

 <p><b>Reigate &amp; Banstead</b> BOROUGH COUNCIL Banstead   Horley   Redhill   Reigate</p>	<b>TO:</b>	PLANNING COMMITTEE
	<b>DATE:</b>	16 <sup>th</sup> May 2018
	<b>REPORT OF:</b>	HEAD OF PLACES & PLANNING
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<b>AGENDA ITEM:</b>	11	<b>WARD:</b> Salfords and Sidlow

<b>APPLICATION NUMBER:</b>	17/02969/F	<b>VALID:</b>	11/01/2018
<b>APPLICANT:</b>	Mr Peter Brown	<b>AGENT:</b>	Samuel & Son
<b>LOCATION:</b>	<b>ROWGARDENS WOOD, COLLENDEAN LANE, HORLEY, SURREY</b>		
<b>DESCRIPTION:</b>	<b>Proposed livestock housing and general purpose hay, forage and machinery building</b>		
<b>All plans in this report have been reproduced, are not to scale, and are for illustrative purposes only. The original plans should be viewed/referenced for detail.</b>			

## SUMMARY

The application proposes the erection of a barn for housing livestock and the storage of general purpose, hay, forage and machinery to support the expansion of the farm business and the proposed increase in livestock numbers at Rowgardens Wood.

The barn building would be located on the northern edge of a field within the Metropolitan Green Belt. The building would be 36.58 metres wide and 20.57 metres deep. The barn would be enclosed on three sides with an open front. Within the barn would be one secure bay to provide a machinery store / workshop. The barn would have an eaves height of 4.9m and a ridge height of 6.9m to ridge with a shallow pitched roof.

Given the proposed floorspace of the building its construction would not be permitted development and therefore requires planning permission.

With regard to the principle of the development the Council has had the application and the agricultural justification submitted by the applicant reviewed by a rural consultant specialist. The Council has, in response to this request for specialist advice, been advised that the proposed barn building is considered essential to facilitate the further expansion and development of this farm business. The site is within the Metropolitan Green Belt but the development is considered, in light of this advice, appropriate as it is necessary for agriculture. No very special circumstances are therefore necessary to justify the development.

The design and size of the building for the agricultural use would be consistent with agricultural architecture and that of a rural building in the countryside. The building would be large enough to provide adequate housing for the livestock and storage requirements of the agricultural holding. Its siting adjacent to a woodland edge would mean that it is partly screened helping to mitigate its visual impact. The proposal is considered to have an acceptable impact on the landscape and in views from the public footpath and is not considered to result in harm to neighbour amenity.

Conditions are proposed to control the use of the building, materials and require a tree protection plan and fencing to protect the existing woodland.

Within the field that the barn building would be located there is currently a metal security fencing enclosing the land with storage of aggregate, containers and plant and machinery. These operations and development is the subject of a separate Planning Enforcement Investigation resulting from the identification of these matters as part of the assessment of this planning application. This remains a separate matter, and not material to the determination of this application for an agricultural barn.

#### **RECOMMENDATION(S)**

Planning permission is **GRANTED** subject to conditions.

## **Consultations:**

Highway Authority: No objection or conditions. Informative requested.

The County Highway Authority has assessed the application on safety, capacity and policy grounds and is satisfied that the application would not have a material impact on the safety and operation of the adjoining public highway with respect of access, net additional traffic generation and parking. The County Highway Authority therefore has no highway requirements subject to conditions

Salfords and Sidlow Parish Council: Objection. Considers the applicant has not demonstrated the firm intent and ability to develop the farm from predominantly grass based to livestock and recommends involvement of professional land agent / consultant to assess need and business model.

Rural Planning Ltd (Agricultural consultant to LPA): No objection (see paragraph 6.4 below)

BPA Pipelines – No objection

Tree officer – No objection subject to condition

## **Representations:**

Given the isolated nature of the site no neighbour letters were issued. A public footpath runs adjacent to the site and a site notice was posted on 14 March 2018.

No responses have been received.

