

13 December 2018 at 7.00 pm

Council Chamber, Argyle Road, Sevenoaks

Despatched: 05.12.18



Development Control Committee

Supplementary Agenda

URGENT ITEM

Reason for urgency: Prior notification applications have been submitted. Such applications must be determined within a given timescale or they benefit from automatic permissions. The applications expire on 14 December 2018 and the next meeting of Development Control is not until 17 January 2018. The reports set out the detail as to why they are before Committee.

	Pages	Contact
4.6 18/03506/AGRNOT Land North of Oakenden Farm, Oakenden Lane, Chiddingstone Hoath TN8 7DE Agricultural store.	(Pages 1 - 8)	Emma Gore Tel: 01732227477

If you wish to obtain further factual information on any of the agenda items listed above, please contact the named officer prior to the day of the meeting.

Should you need this agenda or any of the reports in a different format, or have any other queries concerning this agenda or the meeting please contact Democratic Services on 01732 227000 or democratic.services@sevenoaks.gov.uk.

This page is intentionally left blank

4.6 18/03506/AGRNOT Date expires: 14 December 2018

Proposal: Agricultural store.

Location: Land North Of Oakenden Farm, Oakenden Lane,
Chiddingstone Hoath Edenbridge KENT TN8 7DE

Ward: Penshurst, Fordcombe & Chiddingstone

Item for decision

Councillor Coleman has called the Agricultural Notification to committee on the grounds the building may not be reasonably necessary for the purposes of the agricultural unit and may not be sited appropriately.

RECOMMENDATION: PRIOR APPROVAL NOT REQUIRED

Description of proposal

- 1 The agricultural store would have an overall height of approximately. 8.4m, with an eaves height of 6m. The overall length of the store would be 24.530m with a width of 18.288m. The building would be clad in box profile steel cladding (in olive green), with precast concrete panels and fibre cement roof sheets.

Description of Site

- 2 The proposed site is located to the north of Oakdene Farm and to the north east of Chiddingstone Hoath centre. The site is an open field with a number of public rights of way running through the field. The site is located in the Metropolitan Green Belt and the High Weald Area of Outstanding Natural Beauty.

Relevant planning history

- 3 N/A

Constraints

- 4 Metropolitan Green Belt
Area of Outstanding Natural Beauty
Public Rights of Way

Consultations

Chiddingstone Parish Council

- 5 Strongly object to this application. There is no economic justification for this proposed barn. If Sevenoaks District Council are minded to approve this

Agenda Item 4.6

application, the Parish Council would ask that the proposed barn be sited in a far more discreet position, as the proposed location is very prominent

Agricultural Consultant

- 6 'I refer to your letter dated 19 November 2018 concerning the planning notification submitted on behalf of Mr T S Avon for the erection of an open-ended agricultural store (24.5m x 18.3m and 6.1m to eaves) at the above site
- 7 The proposal relates to a parcel of land, which is said by the applicant's agent to comprise about 36 acres, although on measuring the boundaries on the submitted plan, it appears more like 40 acres, including about 8 acres of woodland. The applicant, a sheep and cattle farmer, manages the land along with a total of about 161 acres (65 ha) of other land in various parcels in West Kent and East Sussex. He currently has a flock of some 150 ewes, plus their lambs, rams, and replacement tegs, and a herd of 16 beef cows and their progeny.
- 8 The Chiddingstone land has no buildings and the applicant is proposing to erect a suitable general store here for hay, feed, farm machinery etc. I consider the proposal meets the requirements of the GPDO in terms of being reasonably necessary for the purposes of agriculture on the unit, and being suitably designed and located for those purposes'.

Principle issues

- 9 Whether the proposal complies with Schedule 2, Part 6, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)
- 10 The above part of the legislation allows for the carrying out on agricultural land comprised in an agricultural unit of 5 hectares or more in area of works for the erection of a building, which is reasonably necessary for the purposes of agriculture within that unit. Under paragraphs A.1 and A.2 of Class A development is permitted subject to several criteria and several conditions respectively.
- 11 Giving consideration to the 'reasonably necessary' part of the above, the Council consults 'Rural Planning' as our experts in making this assessment, whom in this instance have given a detailed response above. It is considered that the building is reasonably necessary for the proposed use. I have no reason to disagree with this assessment.
- 12 An assessment of A1 and A2 is made below:

Paragraph A.1 states that development is not permitted by Class A if -

(a) the development would be carried out on a separate parcel of land forming part of the unit which is less than 1 hectare in area;
- 13 The development would not and so complies with this criteria.

