

Agenda Item

Report to **Planning Committee**
Date **7 July 2021**
By **Director of Planning and Environment**
Local Authority **South Downs National Park Authority**
Application Number **A) SDNP/20/04510/FUL and B) SDNP/20/04511/LIS**
Applicant **Charles Rolls**
Application **A) Alterations to existing agricultural barn to facilitate the use of the building as a staff welfare facility.
B) Works to agricultural existing agricultural barn to facilitate the use of the building as a staff welfare facility.**
Address **Barn to The West of Didling Manor Farm Didling Lane Didling
Treyford Midhurst West Sussex GU29 0LQ**

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

Executive Summary

Reason for Committee Referral: Parish objection - officer recommends PERMIT

The applications seek approval for internal and external works to an agricultural barn to allow its use as a staff welfare facility.

The barn already exists on site and is considered to have limited impact on the wider landscape of the National Park, being well screened within an existing cluster of buildings. In this respect the proposal is considered to comply with the purposes of designation of the South Downs National Park.

The proposed use of the barn is considered to be ancillary to the agricultural function of the unit and a sympathetic and suitable alternative use for the redundant barn, whilst allowing for minor improvements to protect the traditional character and appearance of the agricultural barn. Neither the works nor the use of the building would result in harm to this curtilage listed building.

For these reasons the applications for the proposed works to the agricultural barn to allow its use as a staff welfare facility are recommended for approval.

1.0 Site Description

- 1.0 The barn is unlisted but is to the west of three barns that were listed as Grade II in 1987 and are described as:
SU 81 NW TREYFORD INGRAM'S GREEN LANE 16/2B Three Barns at Didling Manor to the south west, south - and south east of the house. GV II The Barns to the south west and south of the house are probably C18. Faced with weather-boarding. Hipped tiled roofs. Central wagon entrances. The Barn to the south east is C19. Faced with flints. Hipped tiled roof.

The barn that is the subject of this application is considered to be within the historic curtilage of the Listed Buildings and integral to the historic layout. The OS map of 1874 shows that the barn was then part of an L-shaped building, which is similarly shown on the map of 1978.

The existing barn is considered to be a surviving middle section of a longer barn that previously extended to both north and south. The timber cladding is not original but was applied to enclose exposed ends of the reduced structure. Therefore, given its siting and function of part of the historic farm building group, the building is considered to be a curtilage listed building.

2.0 Proposal

- A) Alterations to existing agricultural barn to facilitate the use of the building as a staff welfare facility.**
- B) Works to agricultural existing agricultural barn to facilitate the use of the building as a staff welfare facility.**

The proposed works are mainly internal with the inclusion of a WC, kitchenette and seating area. The roof will be repaired with matching timber batten, clay tiles and new insulation.

3.0 Relevant Planning History

None relevant.

4.0 Consultations

4.1 Parish Council Consultee

Whilst in principle Elsted and Treyford PC have no objection to the proposed improvements being carried out to this barn, there appears to be no documents justifying the need, because we are not aware that the farm employs any labour. Furthermore, there is already a staff facility on the farm. Planning application 10/00361/FUL permitted on 24th May 2010, this was for a "change of use and alterations to a redundant agricultural barn for farm office/meeting room and temporary residential accommodation for seasonal workers" for Didling Manor Farm. This was justified on the grounds that at that time the shepherd/manager and the sheep flock needed such facilities. Since then the management of the farm has changed and the sheep flock sold. The arable acreage farmed is contracted by a local farmer. In the light of this we request that the planners ask the applicant for information necessary to justify the need for a staff welfare facility. If such information cannot be provided, the Parish Council OBJECTS on the grounds there is no justified need.

4.2 Parish Council further comments

Elsted and Treyford Planning committee met on 4th May

The Parish Council note that the Planning Authority do not consider the 2010 permission granted to Didling Manor Farm for a large agricultural barn to be converted for a similar use to this barn to be pertinent to this application. That is because the 2010 permitted barn is 'outside the ownership of the applicant', and therefore not relevant to the application.