### **1.0 Site and Character Appraisal**

- 1.1 The application site comprises a parcel of land which amounts to 1560sqm, which is accessed across existing internal hard surfaced tracks for the use of farming vehicles from Norwoodhill Road. The application site is located within the wider agricultural holding Rowgardens Wood, being the applicant's owned and occupied holding located to the south of Colleandean Lane and the east of Norwoodhill Road. In total it occupies approximately 130 acres, comprising approximately 13 field parcels of grassland, 3 blocks of woodland and 2 ponds.
- 1.2 The application site comprises an area of land towards the north-eastern corner of a field, with a woodland block to its northern boundary. The site is relatively flat and grassed. At the time of the site visit the field was enclosed with 2m (approximately) high metal palisade security fencing, with padlocked hoarded gates. Stationed on the field were shipping containers, polytunnel(s), plant and machinery together with a significant quantum of aggregate and building materials, this is subject to a separate planning enforcement investigation and remains a separate matter and not material to the determination of this application for an agricultural barn.

- 1.3 Public footpaths run to the south of the site (along the southern field boundary between the field edge and a woodland block) and along its western and part of the northern boundary until the path enters the woodland to the north. To the east and west the field is bounded by hedging and trees.
- 1.4 The application site is situated within the Metropolitan Green Belt, and the surrounding area is rural in character with open countryside and scattered dwellings. The nearest dwellings to the site are located on Horsehill and Collendean Lane beyond the woodland block to the north and across open field(s).

## **2.0 Added Value**

- 2.1 Improvements secured at the pre-application stage: The applicant did not approach the Council for pre-application advice therefore the opportunity to secure improvements did not arise.
- 2.2 Improvements secured during the course of the application: An enforcement inquiry was opened following the site visit noting that the field in which the proposed development is to be located had been fenced in and the land has (amongst other things) a number of shipping containers, a polytunnel, a pile of aggregate, building materials etc on it. The applicant subsequently responded noting that the aggregate is stockpiled for ongoing agricultural track and gateway maintenance and that the polytunnel and containers are temporary in nature and being used for agricultural use (machinery and equipment storage), due to the current absence of an existing building and issues of vandalism and unauthorised public access of late. The work on this enforcement investigation forms a separate matter and is on-going.
- 2.3 Further improvements could be secured through the use of conditions to control the proposed materials, use and protect adjoining trees to the application site.

## **3.0 Relevant Planning and Enforcement History**

- |     |                                      |   |   |
|-----|--------------------------------------|---|---|
| 3.1 | 14/01229/HHOLD                       | Replacement and repositioning of the existing gates and piers to the eastern and western accesses onto Collendean Lane. | Granted<br>August 2014                    |
| 3.2 | 11/01575/F                           | To improve existing farm tracks and create new to link up with house and Collendean Lane.                               | Approved with<br>conditions<br>21.02.2013 |
| 3.3 | Enforcement<br>case:<br>11/00454/UA3 | Works to existing access road and create new entrance   | Application<br>submitted.<br>Case closed. |
| 3.4 | Enforcement case                     | Area fenced off. Shipping   | Ongoing.                                  |

18/00076/UA3 Containers. Aggregate. Polytunnel

#### 4.0 Proposal and Design Approach

- 4.1 This is a full application for the erection of an agricultural building incorporating a livestock building and an open area for hay, forage and machinery storage. The barn would be 4.9m to eaves and 6.9m to ridge, with a depth of 20.57 metres and length of 36.58 metres. A small 2.6m front roof overhang is proposed. The building would be open fronted to 5 bays, with one enclosed secure bay to provide a machinery store / workshop.
- 4.2 The proposed building would be of typical agricultural construction and would have a steel portal frame and concrete base with an associated concrete apron adjacent to it. The sides and rear would have concrete panel walling at the lower elevations, with spaced timber boarding above. Grey fibre cement roof panels are proposed for the roof.
- 4.3 It would be located approximately within the centre of the agricultural holding, towards the north-east corner of the field and adjacent to a tree-line on the fields northern boundary, which will provide an element of visual screening. The building would be accessed via an existing farm access track.
- 4.4 Whilst the farm is currently grazed by sheep (approx 300 ewes), with much of the grass also used to produce grass crops, the applicant wishes to expand the business to farm cattle which is currently limited by the absence of any buildings to provide livestock housing and storage. Lambing (indoors) currently takes place elsewhere, due to lack of any livestock housing on the holding. The proposed building would provide facilities for the farming of cattle and support the expansion of the existing farm business over the next three years, to some 400 ewes, plus 10 rams, and introducing a small beef herd, with some 20 suckler cows, a bull, and their calves, reared to finished weight at approximately 24 months age.
- 4.5 A design and access statement should illustrate the process that has led to the development proposal, and justify the proposal in a structured way, by demonstrating the steps taken to appraise the context of the proposed development. It expects applicants to follow a design process comprising:  
Assessment;  
Involvement;  
Evaluation; and  
Design.
- 4.6 Evidence of the applicant's design approach is set out below:

Assessment	The character of the surrounding area is assessed as rural with the site located on a agricultural holding within the metropolitan green belt.
	No site features worthy of retention were identified.
Involvement	No community consultation took place.

