

Report to	Planning Committee
Date	12 June 2014
By	Director of Planning
Local Authority	Horsham District Council
Application Number	SDNP/13/00643/FUL
Applicant	Mr and Miss T Ledra and Jones
Application	Siting and fixing of five livestock feed silos
Address	Land Opposite Annington House, Annington Road, Bramber. West Sussex.
Purpose of Report	The application is reported to Committee for a decision.

Recommendation: That planning permission be granted for the reason and subject to the conditions set out in paragraph 10.1 of this report.

Executive Summary

The application seeks planning permission for five fixed animal feed silos. The metal silos range from 7.5m to 10.7m in height and 2.25m to 2.8m in diameter. The silos are light grey in colour/finish and arranged in linear form adjacent to a hard standing parking turning area on land under the control of the applicant.

The silos are required in connection with the operation of Redgate pig farm which is a functioning livestock farm business operating on land around the silos. The operation of the farm itself does not constitute part of this application. Notwithstanding the public objections to the silos, the location is in the main well screened and they are not considered to be visually intrusive either to natural beauty/landscape and/or public enjoyment of the National Park or on neighbouring amenities. The application is therefore recommended for approval subject to the conditions set out in paragraph 10.1 of the report. The application is reported to the Planning Committee as it has generated significant and material third party representations which are contrary to the officer recommendation.

I. Site Description

- I.1 The silos are located immediately west of the Annington Road, approximately halfway between Annington Mere Farm and Annington Farm and opposite the drive entrance to Annington House. This site is in an elevated position above and on the West side of the Annington Road behind semi- mature trees.
- I.2 The site of the silos is accessed via a new agricultural access off Annington Road. The South Downs Way national trail runs south then west at a lower level adjacent to the site.
- I.3 The silos are adjacent to the agricultural parking/turning area and located toward the bottom (eastern) end of Annington Hill/Winding Bottom.
- I.4 The site is partially screened by mature and semi mature trees along the Annington Road frontage.

2. Relevant Planning History

- 2.1 DC/12/0159 – Resurface farm track and provide on site hardstanding on land opposite Annington House (South Downs National Park) – Refused 10/05/12
- 2.2 SDNP/12/00648/FUL - Resurface farm track and provide on-site hardstanding on land at Annington Road - Approved 12/07/12
- 2.3 SDNP/12/01604/APNB – Erection of pole frame storage barn – Withdrawn 20/08/12
- 2.4 SDNP/12/01810/FUL- Erection of metal framed barn (Agricultural) Approved 08/10/12

3. Proposal

- 3.1 This is a retrospective application for the siting of the five feed silos, on a fixed raised base, that are currently used in connection with the agricultural use of the remainder of the land for outdoor reared pigs, currently known as Redgate Farm; the farm is an agricultural operation which does not constitute development under S.55 of the Town and Country Planning Act 1990. It is proposed that the silos be used for the storage of balanced feed stuffs for the pigs and as fixed structures planning permission is required.
- 3.2 The five feed silos hold five different feedstuffs for the livestock on the farm; each silo holds between 6 and 22 tonnes each.
- 3.3 The silos are fixed structures and provide the food for the approximate 100 sows and 400 pigs farmed on the adjacent land. Access to the silos is via the existing farm access off Annington Road. The metal silos range from 7.5m to 10.7m in height and 2.25m to 2.8m in diameter. The silos are light grey in colour and arranged in linear form adjacent to a hard standing parking turning area.

4. Consultations

- 4.1 **Environment Agency:** No objection
- 4.2 **Horsham District Council - Environmental Health:** In the event of planning permission being granted, conditions relating to burning of waste, delivery hours, no exterior lighting, no power generating machinery and informatives re pest control, noise and statutory provisions are recommended.
- 4.3 **Highway Authority:** Satisfied with the arrangement.
- 4.4 **SDNPA - Landscape Officer:** States that the area around the location of the silos is recorded in the Historic Landscape Characterisation as 'Modern Fields'. Annington Road to the south of the site is sunken into the steep slope on the south side. The banks are lined with mature hedged and treed boundaries and these provide a reasonable amount of screening to the silos. There are glimpsed views to the east and west of the site from Annington Road where the boundary trees are on a bend in the lane. These views are limited and contained.
- 4.5 The existing trees which line the south bank of Annington Road form a substantial screen to the proposed development and are shown by the blue line as being within the control of the applicant, not the highway authority. The retention and continued maintenance of these trees is critical for screening (should the application be approved). There is potential for damage to the hedgerows by vehicles. It is recommended that, should the application be approved, a condition for a hedgerow maintenance and tree protection plan should be applied.
- 4.6 **Steining Parish Council:** No response
- 4.7 **Bramber Parish Council:** No objections