The applicant states that it is necessary to have a 'staff welfare facility' for those engaged in specific and land management activities on the estate, for those so involved to use as 'a place for meetings, breaks and lunch'. The people said to be involved on the farm, and therefore require this facility, are the farm's owner, his son, the part-time farm manager, and contractors engaged in work on the land.

Whilst it is not indicated within a blue line on the farm map that accompanies the application, we have recently been made aware that the applicant, who is the farm's owner, owns Gaia Cottage, Didling, GU29 0LQ, North East of the application site, which he uses as a residence. The applicant's son lives in the separate dwelling located within the grounds of Gaia Cottage. These two dwellings are a couple of minutes' walk away from the farm buildings at Didling Manor Farm.

Whilst the farm employs a part-time gamekeeper, we are not aware that there is a part-time farm manager.

The arable land is contract-farmed by a farmer who lives in the adjacent village. He goes to Didling to undertake land work and leaves. The contract grazier also lives nearby. Consequently, neither 'contractors' are working many miles from home; do they require the use of the bespoke 'welfare facilities' that are being applied for? It should be noted that there is an existing lavatory at the farm buildings.

For these reasons we believe the grounds given for requiring a 'welfare facility', and therefore the stated need for this planning application, are unproven.

Consequently, the Parish Council retains its OBJECTION

CH - Environmental Strategy

Bats

Following submission of the Phase I and II Results Report & Bat Mitigation Strategy (Oct 2020) we are happy that the mitigation proposed would be suitable. A condition should be used to ensure this takes place. The applicants should be aware that a Natural England Protected Species License will be required for the works, and this will need to be obtained prior to any works taking place.

The 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.

Nesting Birds

Any works to the trees or vegetation clearance on the site should only be undertaken outside of the bird breeding season which takes place between 1st March ' 1st October. If works are required within this time an ecologist will need to check the site before any works take place (within 24 hours of any work).

A check will also be required for birds' nests within the building prior to work commencing. If nesting birds are found, works in the area will need to be avoided and the nest protected until after the young have fledged.

We would like a bird box to be installed on the building and / or tree within the garden of the property.

5.0 Representations

None received

6.0 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 **South Downs Local Plan 2014-2033** and any relevant minerals and waste plans.

The development plan policies and other material considerations considered 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.

7.0 Planning Policy

7.1 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), updated February 2019. The Circular and NPPF confirm that National Parks have the highest status of protection, and the NPPF states at paragraph 172 that great weight should be given to conserving and enhancing landscape and scenic beauty in national parks and that the conservation and enhancement of wildlife and cultural heritage are also important considerations and should be given great weight in National Parks.

National Planning Policy Framework (NPPF)

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

- NPPF12 - Achieving well-designed places
- NPPF15 - Conserving and enhancing the natural environment
- NPPF16 - Conserving and enhancing the historic environment

Sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 is also relevant to the determination of the application.

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 **South Downs Local Plan** are relevant to this application:

- Core Policy SD1 - Sustainable Development
- Core Policy SD2 - Ecosystems Services
- Strategic Policy SD4 - Landscape Character
- Strategic Policy SD5 - Design
- Strategic Policy SD7 - Relative Tranquillity
- Strategic Policy SD8 - Dark Night Skies
- Strategic Policy SD9 - Biodiversity and Geodiversity
- Strategic Policy SD12 - Historic Environment
- Development Management Policy SD13 - Listed Buildings
- Development Management Policy SD41 - Conversion of Redundant Agricultural or Forestry Buildings

Partnership Management Plan

The Environment Act 1995 requires National Parks to produce a Management Plan setting out strategic management objectives to deliver the National Park Purposes and Duty. National Planning Policy Guidance (NPPG) states that Management Plans "contribute to setting the strategic context for development" and "are material considerations in making decisions on individual planning applications." The South Downs Partnership Management Plan as amended for 2020-2025 on 19 December 2019, sets out a Vision, Outcomes, Policies and a Delivery Framework for the National Park over the next five years. The relevant policies include:

- General Policy 1
- General Policy 3
- General Policy 9
- Farming Policy 13

8.0 Planning Assessment

The main issues arising from this proposal are:

- The principle of the use of the building as a welfare facility;
- The impact of the development on the character and appearance of the SDNP and the building as a curtilage listed building;
- The impact of the development on the neighbouring amenity;
- The impact on ecology;

- Other matters

The principle of using an agricultural barn to provide a staff welfare facility.