Evaluation	The statement does not include any evidence of other development options being considered.
Design	The applicant's reasons for choosing the proposal was that it was required to meet the essential needs of the agricultural holding.

## 5.0 Policy Context

### 5.1 Designation

Metropolitan Green Belt  
Adjacent to Public footpath ROW 414

### 5.2 Reigate and Banstead Core Strategy

CS1 (Sustainable Development)  
CS2 (Valued Landscapes and Natural Environment),  
CS3 (Green Belt)  
CS10 (Sustainable Development),  
CS11 (Sustainable Construction),  
CS17 (Travel Options and accessibility)

### 5.3 Reigate & Banstead Borough Local Plan 2005

Landscape & Nature Conservation	Pc3, Pc4
Metropolitan Green Belt	Co1, Co2
Movement	Mo5, Mo7

### 5.4 Other Material Considerations

National Planning Policy Framework	
National Planning Practice Guidance	
Supplementary Planning Guidance	Surrey Design Local Distinctiveness Design Guide

Other	Human Rights Act 1998 Community Infrastructure Levy Regulations 2010
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## 6.0 Assessment

### 6.1 The main issues to consider are:

- Metropolitan green belt
- Design appraisal
- Neighbour amenity
- Infrastructure contributions

### Metropolitan Green Belt

- 6.2 The site is located within the Metropolitan Green Belt, where there is a presumption against inappropriate development. The NPPF advises that development which is reasonably necessary for the purposes of agriculture is appropriate and should not be resisted in principle, paragraph 89. This advice is amplified by Borough Local Plan policy Co1 which confirms that planning permission will be granted for agricultural development in accordance with policy Co2 which seeks to minimise the visual impacts of such development.
- 6.3 The Council consulted a rural land expert to receive professional advice regarding the agricultural need for the development and to appraise the applicant's evidence submitted on this matter. The advice has confirmed that the building is considered reasonably necessary for the purposes of agriculture, in order to provide additional livestock housing on site, and to facilitate the expanding farm business. The applicant's proposals to expand the farm accord with NPPF policy principles to support the sustainable growth of rural businesses and the essential needs of agriculture, including the development and diversification of agriculture (paragraph 28). Currently there are no buildings on this site and one such as that proposed is considered necessary. In the main the building would provide winter accommodation for the cattle, with some associated storage for fodder, bedding, and equipment. The building would also be used for lambing, after the cattle are turned out to grass. The building would ensure that all farm livestock are well housed, cared for and their welfare is maintained
- 6.4 Following review of the evidence the rural consultant concluded in his letter to the Council of 29<sup>th</sup> January 2018: *"Given the lack of any existing farm buildings on this area of land, I consider the proposed structure to be necessary to permit the expansion of the farm enterprise here in an efficient and productive manner, as further set out in the Statement that accompanies the application. I also consider the building to be suitably designed and located for the stated purposes."*
- 6.5 The development is therefore appropriate and has been sited beside a tree line and adjacent to the existing site access and track so as to minimise the impact on the openness of the green belt as far as possible. The visual impact of the building from the public footpath is considered acceptable. Whilst there would be a change in the landscape the presence and appearance of an agricultural building would not be at odds with the rural character of the area. In order to ensure that the building remains used for appropriate uses within the green belt, a condition will be imposed restricting its use to agricultural purposes only and requiring its demolition and removal if this were to cease.

### Design appraisal

- 6.6 The proposed building would be an appropriate size for an agricultural building of its type to allow for the necessary functioning of the farm. The building is typical in design of a steel-framed timber clad barn, commonly

found within the rural area. Its open front would allow views into the building and it would be timber clad to minimise its visual impact. The siting of the barn is in a field and would not materially affect trees.

