Report to Planning Committee
Date 12 February 2015
By Director of Planning
Local Authority Wealden District Council
Application Number SDNP/14/05938/HOUS
Applicant Mr and Mrs T Carr
Application The proposed installation of a greenhouse with new flint wall and stand alone generator
Address Priory Farm House, The Street, Wilmington, Polegate, BN26 5SL

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 permission for a greenhouse and stand alone back-up generator within the residential curtilage of Priory Farm House, Wilmington. The proposal is considered acceptable in terms of its visual and landscape impact and is sensitive to the historic setting of the site. Environmental Health raise no objection to the generator which, due to its intended frequency of use and acoustic screening, will not result in a noise nuisance to neighbours. The application is recommended for approval.

The application is reported to committee due to the objection received by Long Man Parish Council.

1. Site Description

1.1 Priory Farm House is located in the village of Wilmington which is an attractive and historic linear settlement fronting both sides of a narrow lane at the foot of the South Downs. The settlement is without a defined development boundary and has a strong rural character. In terms of the South Downs Landscape Character Assessment the site is located within the Ouse to Eastbourne Scarp Footslopes character area. The settlement is designated as a Conservation Area.

1.2 Priory Farm House occupies a large plot on the south-eastern corner of the village. The site is within the Conservation Area and is directly opposite to Wilmington Priory which is a Scheduled Ancient Monument and includes a Grade I Listed building. There are several other Listed Buildings in close proximity to the site including St Mary and St Peters Church to the northwest (Grade I Listed), and the Old Vicarage to the north (Grade II Listed). Local high points include Wilmington Hill to the southeast which is the site of several Scheduled Ancient Monuments, including ‘The Long Man’ which is widely visible from the village.

1.3 Priory Farm House occupies an elevated position relative to the highway with a flint boundary wall adjacent to the road. The property is screened from the west and northwest by an avenue of mature trees. The site is very exposed to the south and east with open views across agricultural fields towards The Long Man. The property is visible from several public rights of way.
1.4 Planning permission was granted in 2012 for a replacement dwelling on the site, including a detached double garage and swimming pool with pool house (SDNP/12/02925/FUL). These are currently under construction.

2. Relevant Planning History
2.1 SDNP/13/05186/FUL. Proposed works at Priory Farmhouse to facilitate the works for the installation of a ground source heat system. Approved (22/01/2014).
2.2 SDNP/13/04427/TCA. Notification of intention to fell No.3 Ash Trees (T15, T17 and T18). Objection (03/12/2013).
2.3 SDNP/13/04070/NMA. Non Material Amendment of SDNP/12/02925/FUL - Minor alteration to the kitchen window from approved, Ha-ha added to east of pool area wall and large gate to east wall removed and descriptions of south walls revised. (Existing wall to be re-built due to proximity of swimming pool excavations). Approved (17/09/2013).
2.4 SDNP/13/02927/NMA. Non Material Amendment to SDNP/12/02925/FUL - Minor alterations to approved porch. Approved (29/07/2013).
2.5 SDNP/13/01416/NMA. Non Material Amendment to a SDNP/12/02925/FUL - Garage handed to orientate the log store away from prevailing weather and provision of a basement level. Approved (10/09/2013).
2.6 SDNP/12/02925/FUL. Replacement dwelling and ancillary works. Approved (15/02/2013).

3. Proposal
3.1 The application seeks planning permission for a detached greenhouse and stand alone back-up generator within the curtilage of the new dwelling. The greenhouse will measure 3m x 2.6m x 3m (Lx W x H) and will be located to the east of the new dwelling. The greenhouse will be National Trust ‘Hidcote’ style with a dual pitch roof and constructed of painted aluminium and timber. The frame will be painted an off-white ‘Downland Stone’ colour. The greenhouse will sit on top of a low flint and brick wall. The wall will be constructed of coarse field flint with reclaimed brick header course and will be 0.5 metres in height. The flint wall will extend beyond the greenhouse to create an enclosed area measuring 8.2m by 7.2m (L x W) which will serve as a vegetable plot with raised planters.
3.2 The proposed generator will be situated behind the garage on top of a loose concrete base. The applicant has provided a specification for the generator which will be a Hyundai diesel generator (model DHY22KSE) measuring 1.95m x .9m x 1.1m (L x W x H). The generator will be housed in a weatherproof silenced canopy and will produce a sound level of 92dBA at a distance of one metre, and 65dBA at a distance of seven metres. The generator will be used to provide back-up power to Priory Farm House in the event of a power-cut. A 1.5 metre high hurdle screen will be erected around the generator. Two lines of hazel hurdles will be installed tightly together to create a double thickness fence.

4. Consultations
4.1 Wealden District Council: No response received
4.2 Wealden District Council Environmental Health: No objection subject to a 1.5m high double skinned hazel weave fence being erected around the generator as shown on drawing no. 1039-P14-A. This will provide an adequate acoustic screen and will protect the amenities of the neighbouring properties. A condition should be attached to any permission restricting the use of the generator to during power cuts only. If the generator is to be used on a more permanent basis that written approval must be sought from the South Downs National Park Authority. In this instance, an alternative location should be found.
4.3 ESCC Archaeology Officer: No objection. Although the application is situated within an Archaeological Notification Area, immediately adjacent to an area of identified prehistoric, Roman and medieval below
ground archaeological remains; given the level of modern disturbance in the area of the proposed work it is unlikely that any significant archaeological remains will be affected by the development.