- 8.1 Policy SD41 states that the change of use of redundant agricultural buildings outside of defined settlement boundaries will be supported to an alternative use where the location is sufficiently well related to existing infrastructure, amenities and services, the original building is worthy of conversion without the need for substantial reconstruction, the conversion will not result in the need for another agricultural building on the holding and there is no impact on the character of the building and its setting.
- 8.2 It is emphasised that following further information from the applicant, officers are satisfied that the use of the building for the provision of welfare facilities is an ancillary function to the operation of the agricultural holding as a whole and as such does not represent a material use of the building in planning terms. Therefore these applications relate solely to the effect of the internal and external works considered necessary to allow the building to be used for that purpose.
- 8.3 The proposed works are to allow for the use of the building as a welfare facility for persons contracted to work on the holding and employees to have breaks and eat lunch. The works include replacing doors, repairing the roof, insertion of timber stud walls to create a WC, kitchenette and seating area. The works retain the agricultural character and appearance of the existing barn without substantial reconstruction whilst allowing for repairs to protect the building itself. The principle of works are therefore acceptable.

The impact of the development on the character and appearance of the SDNP and the building as a curtilage listed building.

- 8.4 The Conservation and Design Officer initially raised concerns with some new doors and windows, these have since been removed and no new openings are proposed. Policy SD5 permits development where the proposal adopts a landscape led approach and respect the local character through sensitive and high quality design that makes a positive contribution to the overall character and appearance of the area. Policy SD12 and SD13's objectives are to conserve and enhance historic environment. SD12(5) encourages the re-use of redundant or under-used heritage assets with optimal viable use, which serves their long-term conservation and enhancement, including their setting. The external appearance of the barn remains relatively untouched albeit replacement doors cladding. The internal works result in a minimal subdivision of the existing space and are not considered to have a negative impact on the internal appearance of the building as a whole. The proposal would therefore not impact on the character and appearance of the SDNP and would not cause harm to the character of the building or its setting.

The impact of the development on the neighbouring amenity.

- 8.5 The location of the barn is within an existing cluster of agricultural buildings and allows for staff to have somewhere to rest and eat during the course of the day whilst being on site. There would be no impact upon residential amenity as a result of this.

The impact on Ecology

- 8.6 Three emergence surveys have revealed that the site has high suitability as a day roost for Common Pipistrelle bats. The proposed mitigation includes careful timing of works and the addition of bat boxes. The Council's Ecologist is satisfied with the proposed Bat Mitigation Strategy and a condition will be included to ensure this takes place.

Other Issues

- 8.7 The Parish Council initially advised that they are unaware that the farm employed any labour and that there is a staff facility already on the farm which was approved under 10/00361/FUL. However the applicant has repeatedly confirmed that this barn (located to the South East of the site), does not fall under the applicant's ownership and has no control over it. The location plan for the proposal does not include the said barn within the line of ownership.
- 8.7 As the applicant has advised that the approved 2010 barn is not within their ownership, it cannot be considered as part of these two applications. The Parish Council have been advised that if they consider there to be a breach of any condition attached to the planning permission for the 2010 barn, then this would need to be investigated by the Council's Enforcement Team.
- 8.8 The Parish Council have also advised that the farm workers live a few minutes' walk away from the buildings so question why the welfare building is required. The LPA cannot condition that the workers go home to use their own home facilities just because they are relatively nearby. The proposal for welfare facilities in relation to work on the farm and will be considered as such.

9.0 Conclusion

The proposed development is considered to be in accordance with national and local planning policies and approval is therefore recommended.

10 Recommendation for application SDNP/04510/FUL

It is recommended that the application be approved for the reasons 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 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall be carried out in accordance with the plans listed below under the heading "Plans Referred to in Consideration of this Application".

