



[RR/2019/207/P](#)**HURST GREEN Pooks Farm, London Road****Erection of shepherds hut**

Applicant: Councillor G.S. Browne
Agent: Councillor G.S. Browne
Case Officer: Miss Rebecca Burt
(Email: rebecca.burt@rother.gov.uk)
Parish: HURST GREEN
Ward Member(s): Councillor G.S. Browne and Mrs S.M. Prochak

Reason for Committee consideration: Applicant is a District Councillor

Statutory 8 week date: 22 April 2019

Extension of time agreed to: 29 April 2019

1.0 POLICIES

- 1.1 The following policies of the Rother Local Plan Core Strategy 2014 are relevant to the proposal:
- OSS4: General Development Considerations
 - RA2: General Strategy for the Countryside
 - RA3: Development in the Countryside
 - EC6: Tourism Activities and Facilities
 - EN1: Landscape Stewardship
 - EN3: Design Quality
 - TR4: Car Parking
- 1.2 Weight is also attached to the following policy of the emerging Development and Site Allocations Local Plan (DaSA):
- DEN2: The High Weald Area of Outstanding Natural Beauty (AONB)
 - DEN1: Maintaining Landscape Character
- 1.3 The National Planning Policy Framework and Planning Policy Guidance are also material considerations particularly paragraph 172 that requires that great weight is given to conserving and enhancing landscape and scenic beauty of the AONB. Within these designated areas the scale and extent of development should be limited.
- 1.4 The High Weald AONB Unit Management Plan is also relevant to the consideration.
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2.0 SITE

- 2.1 The application relates to the land adjacent to a detached dwelling located to the northeast of the A21, around 1km north of the village of Hurst Green.

Accessed via a private track; the property has an agricultural occupancy condition and serves farmland in the locality. The site falls within the AONB and outside of any defined development boundary. A cluster of farm buildings lies to the north-east of the dwelling.

3.0 HISTORY (Relevant)

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|-----|----------------|--|
| 3.1 | RR/88/2148 | Outline application for erection of agricultural dwelling with garage. Refused |
| 3.2 | RR/89/3205/P | Outline: erection of detached two storey agricultural dwelling with garage. Refused |
| 3.3 | RR/2004/2102/P | Erection of detached chalet bungalow (farm house) with provision of three parking spaces. Approved Conditional |
| 3.4 | RR/2015/2683/P | Extension to form annexe for disabled relative. Approved Conditional |
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4.0 PROPOSAL

- 4.1 This application seeks planning permission for the siting of a self-contained shepherds hut to be used as holiday/tourist accommodation. The shepherds hut is to be sited on an area of cleared land just south-east to the existing dwelling, appearing outside the residential curtilage for the dwelling. No operational development is proposed and parking will be accommodated on the existing hard-standing adjacent to the recently constructed annexe extension.
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5.0 CONSULTATIONS

- 5.1 Hurst Green Parish Council – **NO OBJECTION**
- 5.2 Planning Notice
- 5.2.1 No comments received.
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6.0 APPRAISAL

- 6.1 The main considerations are: the principle of the development and the impact on the character of the area, including landscape impact and the impact on neighbouring amenity.
- 6.2 Principle
- 6.2.1 Policies OSS1, OSS2 and OSS3 of the Core Strategy are concerned with the distribution of development, the use of development boundaries and the location of development respectively. Collectively they encourage sustainable patterns of development with most development directed within existing Development Boundaries around settlements. That said, there is recognition that diversification within the countryside, for employment uses,

is beneficial. Therefore some development, such as tourism (an employment use), can be acceptable in a rural location.

6.2.2 Policies RA2 (iii) and (vii), RA3 (ii) and EC6 (v) of the Core Strategy expand on this further and offer support for tourism related development, including in rural locations subject to other considerations.

6.2.3 Given the above, the principle of rural tourism development in this location is accepted subject to appropriate consideration of matters such as impact on local character and the AONB. While conditions limiting the shepherds hut use for holiday purposes and not unauthorised permanent residential use is recommended.