5. Representations

- 5.1 **South Downs Society** summarised as follows: Planning has not caught up with farming; planning permission often required for minor buildings, but major changes in the way land is farmed with visual and other impact and limited constraint. All piggeries have impact locally

and on long distance views within the National Park. The farm is particularly prominent with the structures and gives rise to noise, traffic and effluent in the locality. Welcome SDNPA monitoring of the site. Sympathy with objectors to the application. Deficiencies in planning system mean that only certain elements are subject to control and these are not necessarily those with the greatest impacts; the application for the silos is a case point in that they are only one element in the whole unsightly operation. The overall operation is not in line with DEFRA advice on pig farming, part of that states that 'ideally pigs should be sited in areas where rainfall is less than 800mm'. The average rainfall for the Downs is 950mm. We would also draw attention to the reference by DEFRA to avoid sloping fields and advice on the increased threat of soil damage and run off as well; in this case being highly visible. We would urge a whole farm approach in managing the impacts of the piggeries. Whatever decision is made must bring an element of 'real control to the whole activity'.

5.2 38 letters of objection were received and can be summarised as follows:

- Industrial scale pig operation
- Silos only partially screened
- Visual impact from wide views
- Pig farm out of character with grazing land
- Site visible from wider distances
- Increasing scale of operation
- Frequency of feeding necessitates noise from machinery movements
- Slurry run off from farm is health and pollution hazard
- Unacceptable for a pig farm on top of the Downs
- Interferes with use of South Downs Way
- Annington Road can't cope with feed delivery lorries; they are dangerous, damage the environment and leave mud and debris on roads.
- RSPCA should examine site
- Smells from farm emanate across the area including Steyning
- Aspect and appearance of the area is changing
- Conflicts with first purpose of the NP to conserve natural beauty
- Loss of Downland grassland and ecology
- More permanent structures in the SDNP
- Will this expand pig farm
- Detrimental to the setting of nearby listed buildings and cultural heritage of the SDNP
- Rotation of sties causes more damage
- Methane affects climate change
- What are SDNPA doing to promote more sustainable methods of farming
- Possible archaeological remains on site of silos, was survey carried out
- SDNPA to preserve the countryside
- Silos may be unstable presenting a safety hazard for the public
- Intense smells from pig farm
- Dispute blue line on plan
- Contrary to statutory purposes of the SDNP
- No structures on the landscape before
- Will reduce wildlife
- Where are measures to protect this countryside as outlined by DEFRA
- Piggery has had a negative impact on residents
- The silos are too big, high and detrimental to the visual amenity of the area

- SDNPA should prevent land from being systematically being destroyed
- Heavy delivery traffic detrimental to local residential amenity
- Silos contrary to local and national policies including para 115 of NPPF
- Badly sited in relation to residential amenity. Visually prominent.
- Plans do not demonstrate real height in relation to ground/road levels.

5.3 4 letters of support summarised as follows:

- Farm (including Silos) part of farming heritage of South Downs, represents one of the seven qualities of the SDNP.
- Compassionate World Farming: Farm gives users of the locality understanding of farming culture.
- National Pig Association (NPA) supports feed silos as part of good farming practice and livestock food production.
- BPEX – (body related to pig farming) Silos necessary to support good farming practice here. Silos provide and ensure constant supply of balanced nutrient food stuff, even during even during extreme weather conditions. Silos reduce the need for frequent deliveries of food. No power needed as with other food storage methods.

6. Planning Policy Context

6.1 Applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory development plan in this area is the Horsham District Council (HDC) Core Strategy 2007 and the HDC General Development Control Policies 2007.