- 6.7 The tree officer was consulted on the application. He has confirmed my view that it would not be appropriate to secure additional landscaping in this instance. Commenting that formal landscaping in these situations is often not appropriate and can look out of place in such rural locations and is extremely difficult to implement successfully, noting also the requirement to maintain the functional nature of the building. A tree protection condition is however proposed to avoid any long lasting damage to the woodland through uncontrolled construction activity, noting that the development is close to the woodland edge.

#### Neighbour amenity

- 6.8 The proposed barn would be approximately 350 metres away from the nearest residential property on Horsehill and approximately 440m from the nearest dwelling Phoenix Lodge on Collendean Lane. Both are located beyond the woodland block to the north and across open fields and at this distance the building would not cause any adverse impacts to the amenities of these properties.

#### Infrastructure Contributions

- 6.9 The development would not be liable for Community Infrastructure Levy and there are no affordable housing or infrastructure contributions associated with the proposed development.

### **CONDITIONS**

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(1) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.

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

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Site Layout Plan	UNNUMBERED		21.12.2017
Elevation Plan	D12361/GP02		21.12.2017
Proposed Plans	K11701/GP01		21.12.2017
Block Plan	UNNUMBERED		21.12.2017

Reason: To define the permission and ensure the development is carried out in accord with the approved plans and in accordance with National Planning Practice Guidance.

3. The proposal shall be constructed in accordance with the materials as specified on the approved plans and there shall be no variation without prior approval and agreement in writing with the Local Planning Authority.

Reason: To ensure that the development hereby permitted is only constructed using the appropriate external facing materials or suitable alternatives in the interest of the visual amenities of the area with regard to Reigate and Banstead Borough Local Plan 2005 policy Co2

4. The building hereby permitted shall be used for agricultural purposes only and no other without the prior written approval of the Local Planning Authority. Should the agricultural use cease the building and any associated hardstanding shall be removed from the site within a period of 6 months and the land restored to its former condition.

Reason: To ensure that the development remains appropriate within Metropolitan Green Belt with regard to Reigate and Banstead Borough Local Plan policies Co1 and Co2.

5. No development shall commence including groundworks preparation until a detailed Tree Protection Plan (TPP) shall be submitted to and approved in writing by the local planning authority. The TPP shall contain details of the specification and location of tree protection (barriers and/or ground protection) and any construction activity that may take place within the protected root areas of woodland, trees/hedges shown, where retained on the TPP. The tree protection measures shall be installed prior to any development works and will remain in place for the duration of all construction works. The tree protection barriers/ground protection shall only be removed on the completion of all construction activity. All works shall be carried out in strict accordance with these details when approved.

Reason

To ensure good arboricultural practice in the interests of the maintenance of the character and appearance of the area and to comply with British Standard 5837:2012 'Trees in Relation to Design, demolition and Construction – Recommendations' and polices Pc3 and Pc4 of the Reigate and Banstead Borough Local Plan 2005.

## INFORMATIVES

1. Your attention is drawn to the safety benefits of installing sprinkler systems as an integral part of new development. Further information is available at [www.firesprinklers.info](http://www.firesprinklers.info).
2. You are advised that the Council will expect the following measures to be taken during any building operations to control noise, pollution and parking:

- (a) Work that is audible beyond the site boundary should only be carried out between 08:00hrs to 18:00hrs Monday to Friday, 08:00hrs to 13:00hrs Saturday and not at all on Sundays or any Public and/or Bank Holidays;
- (b) The quietest available items of plant and machinery should be used on site. Where permanently sited equipment such as generators are necessary, they should be enclosed to reduce noise levels;
- (c) Deliveries should only be received within the hours detailed in (a) above;
- (d) Adequate steps should be taken to prevent dust-causing nuisance beyond the site boundary. Such uses include the use of hoses to damp down stockpiles of materials, which are likely to generate airborne dust, to damp down during stone/slab cutting; and the use of bowsers and wheel washes;
- (e) There should be no burning on site;
- (f) Only minimal security lighting should be used outside the hours stated above; and
- (g) Building materials and machinery should not be stored on the highway and contractors' vehicles should be parked with care so as not to cause an obstruction or block visibility on the highway.

Further details of these noise and pollution measures can be obtained from the Council's Environmental Health Services Unit.

In order to meet these requirements and to promote good neighbourliness, the Council recommends that this site is registered with the Considerate Constructors Scheme - [www.ccscheme.org.uk/index.php/site-registration](http://www.ccscheme.org.uk/index.php/site-registration).

