
Appeal Decision

Site visit made on 28 November 2016

by S M Holden BSc MSc CEng MICE TPP FCIHT MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 2nd December 2016

Appeal Ref: APP/C1435/W/16/3156033

Broomham Field Farm, Lewes Road, Laughton, East Sussex BN8 6BN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Iain Scott against the decision of Wealden District Council.
 - The application Ref WD/2016/0423/F, dated 18 February 2016, was refused by notice dated 27 May 2016.
 - The development proposed is erection of farrowing shed, agricultural barn and associated works including resurfacing existing agricultural track.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The application form did not include Laughton or East Sussex in the site address. However, as they were added on the appeal form, I have included them in the address used in this decision for the sake of clarity.

Main Issues

3. The main issues are:
 - a) whether the proposal is reasonably necessary for the purposes of sustaining the agricultural undertaking within the holding;
 - b) the effect of the proposal on the character and appearance of the countryside.

Reasons

Requirements of the agricultural holding

4. Broomham Field Farm is a holding that extends to approximately 6 hectares, containing fields and woodland. The fields are being used for sheep breeding; the woodland has been managed and coppiced with a view to using it as an area in which to allow pigs to forage. However, there are no suitable buildings on the site in which the animals can give birth safely, or in which to store farm machinery securely.
 5. The proposed farrowing shed would be sited to the rear of the existing stables. It would have six units and could be used all the year round, giving it the capacity to deal with 40 piglets per month. From the evidence before me it appears that a small number of pigs were introduced in the summer of 2015.
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The design and access statement (February 2016) states that there were seven pigs on site at that time, three of which were due to be sold, but four additional ones would be arriving at the end of February. In August, the date of the appeal statement, there were apparently four pigs on the farm, only two of which were females. The intention was to have four breeding sows which could produce 80-90 progeny per annum.

6. However, there was no definitive information provided about how many pigs had been bought and sold as part of the enterprise since the summer of 2015 or how many were currently owned by the appellant. At the time of my site visit there were no pigs on the site and there was no other evidence to persuade me that the pig business is an on-going enterprise that could be sustained over a significant period. I am therefore not convinced that a barn capable of accommodating as many as 40 piglets per month has been adequately justified.
7. According to the design and access statement there were eleven sheep on the site, including one breeding ram and six breeding ewes. There were sheep grazing in the fields at the time of my site visit. However, I have no other definitive information before me about the number of lambs produced or sold over the years that the appellant has been running this business. I accept that the stables are unsuitable for lambing and there is nowhere on the site to store additional feed and hay for the sheep. However, I am not persuaded that the current enterprise is of a sufficient scale to justify a barn of the size proposed, which not only includes a small area for lambing, but a considerable amount of space for equipment, storage of feed and an office.
8. Saved Policy DC3 of the Wealden Local Plan (Local Plan) indicates that proposals for new farm buildings will be permitted, subject to a series of criteria. The policy does not specifically require a business plan and I note that the Council's rural adviser was satisfied that the buildings are reasonably necessary for the purposes of agriculture, insofar as they relate to the aspirations of the appellant to develop his livestock business. However, in the absence of any substantive information about the number of animals that the holding has raised and sold over recent years, I cannot be satisfied that the business is part of an on-going enterprise that requires additional buildings of the scale proposed.
9. Whilst the appellant suggests that the proposal is based on the meticulously planned requirements of the business, there was insufficient evidence presented to justify this assertion. From what I have read, it appears that the business, particularly in relation to the pigs, is still in the early stages of development. In my view the erection of two substantial buildings would therefore be out of proportion to the needs of the business, particularly in the absence of any financial information and a business plan to demonstrate that the business could support the proposal as part of a sustainable rural enterprise.
10. Taking all these factors into account, I conclude that it has not been demonstrated that the proposal is reasonably necessary for the purposes of the agricultural holding. It would therefore be contrary to saved Policy DC3 of the Local Plan. It would also fail to comply with paragraph 28 of the National Planning Policy Framework, which seeks to support a prosperous rural economy by supporting sustainable growth of rural enterprises.

Character and appearance

11. The proposed barn would be sited in a prominent position to the east of the existing stables and some distance from the proposed harrowing shed. It would be a two storey building with hay and feed being stored at first floor level. Given the limited size of the current and proposed agricultural enterprise, this would not appear to be the most appropriate or economical means of meeting the functional requirements of the operation.
12. In addition, the distances between the various buildings on the site would result in a scattered cluster of structures that would erode this open and undeveloped area of countryside. I saw that there was a similar barn in the adjoining holding at Lower Vert Wood further east along Lewes Road. However, it was sited closer to the field boundary and adjacent to extensive screening of trees. It was therefore less prominent in the landscape than would be the case with the appeal proposal.
13. The proposed harrowing shed would be of more modest proportions. It would be sited to the rear of the existing stables and adjacent to the track that runs along the edge of the site. It would not intrude into the open field in which the sheep are grazing. It would be a simple and functional structure and neither its position nor its appearance would be out of keeping with the surrounding rural landscape. I therefore consider this building would be acceptable in its context. Similarly, the use of gravel and Type 1 MOT to improve the track into the woodland would be suitable as a means of providing better access to the holding as a whole.
14. However, for the reasons set out above, I conclude that the barn would be harmful to the character and appearance of the area. This element of the proposal would therefore be contrary to saved Policies GD2 and EN8 of the Local Plan, which seek to restrict development in the countryside in order protect the landscape character of the Low Weald. It would also fail to comply with saved Policy DC3, which requires new farm buildings to integrate with existing structures and not to be intrusive in the landscape.

Other Matters

15. The Parish Council raised a number of additional concerns in relation to the proposal. However, in view of the distance of the development from the nearest dwellings I concur with the Council's assessment that there would be no harm to their living conditions arising from unacceptable smells. Other matters relating to slurry management and possible conditions were not determining factors, given my conclusions on the main issues.

Conclusions

16. I have found that the proposed farrowing shed and improvements to the track would not be harmful to the character and appearance of the area. However, these positive aspects of the scheme are outweighed by the inadequate justification for the erection of two buildings as part of a sustainable rural enterprise and the harm to the countryside that would arise from the proposed barn. I therefore conclude that the appeal should be dismissed.

Sheila Holden

INSPECTOR