National Park Purposes

6.2 The two statutory purposes of the SDNP designation are:

- To conserve and enhance the natural beauty, wildlife and cultural heritage of their areas;
- To promote opportunities for the public understanding and enjoyment of the special qualities of their areas.

6.3 If there is a conflict between these two purposes, the first conservation purpose takes precedence. There is also a duty to foster the economic and social well being of the local community in pursuit of these purposes.

National Planning Policy Framework and Circular 2010

6.4 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. In addition paragraph 109 of the NPPF is relevant to this development within the National Park, which refers to the planning system contributing to and enhancing the natural environment.

6.5 The NPPF has now been in place for over two years and as set out in Para 215, ‘due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the framework, the greater the weight that may be given)’. The existing relevant policies in the development plan are generally compliant with the NPPF.

7. Development Plan Policies

7.1 The following adopted policies of the Horsham District Council Core Strategy 2007, are relevant to this application:

CPI - Landscape and Townscape Character

CPI5 – Rural Strategy

- 7.2 The following adopted policies of the Horsham District Council – adopted Development Control Policies – 2007 are relevant to this application:

DC1 – Countryside Protection and Enhancement

DC2 – Landscape Character

DC5 - Biodiversity and Geology

DC9 – Development Principles

DC13 – Listed buildings

DC40 - Transport and Access

8. **South Downs 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 the adoption of the SDNP Local Plan. The following policies are relevant:

Policy I: Conserve and Enhance Natural Beauty

Policy II: Support Land Managers

Policy 13: Support the financial viability of farm businesses

Policy 15: Increase understanding of farming and of farmers as custodians of special qualities

9. **Planning Assessment**

- 9.1 In considering this development proposal, it is necessary to take account of the traffic and transport implications, the visual impact and landscape implications on the South Downs National Park, the impact on general amenity and any impact on the setting of listed buildings, having regard to the National Park Purposes and Duty, the consultation responses, representations and the above policy context.

Traffic and access

- 9.2 Policy DC40 of the 'Horsham District Council (HDC) – adopted Development Control Policies – 2007', requires development to have a safe and adequate means of access. The feed silos are replenished by delivery lorries; the frequency of the deliveries varies but is anything from once a week to once a fortnight, hence the larger silos to avoid more frequent visits. Deliveries are via the existing vehicular farm access to the site, off Annington Road. Following the submission of requested plans showing the turning area for feed delivery vehicles, the Highway Authority have confirmed that they are now satisfied with the arrangement. In the event planning permission is granted for the retention of the silos, vehicle delivery time restrictions to minimise noise and disturbance to local amenity are proposed, in accordance with policy DC9 of the adopted HDC policies.

Visual impact and landscape implications

- 9.3 Policies CPI and CPI5 of the HDC Core Strategy 2007 and DC1 and DC2 of the HDC – adopted Development Control Policies – 2007, require that new development protects, conserves and enhances the special qualities of protected landscapes, whilst sustaining farming enterprises and ensuring that new development is either contained within existing buildings or 'result in substantial improvement and reduce the impact on the landscape particularly where, exceptionally, new...buildings are included'.
- 9.4 The application site is on the edge of the Adur Valley Sides as identified in the SDNPA 'Integrated Landscape Character Assessment' and is mainly chalk grassland. The silos are a utilitarian development that are not considered to be attractive in design or appearance; however this needs to be balanced against the need to sustain a rural farming business by storing and providing feed for the Redgate pig farm, that they currently serve, and that working farm buildings are to a degree utilitarian reflecting their function.

9.5 In this instance due to their siting toward the bottom of the scarp, together with the existing partial tree screen, the silos are not considered to be readily exposed or visually prominent to wider public view and viewpoints, particularly from the South Downs Way. The visual harm of the silos is significantly reduced in this relatively secluded location from wider views across this special landscape. Therefore it is considered that there is no direct conflict with the relevant Development Plan policies or the purposes of the SDNPA. As many of the objections received related to the wider pig farm operation and its impact on the landscape, consideration has been given to the use conditions to place controls over and/or seek improvements to the pig farm operation as a whole. However, conditions need to be relevant to the proposed development e.g. to ensure screening of the silos. Therefore to impose a condition relating to the management of the wider pig farm would not be reasonable as it would not be necessary to make the proposal acceptable.