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

3. The materials used in the construction of the development hereby approved shall be as detailed within the permitted application particulars and shall be retained permanently as such, unless prior written consent is obtained from the Local Planning Authority to any variation.

Reason: To safeguard the appearance of the building and the character of the area.

4. The roof insulation shall be carried out in accordance with the details set out within the submitted Roof details information. The development shall be carried out in accordance with the approved details and finishes unless otherwise agreed in writing by the Local Planning Authority.

Reason: To retain control over the development and to ensure an appropriate repair methodology which respects the special architectural and historic interest of the building.

5. The implementation of this planning permission shall be carried out strictly in accordance with mitigation set out in the Phase I and II Results Report & Bat Mitigation Strategy (Oct 2020), produced by Ecosupport. A Natural England Protected Species Licence will be required for the works, and this will need to be obtained prior to any works taking place.

Reason: To ensure that the protection of ecology and/or biodiversity is fully taken into account during the construction process in order to ensure the development will not be detrimental to the maintenance of the species and to accord with policy SD02 of the South Downs Local Plan 2014 - 2033.

Recommendation for application SDNP/04511/LIS

It is recommended that the application be approved for the reasons set out below.

1. The works hereby consented shall be begun before the expiration of three years from the date of this consent.

Reason: To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

2. The development hereby permitted shall be carried out in accordance with the plans listed below under the heading "Plans referred to in Consideration of this Application".

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

3. The materials used in the construction of the development hereby approved shall be as detailed within the permitted application particulars and shall be retained permanently as such, unless prior written consent is obtained from the Local Planning Authority to any variation.

Reason: To safeguard the appearance of the building and the character of the area.

4. The roof insulation shall be carried out in accordance with the details set out within the submitted Roof details information. The development shall be carried out in accordance with the approved details and finishes unless otherwise agreed in writing by the Local Planning Authority.

Reason: To retain control over the development and to ensure an appropriate repair methodology which respects the special architectural and historic interest of the building.

5. The implementation of this planning permission shall be carried out strictly in accordance with mitigation set out in the Phase I and II Results Report & Bat Mitigation Strategy (Oct 2020), produced by Ecosupport. A Natural England Protected Species Licence will be required for the works, and this will need to be obtained prior to any works taking place.

Reason: To ensure that the protection of ecology and/or biodiversity is fully taken into account during the construction process in order to ensure the development will not be detrimental to the maintenance of the species and to accord with policy SD02 of the South Downs Local Plan 2014 - 2033.

6. Upon completion of any element of the works for which Listed Building Consent is hereby granted, any damage caused to the fabric of the building shall be made good to the satisfaction of the Local Planning Authority.

Reason: To safeguard the historic fabric and the architectural character and appearance of the listed building.

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

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

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

SDNPA Consultees Historic Buildings Advisor, Parish Council

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 Received	Status
Plans - Existing ground plan.	100/01		15.10.2020	Approved
Plans - Existing roof plan.	100/02		15.10.2020	Approved
Plans - Proposed ground floor plan.	110/01	A	23.03.2021	Approved
Plans - Proposed roof plan.	110/02	A	23.03.2021	Approved
Plans - Existing elevations.	200/01		15.10.2020	Approved
Plans - Existing elevations.	200/02		15.10.2020	Approved
Plans - Existing elevations.	200/03		15.10.2020	Approved
Plans - Proposed north and south elevations.	210/01	A	23.03.2021	Approved
Plans - Proposed East elevation.	210/02	A	23.03.2021	Approved
Plans - Proposed West elevation.	210/03	A	23.03.2021	Approved
Plans - Existing sections.	300/01		15.10.2020	Approved
Plans - Existing sections.	300/02		15.10.2020	Approved
Plans - Proposed sections AA.	310/01	A	23.03.2021	Approved
Plans - Proposed sections BB.	310/02	A	23.03.2021	Approved
Plans - Proposed door detail.	710/01		15.10.2020	Approved
Plans - Block plan.	BP01		15.10.2020	Approved
Plans - Location plan.	LP01		15.10.2020	Approved

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