from the house and approximately 11 metres from the nearest outbuilding). The boundary between the site and The Coach House is defined by established vegetation and trees.

8.11 Policy BE11 of The Chichester District Council Local Plan requires that development must not detract from its surroundings, and a proposals effect on the local environment and its relationship to and its effect on neighbouring development must be taken into account. In this case the building will be used to home animals and therefore there could be the potential for some impact on the neighbouring residential properties particularly through odours and noise. The Council's Environmental Health Officer has been consulted on this issue and confirms that because of the design of the building and materials used in the construction of the building, as well as there being no machinery used (other than to clean bedding) noise levels are not predicted to be significant from the proposed use. In terms of odours it is considered that through the use of conditions

to secure the removal of manure away from the boundary with the neighbour, odours arising from the building and its use can be minimised.

8.12 It is not considered that this proposal would result in harm to neighbouring amenity through overlooking, loss of light or through noise or odours resulting from the building and it is therefore considered to be consistent with the aims of policy BE11 of the Chichester District Local Plan.

9 Conclusion

9.1 The proposal is considered to be reasonably necessary for the purposes of agriculture within the unit and would not conflict with policies RE1, BE11 or BE14 of the Chichester Local Plan 1999, the aims and objectives of the National Planning Policy Framework or the statutory purposes of the South Downs National Park Designation. In view of the above considerations the application is recommended for approval subject to conditions.

10 Reason for Recommendation and Conditions

10.1 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 carried out in accordance with the approved plans set out in the schedule at Appendix 2.

Reason; for the avoidance of doubt and in the interests of proper planning.

2. 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

3. At no time shall the building hereby permitted be used other than in connection with the agricultural activities being undertaken at Dunryth Alpacas, Adsdean Park Road, Adsdean.

Reason: In the interests of amenity and to enable the SDNPA to regulate and control the development.

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

Reason: To ensure protection of the internationally recognised dark night skies reserve status of the South Downs National Park from extraneous light spill.

5. Details of the arrangements for the storage and disposal of animal waste shall be submitted and approved by the Local Planning Authority before the use commences and retained for perpetuity.

Reason; In the interests of amenity to ensure the use of the site does not have a harmful environmental effect.

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

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 and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

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

SDNPA Consultees

Background
Documents

Appendix 1

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 - Location Plan	1	D	12.07.2016	Approved
Plans - site plan	2	D	12.07.2016	Approved
Plans - Elevations and floor plan	3	A	12.07.2016	Approved
Plans - Foundation detail	3916	10		Approved
Plans - Site plan 1:100	3916	11		Approved

Reasons: For the avoidance of doubt and in the interests of proper planning. There were no plans submitted for this application.