Impact on heritage assets and cultural heritage

9.6 The first purpose of the National Park includes the need to conserve and enhance the cultural heritage of the area. This purpose need to be considered together with policy DC13 of the HDC – adopted Development Control Policies – 2007. Based on limited views of the silos from Annington House, a grade II listed building opposite the site, and glimpsed views of the silos from the gated entrance to the property, particularly in summer months, it would be hard to sustain an argument that the silos had a detrimental impact on the setting of this listed building or indeed other listed buildings in the locality. It is therefore considered that the silo development would not conflict with the requirements of cultural heritage of the National Park or the adopted local development plan policy DC 13.

Impact on local amenity

9.7 Policy DC9 of the HDC – adopted Development Control Policies – 2007, requires development ‘not cause unacceptable harm to the amenity of occupiers/users of nearby property and land’. The feed storage silos are approximately 120m away from the nearest residential property and would by their storage nature not cause harm to the amenities of nearby residents. HDC Environmental Health have not raised any objections on the grounds of residential amenity. It is however proposed to control delivery hours to avoid noise and disturbance at unreasonable hours.

9.8 Whilst it is acknowledged that there is strong public representation objecting to the development, it should be noted that many objections refer to the operation of the pig farm itself, which whilst associated and needs to be considered as being served by the silos, is not a consideration in the determination of this application. The comment about the accuracy of the drawings has been checked and the agent has stated that ‘the siting of the silos is correct, however the planting along the west side of the track to the site is shown about 2 metres longer than it is; an amended plan has been submitted.

Impact on the environment and recreational opportunities

9.9 Policies CPI of the HDC Core Strategy 2007 and DC1 and DC2 of the HDC DC policies 2007, together with the first and second purposes of the National Park require development to be essential and sustainable for countryside locations and to seek to ensure that the impact of development would not harm the key characteristics of the landscape. The silos are required to feed for the pig farm of which they form an intrinsic part of, therefore it is necessary that they are located in this rural location. Whilst the Annington Road is used by traffic from Shoreham to Steyning, only brief glimpses of the silos are available. More importantly, walkers and other users of the South Downs Way (SDW) would only see a glimpse of the silos as they pass by the site and important views by users thereof are not inhibited. It is therefore considered that the silos would not conflict with either the Development Plan policies referred to or the purposes of the South Downs National Park.

10. Conclusion

10.1 This is a retrospective planning application for the retention of the feed silos. The silos are required to provide animal feed stuff for the animals at Redgate pig farm. The silos do not raise traffic and/or transportation issues that cannot be controlled by condition, as set out in Para 8.2. In addition, from a visual and landscape impact perspective, whilst the silos do not,

on their own merits, protect or enhance the landscape, they are in a relatively secluded location and would be acceptable to serve the farm and are typical of a farming landscape which is integral to the South Downs National Park.

- 10.2 Paragraph 8.6 demonstrates that the retention of the silos does not conflict with the cultural heritage purposes, nor would they conflict with policy DC13 of the HDC – adopted Development Control Policies – 2007. Paragraphs 8.5 -8.9 set out the reasons why the silos do not constitute a detriment to public amenity and/or the recreational uses of the National Park, particularly by users of the South Downs Way. The silos on their own merits are not of any particular quality design and appearance but are typical of farm buildings in the National Park. In this location and for the functional animal feed storage they provide for the farm they would be acceptable for retention.

11. Reason for Recommendation

- 10.1 The application is recommended for permission for the following reason:

1. The use, layout and siting of the feed silos, is appropriate development for the functional needs and operation of the farm. No significant harm would be caused to the amenities of neighbouring dwellings, or by way of traffic and transport, or to the cultural heritage or by way of visual impact on the special landscape, of the South Downs National Park, by the development. The proposal would therefore accord with policies CPI and CPI5 of the Horsham District Council Core Strategy 2007 and policies DC1, DC2, DC5, DC9, DC13, DC40 of the Horsham District Council – adopted Development Control Policies – 2007, National Park purposes, the NPPF and The South Downs Partnership Management Plan (SDPMP) was adopted on 3 December 2013; policies 1, 11, 13 and 15.