- 3. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).
- 4. The use of a suitably qualified arboricultural consultant is essential to provide acceptable submissions in respect of the arboricultural tree condition above. All works shall comply with the recommendations and guidelines contained within British Standard 5837.

## **REASON FOR PERMISSION**

The development hereby permitted has been assessed against development plan policies CS1, CS2, CS3, CS10, CS11, CS17 and Co1, Co2, Pc3, Pc4, Mo5 and Mo7 and material considerations, including third party representations. It has been concluded that the development is in accordance with the development plan and there are no material considerations that justify refusal in the public interest.

## **Proactive and Positive Statements**

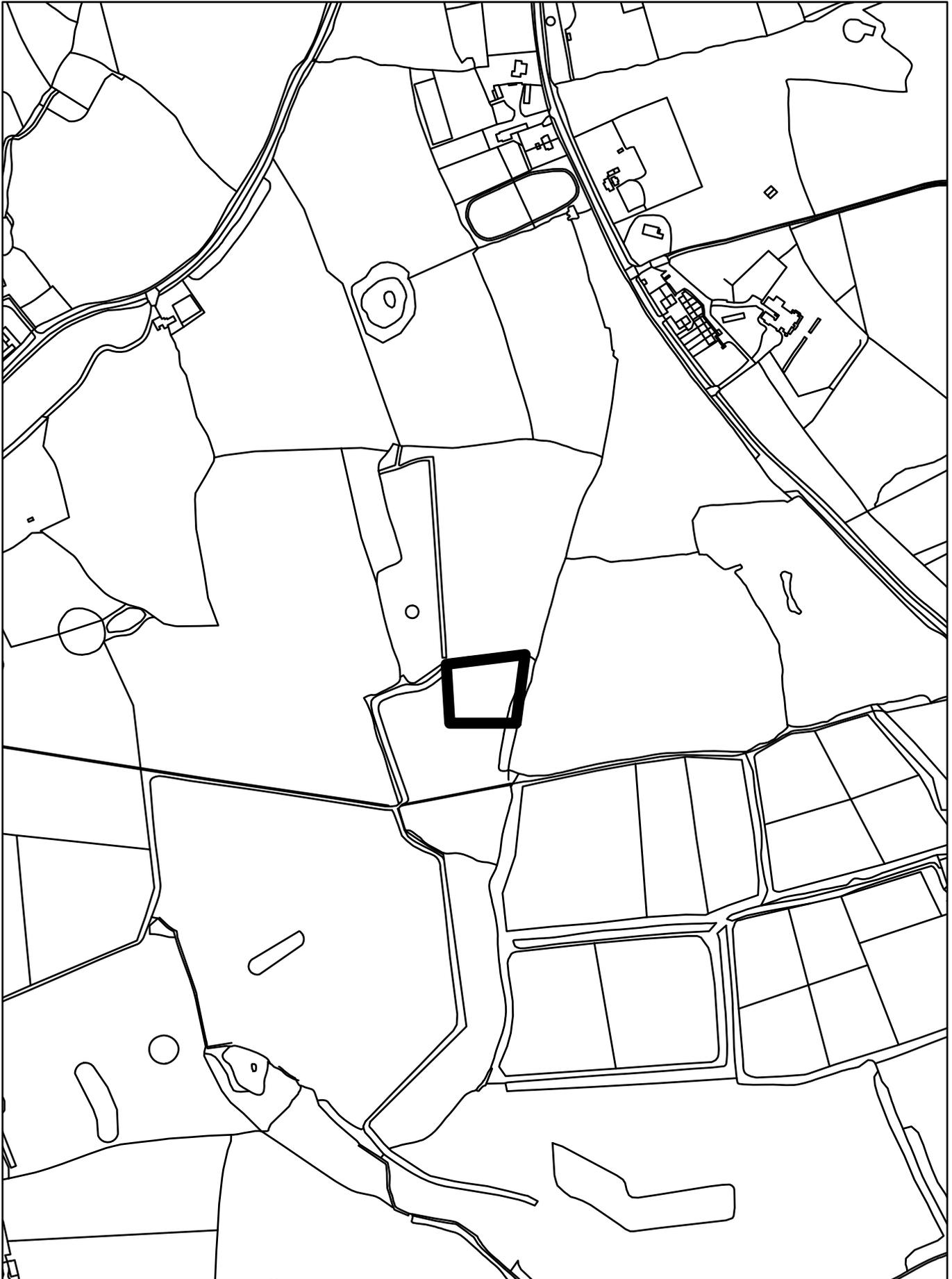
The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and