4.4 **SDNPA Historic Buildings Officer:** No objection subject to a flint sample panel of the greenhouse wall (verbal confirmation).

4.5 **Long Man Parish Council:**

Strongly object to both the generator and the greenhouse for the following reasons:

**Generator:**
- The noise will adversely affect the neighbours and users of the nearby Grade I Listed Church and Priory.
- There have been no power cuts in recent years and the necessity of the generator is questioned.
- The generator could be situated in the basement of the house.
- There are no details on how and where the fuel of the generator will be sited raising safety concerns.

**Greenhouse:**
- This is a large and intrusive structure.
- The site is very open and the greenhouse will be visible from the Downs and visually intrusive to the users of the Downs.

The greenhouse and generator represent overdevelopment of the site and do not improve or enhance the National Park.

5. **Representations**

5.1 Two third-party representations have been received from the neighbouring properties- The Old Vicarage and Priory Barn. The representations raised the following issues:

**Generator:**
- This would be a significant noise nuisance to the neighbouring properties as well as Wilmington Priory and the Church.
- The generator is insensitively located and should be sited closer to the main house or in a basement to reduce the impact on neighbours.
- The generator is unnecessary as power-cuts are so rare. This type of facility is more akin to business premises rather than domestic houses and is inappropriate.

**Greenhouse:**
- The greenhouse should be refused. It is located outside of the curtilage of the property. The curtilage has been encroaching gradually into the agricultural field over the years.
- The greenhouse is very large (3 metres in height) and is visually intrusive on the landscape. It will be seen from the properties to the north as well as from the Downs and The Long Man.
- The curtilage is already over-developed.

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 Wealden District Core Strategy Local Plan 2013 which saves policies from the Wealden District Local Plan 1998.

**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.

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.

National Planning Policy Framework and Circular 2010

6.3 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.

6.4 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 South Downs Partnership Management Plan

6.5 The South Downs Partnership Management Plan (SDPMP) was adopted on 3 December 2013. It sets out a Vision and long term Outcomes for the National Park, as well as 5 year Policies and a continually updated Delivery Framework. The SDPMP is a material consideration in planning applications and has some weight pending adoption of the SDNP Local Plan. Policies 1, 9 and 50 are of particular relevance to this application. Policy 1 seeks to conserve and enhance the natural beauty and special qualities of the landscape and its setting, while policy 9 seeks to protect the significance of the historic environment. Policy 50 relates to housing.

Planning (Listed Buildings and Conservation Areas) Act 1990

6.6 The Planning (Listed Buildings and Conservation Areas) Act 1990 refers to the general duty as respects Listed Buildings and Conservation Areas. Section 66 of the Act sets the general duty as respects Listed Buildings in exercise of planning functions. In considering whether to grant planning permission for development which affects a Listed Building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. With regard to Conservation Areas, Section 72 of the Act requires that 'special attention shall be paid to the desirability of preserving or enhancing the character of that area'.

7. Planning Policy

7.1 The following policies of the Wealden District (Incorporating the South Downs National Park) Local Plan Core Strategy 2013 are relevant to this application:

• SPO2: Protection of environmental, heritage and cultural assets
• SPO13: High quality, safe and attractive living environments

7.2 The following saved policies of the Wealden Local Plan 1998 are relevant to this application:

• WLGD2 Development outside of development boundary
• WLEN19 Development within Conservation Areas
• WLEN27 Layout and design of development
• WLDG19 Extensions to dwellings in the countryside
• WLG19 Extensions to dwellings in development boundaries

7.3 The following Supplementary Planning Guidance are relevant to this application:

• Wealden District Design Guide 2008
8. **Planning Assessment**

8.1 The main planning considerations are:
- Design and visual impact
- Impact on the historical setting
- Neighbour amenity issues

**Design and visual impact, including impact on the historic setting:**

8.2 Policies EN27, DC19 and HG10 of the Wealden District Local Plan (1998) state that residential development (including ancillary buildings) must be sympathetic to the existing buildings in terms of their scale, form, design and materials, and must not be intrusive on the landscape or the rural setting. Further to this, great weight is given to protecting the landscape character and visual quality of the South Downs National Park.

8.3 The application site is also within a Conservation Area and Archaeological Notification Area, as well as being sited close to several Listed Buildings and Scheduled Ancient Monuments including Wilmington Priory and The Long Man. The impact of development on this historically sensitive area must therefore be considered.

8.4 The greenhouse is of a sensitive design and is an accepted feature within residential curtilages. The comments of neighbours and the Parish Council are noted, although the size of the greenhouse is not considered to be excessive or unsuitable to a residential setting.