Subject to the following conditions:

Re-instatement of land

1. The feed silos hereby permitted shall be used only in connection with the farm on land currently known as Redgate Farm, Annington Road, Bramber, WestSussex..

Reason. In accordance with Policies CPI and CPI5 of the Horsham District Council Core Strategy 2007 and DC1 and DC2 of the Horsham District Council – adopted Development Control Policies – 2007, the statutory purposes of the South Downs National Park and the NPPF.

Approved Plans

2. The development hereby permitted shall be in accordance with the plans and documents submitted with this planning application, including revised site location plan (increase in blue land) – dated 1 July 2013 and corrected 1:500 block plan Drawing : 2013/14 – dated 9th July 2013.

Reason: For the avoidance of doubt and in the interests of proper planning in accordance with policies CPI and CPI5 of the Horsham District Council Core Strategy 2007 and policies DC1, DC2, DC5, DC9, DC13, DC40 the Horsham District Council – adopted Development Control Policies – 2007.

Lighting

3. No form of external lighting shall be provided on this site.

Reason: To prevent light pollution and in the interests of the amenity of the area in accordance with policy CPI the Horsham District Council Core Strategy 2007 and policies DC1 and DC9 of the Horsham District Council – adopted Development Control Policies – 2007.

Deliveries

4. Deliveries of feed stuff for the silos, including loading and unloading, shall be limited to the following hours:

0800-1800 Monday to Friday

0800-1300 Saturdays

No deliveries, including loading and unloading, shall take place on Sundays and Public/Bank Holidays.

Reason: In the interests of the residential amenities and general local amenity of the area, in accordance with policy CPI the Horsham District Council Core Strategy 2007 and policies DC1 and DC9 of the Horsham District Council – adopted Development Control Policies – 2007.

Landscape management

5. Within 3 months of the date of this permission full details of a hedgerow maintenance and tree retention plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include details of hedgerow pruning to the lower sides to maintain the screening function of the hedge and trees and protective measures to prevent damage to trees/hedgerow by delivery vehicles, shall also be included; such protection measures shall be installed within 2 months of the approval of the submitted details or such other time frame as may be approved in writing by the local planning authority. The development shall operate in accordance with the approved details.

Reason: To protect the trees and hedge and to maintain the screening function of the hedge and trees in accordance with Policies CPI and CPI5 of the Horsham District Council Core Strategy 2007 and DC1, DC2 and DC5 of the Horsham District Council – adopted Development Control Policies – 2007, and the statutory purposes of the South Downs National Park and the NPPF.

Informatives

The applicant is encouraged to work with the SDNPA to consider a long term land and landscape management plan/scheme to consider what improvements to the land and landscape could be made and looking at a whole farm approach for any future expansion of the farm including any further agricultural building requirements on this land.

No power generating machinery should be installed or operated on the site without prior approval from the Local Planning Authority and advice should be sought from Horsham DC Environmental Health.

In connection with condition number 5, the tree retention and hedge maintenance plan should cover all areas on land under the applicants control where they can maintain a screening function and where delivery vehicle movements take place.

The boundary hedges under the control of the applicant may be protected under the Hedgerows Regulations 1997.

The use of silos for the containment of feed is evidence of best practice with regards to the control of pests. However the applicant is advised to adopt a regular monitoring programme for pests and to implement a baiting/control programme should the need arise.

The applicant is advised that should they decide in the future to install power generating equipment in the premises that the Local Authority is advised and advice sought from the Environmental Health Department with regards to minimisation of noise.

The applicant is further advised that compliance with planning conditions does not necessarily prevent action from being taken by the Local Authority or members of the public to secure the abatement, restriction or prohibition of statutory nuisances actionable under the Environmental Protection Act 1990 or any other statutory provisions.

12. Crime and Disorder Implication

- 11.1 It is considered that the proposal does not raise any crime and disorder implications.

13. 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.