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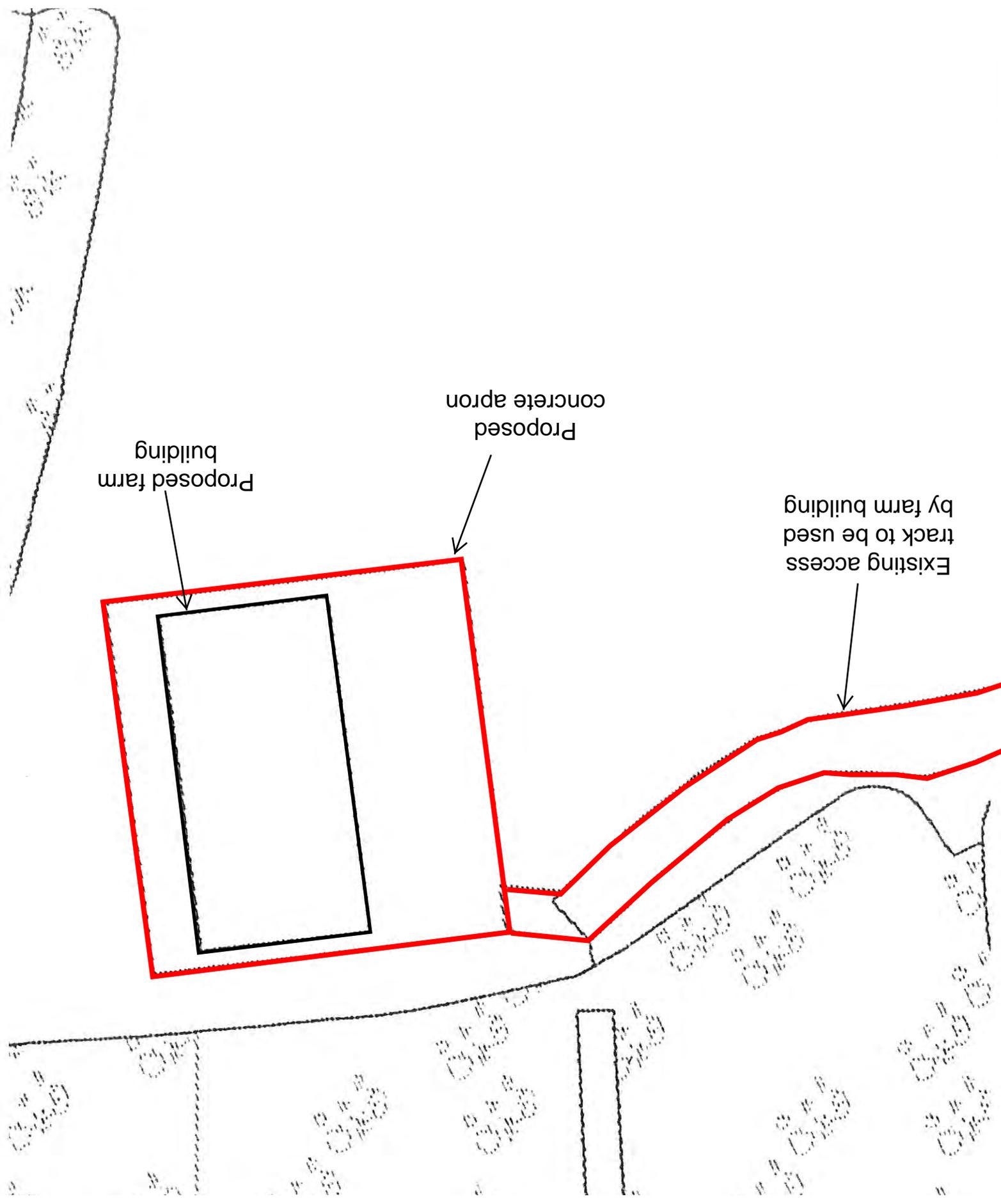
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subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development where possible, as set out within the National Planning Policy Framework.

17/02969/F - Rowgardens Wood, Collendean Lane, Horley



**1:500 Block Plan**  
**Rowgardens Wood, Norwood Hill Road, Surrey, RH6 OHP**



Proposed farm building

Proposed concrete apron

Existing access track to be used by farm building