- 14 **(b) it would consist of the erection or extension of any agricultural building on an established agricultural unit (as defined in paragraph X of Part 3 of this Schedule) where development under Class Q or S of Part 3 (changes of use) of this Schedule has been carried out within a period of 10 years ending with the date on which development under Class A(a) begins;**
- 15 Development under class Q or S of part 3 (changes of use) has not been carried out within a period of 10 years. An agricultural unit has been extended to the south this barn does not form part of this unit. As such the building complies with this criteria.
- 16 **(c) it would consist of, or include, the erection, extension or alteration of a dwelling;**
- 17 The development would not include the erection, extension or alteration of a dwelling and so complies with this criteria.
- 18 **(d) it would involve the provision of a building, structure or works not designed for agricultural purposes;**
- 19 The development has been designed for agricultural purposes as confirmed by our rural consultant and so complies with this criteria.
- 20 **(e) the ground area which would be covered by -**
- (i) any works or structure (other than a fence) for accommodating livestock or any plant or machinery arising from engineering operations; or
- (ii) any building erected or extended or altered by virtue of Class A, would exceed 1,000 square metres, calculated as described in paragraph D.1(2)(a) of this Part;
- 21 The details of the proposal show the ground area would have a floor area of approx. 656.60m² this includes the proposed access as per D.1(2)a. The covering letter identifies an existing stone path. Upon conducting a site visit the public footpath does exist but is not comprised of a formal hardstanding. As it already exists and is outside of the red lines is not considered part of the ground area. As such, the building complies with this criteria.
- 22 **(f) the height of any part of any building, structure or works within 3 kilometres of the perimeter of an aerodrome would exceed 3 metres;**
- 23 The building would be greater than 3km away from the nearest aerodrome. As such, the proposal would comply with the criteria.
- 24 **(g) the height of any part of any building, structure or works not within 3 kilometres of the perimeter of an aerodrome would exceed 12 metres;**
- 25 The building would be approx. 8.4m high and would therefore not exceed 12m. As such, the proposal would comply with the criteria.

Agenda Item 4.6

- 26 **(h) any part of the development would be within 25 metres of a metalled part of a trunk road or classified road;**
- 27 The building would not be within 25m of a trunk road or classified road. As such, the proposal would comply with the criteria.
- (i) it would consist of, or include, the erection or construction of, or the carrying out of any works to, a building, structure or an excavation used or to be used for the accommodation of livestock or for the storage of slurry or sewage sludge where the building, structure or excavation is, or would be, within 400 metres of the curtilage of a protected building;**
- 28 The building would be within 400m of a number of Listed Buildings and residential dwellings. However, the use of the building would be for the storage of hay, feed and machinery and would not accommodate livestock, slurry or sewage sludge. As such, the proposal would comply with the criteria.
- 29 Concern has been raised with regard to the potential for the keeping of livestock in the building. A determination can only be made with regard to information submitted which clearly identifies the use would not be for the shelter of livestock.
- 30 **(j) it would involve excavations or engineering operations on or over article 2(4) land which are connected with fish farming;**
- 31 The development would not and so complies with this criteria.
- 32 **(k) any building for storing fuel for or waste from a biomass boiler or an anaerobic digestion system -**
- 33 **(i) would be used for storing waste not produced by that boiler or system or for storing fuel not produced on land within the unit; or**
- (ii) is or would be within 400 metres of the curtilage of a protected building.**
- 34 The development would not and so complies with this criteria.

Prior Approval Details

Conditions

- 35 Under Part 6, A.2 (2)(i), the applicant must provide details of siting, design and external appearance of the building. No other part is relevant to this application.
- 36 Further requirements building upon the above within A.2, and section (2) and (3) of A.2 have been met. The applicant has submitted full details of the siting and design.
- 37 The proposed building for the storage of feed, hay and machinery has been considered by the local planning authority's rural consultant as being

reasonably necessary for the purposes of agriculture on the unit, and being suitably designed and located for those purposes.

- 38 The proposed building would be clad with precast concrete panels; box profile steel cladding (in olive green) and fibre cement roof sheets. The overall form and design is typical of agricultural buildings in general and is an expected built form in a rural setting. The building would have a shallow pitched roof, which is appropriate in design considerations.
- 39 The proposed siting of the building would be set against a tree line to the north. To the west existing woodland also encloses the location of the barn from a wider view. The siting of the building would sit against the boundary of the site and would not sit in the middle of the open field.
- 40 The more open landscape extends to the east of the site with longer ranging views towards Penshurst. The site is situated on an incline in land levels and the building may be partially visible from the east. However, the shorter width of the building (18.288m) would face to the east. The elongated part of the building would not sit against the wider view. In addition, trees line break up the view. The built form would also be an expected feature of this rural landscape.
- 41 To the west of the site, the adjacent field has two public rights of way one, which dissects, across the field running from east to west diagonally. While the land is more level in this location, views towards Penshurst are still observable towards the east.
- 42 To the south of the site a small cluster of both residential and agricultural buildings are located approximately 110m from the site. A tree line does intersect the site from these buildings. The proposed agricultural building would have a separation from this built form but would not be entirely unexpected as a person travelled from the group of dwellings and buildings up the public footpath to the north.
- 43 While the barn building would be located away from the existing buildings, the siting would not be unduly intrusive within the AONB landscape. The built form would be representative of the local agricultural vernacular and would be appropriate in the AONB landscape.
- 44 A number of public footpaths are located around the site and the building would be visible from these footpaths. Again, the design, style and form of the building would be expected of an agricultural area and would not widely obscure the view of the open landscape.
- 45 The proposed access would run from the informal public right of way and curve up to the north to provide a route to the storage building. The access would be 4m in width and would be proportionate to the storage building.
- 46 In this instance the building and access is suitably designed to serve its function. The appearance is considered acceptable for its use and would be sited in an appropriate location.

Agenda Item 4.6

- 47 It is also noted that condition A.2.(5) requires removal of the building (unless planning permission has been granted otherwise) if the use ceases within 10 years.

Conclusion

- 48 The proposal complies with the constituent parts of Schedule 2, Part 6, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Recommendation

- 49 It is therefore recommended that Prior Approval is not required.

Background Papers

Site and Block Plan

Contact Officer: Emma Gore Extension: 7206

Richard Morris
Chief Planning Officer

Link to application details:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=PI6DRIBK0LO00>

Link to associated documents:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=PI6DRIBK0LO00>