14. Equalities Act 2010

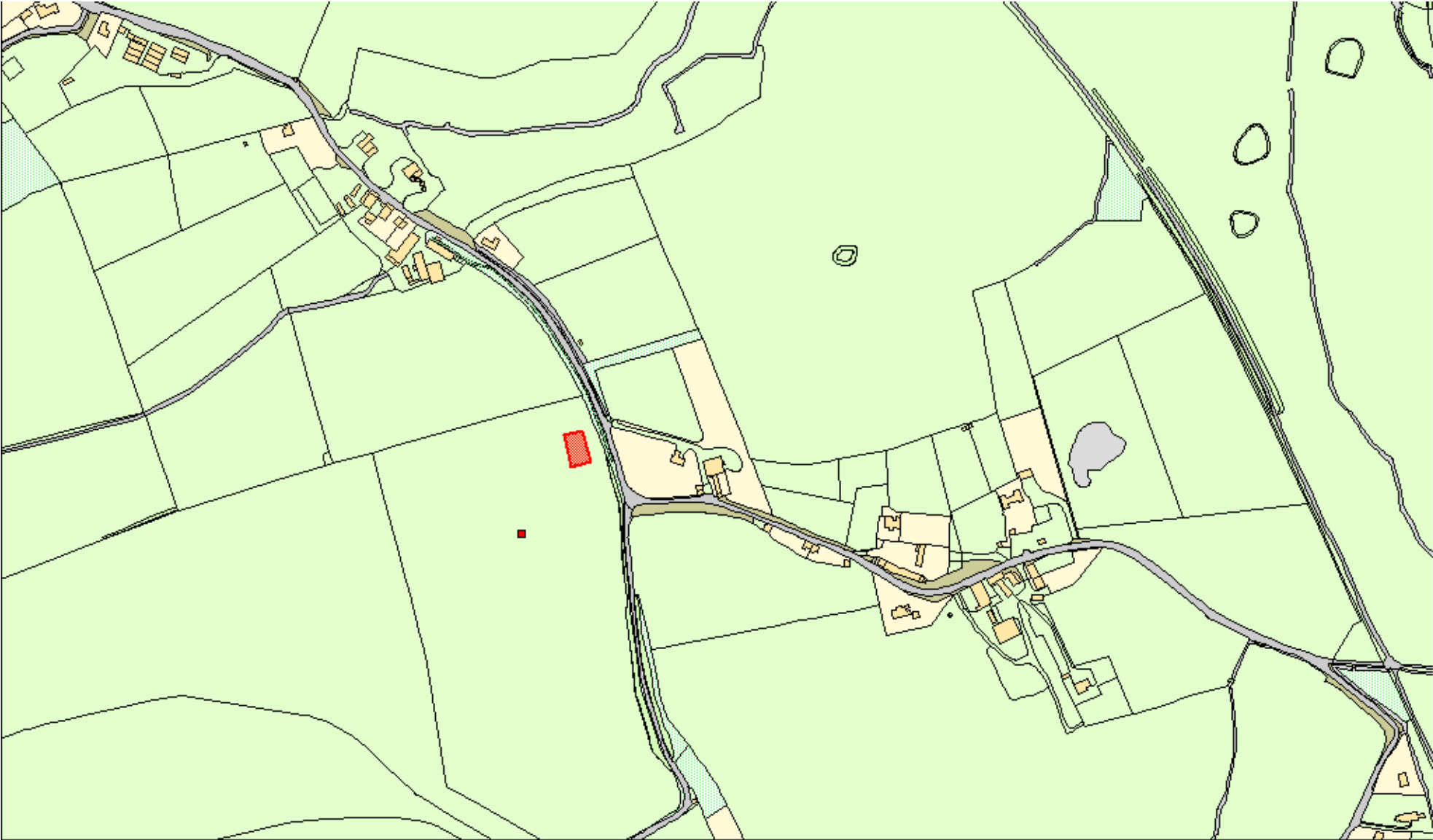
13.1 Due regard, where relevant, has been taken to the South Downs National Park Authority's equality duty as contained within the Equalities Act 2010.

15. 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. This has included the provision of pre-application advice from a SDNPA Development Management Officer, and the opportunity to provide additional information to seek clarification on technical issues.

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Appendices	I. Site Location Map
SDNPA Consultees	Director of Planning & Legal Services.



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