8.5 The southern and eastern boundaries of Priory Farm House are very open and the greenhouse would consequently be visible from The Long Man and several public rights of way. The greenhouse would be viewed in the context of the main dwelling and residential plot however, and is not considered to have an unacceptable impact on the landscape. It should be noted that the greenhouse could be erected to the rear of the property under permitted development rights, and would be equally visible from The Long Man. The Historic Buildings Officer has raised no objection to the greenhouse subject to sample panel approval of the flint wall surround.

8.6 A neighbour has raised a concern that the greenhouse would be sited outside of the residential curtilage of Priory Farm House. Whilst it is not possible to comment on possible encroachment over the years, the greenhouse will be sited within the garden area of the property as approved under application SDNP/12/02925/FUL (site plan P-02). The use of this area for residential use is therefore permitted.

8.7 In terms of landscape impact, the generator will be sited behind the garage and will be screened by 1.5 metre high fencing as well as trees. The generator will consequently not be visible from the road or wider area.

8.8 The Archaeological Officer has raised no objection to the proposal.

**Neighbour amenity impacts:**

8.9 No residential amenity issues are raised by the greenhouse.

8.10 Two neighbours and the Parish Council have objected to the generator on the grounds that it will constitute a noise nuisance to neighbours and detract from the historic setting of the village. Wealden District Environmental Health have considered the proposal however and have raised no objection subject to a 1.5 metre fence being erected around the generator. This has been secured by the applicant and approved by Environmental Health. The generator will be used for back-up purposes only and a condition is proposed to secure this. The generator will also be at least 20 metres from the nearest residential property with a road and boundary walls in between. In light of the intended frequency of use and the assessment by Environmental Health, the generator is not considered to constitute an unacceptable noise nuisance. In addition, it is arguable that the works are de minimis and not requiring permission.

8.11 The Parish Council and neighbours and raised the possibility of siting the generator within the basement of the dwelling. It is understood however that the necessary ventilation system can not be incorporated into the building at this late stage of development.
9. **Conclusion**

9.1 The proposed greenhouse and generator are considered to have an acceptable impact on the character and appearance of the residential area and are not considered to detract from the quality of the landscape or the historic setting. The generator has been examined by Environmental Health who, in light of the intended frequency of use and acoustic screening, is not considered to constitute a noise nuisance.

10. **Recommendation and Conditions**

10.1 It is recommended that the application be approved subject to the following 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 the provisions of Section 91 (1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be undertaken in accordance with the approved plans.
   
   **Reason:** For the avoidance of doubt and in the interests of proper planning.

3. The emergency generator hereby approved shall only be used in the event of a mains power failure, to provide temporary back-up power to the dwelling known as Priory Farm House. The generator shall not be used for any other purpose unless agreed in writing with the South Downs National Park Authority. Any necessary testing or servicing shall only be carried out between the hours of 8.00am and 6.00pm Monday to Friday and 8.00am to 1.00pm on Saturdays and not on Sundays and Bank Holidays.
   
   **Reason:** To prevent a noise nuisance to nearby residential properties and to protect the amenities of the locality in accordance with policies EN27 and HG10 of the Wealden District Local Plan 1998.

4. The generator hereby approved shall not be first brought into use until the fence shown on approved plan 1039-P14-A has been erected. The fence shall be retained in accordance with the approved details thereafter, unless otherwise agreed in writing with the South Downs National Park Authority.
   
   **Reason:** To prevent a noise nuisance to nearby residential properties and to protect the amenities of the locality in accordance with policies EN27 and HG10 of the Wealden District Local Plan 1998.

5. No development on the greenhouse and associated garden wall hereby permitted shall be commenced until a sample panel of the new facing flintwork/brickwork at least one metre spared in size has been constructed on site and agreed in writing with the South Downs National Park Authority. Thereafter the development shall be carried out in accordance with this agreement.
   
   **Reason:** To ensure the development is undertaken to an appropriate standard in accordance with policy EN27 of the Wealden District Local Plan 1998.

11. **Crime and Disorder Implication**

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. **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.

14. **Proactive Working**

14.1 In reaching this decision the Local Planning Authority has worked with the applicant in a positive and proactive way, in line with the NPPF. This has included the provision of pre-application advice from the SDNPA Development Management Officer and SDNPA Design Officer, the opportunity to provide additional information to overcome technical issues and the opportunity to amend the proposal to add additional value as identified by SDNPA Officers and consultees.

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

Contact Officer: Hannah Grimes  
Tel: 01730 819270  
email: hannah.grimes@southdowns.gov.uk

Appendices  
1. Site Location Map

SDNPA Consultees  
Director of Planning and Legal Services

Background Documents  
Application documents:  
http://planningpublicaccess.southdowns.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=NF8IAPTUKQ200

National Planning Policy Framework:  

National Planning Practise Guidance:  
http://planningguidance.planningportal.gov.uk/

SDNP Partnership Management Plan:  

Wealden District Local Plan:  
http://www.wealden.gov.uk/Wealden/Residents/Planning_and_Building_Control/Planning_Policy/Former_Local_Plan/AdoptedWealdenLocalPlan
Agenda Item 15 Report PC20/15 Appendix 1 Site Location Map

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office.
Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. South Downs National Park Authority, Licence No. 100050083 (2012) (Not to scale)