6.3 Impact on the character and appearance of the area, including the AONB

6.3.1 Policy OSS4 (iii) states that development should respect and not detract from the character and appearance of the locality.

6.3.2 Policy RA2 states that the overarching strategy for the countryside is to (viii) conserve the intrinsic value, locally distinctive rural character and landscape features of the countryside.

6.3.3 Policy RA3 states that (v) all development should be of an appropriate scale and will not adversely impact on the landscape character of the countryside.

6.3.4 Policy EN1 of the Core Strategy requires the protection and enhancement of the districts nationally and locally distinctive landscapes, including (i) the AONB and (vi) ancient woodland. This is further expanded in policies DEN1 and DEN2 of the emerging DaSA.

6.3.5 On site, it is difficult to distinguish the residential curtilage for the dwelling from the land in which the proposed shepherds hut would be sited as this parcel of land is read in context with the existing residential curtilage of the dwelling.

6.3.6 The shepherds hut is proposed close by to the existing dwellinghouse thus limiting the potential for the hut to appear out of character within the countryside location as the built form would be clustered together.

6.3.7 A parcel of open countryside lies to south-east of the proposed shepherds hut. Views of the proposed shepherds hut would be capable from the immediate surrounding countryside to the south-east. However, these views would be significantly obscured by the existing row of dense screening along the south-eastern boundary. Also there are no nearby public footpaths in which views of the shepherds hut could be obtained. Consequently, the hut, which is small in scale and simple in design, would be obscured from any clear countryside views outside of the site.

6.4 Impact on Neighbouring Amenity

6.4.1 Ashdene House is located approximately 50m from the application site and fronts the A21. It is noted that the shepherds hut would be visible from the first floor rear windows of the nearby dwelling. However, the current outlook in this direction from Ashdene House is cluttered with an array of existing buildings and paraphernalia associated with the small-holding and the hut is

sited amongst this; therefore the siting of this shepherds hut is not expected to be harmful to the amenity of Ashdene House.

6.5 Other Matters

- 6.5.1 The access and hardstanding for the existing dwellinghouse would sufficiently accommodate occasional vehicles for this small holiday let use in addition to maintaining adequate parking for the existing dwelling. There would be no conflict with Policy TR4.

7.0 SUMMARY AND PLANNING BALANCE

- 7.1 Given that there is no harm to the character of the area or neighbouring amenity and tourism uses are supported in principle; subject to planning conditions the proposed development is considered acceptable and recommended for approval.

8.0 LOCAL FINANCE CONSIDERATIONS

- 8.1 The application would not be liable for financial contributions such as the Community Infrastructure Levy. However, it is acknowledged that tourism uses in general would support the local economy.

RECOMMENDATION: GRANT (FULL PLANNING)

CONDITIONS:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: In accordance with section 91 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 carried out in accordance with the following approved plans and details:
Block Plan/Application Site, Pooks Farm, dated 19 February 2019
Internal Floor Plan, Scale 1:40 (hand drawn, undated)
Elevations, Scale 1:20 (hand drawn, undated)
Reason: For the avoidance of doubt and in the interests of proper planning, as advised in Planning Practice Guidance Paragraph: 022 Reference ID: 21a-022-20140306.
3. The holiday accommodation is to be occupied for holiday purposes only and shall not be occupied as a person's sole or main place of residence.
Reason: To ensure that the approved holiday accommodation is not used for unauthorised permanent residential occupation in accordance with Policies OSS4 (iii) EC6 and RA3 of the Rother Local Plan Core Strategy.
4. The owners/operators shall maintain an up-to-date register of the names of all owners and/or occupiers of individual holiday accommodation on the site,

and of their main home addresses, and shall make this information available at all reasonable times to the Local Planning Authority.

Reason: To ensure that the approved holiday accommodation is not used for unauthorised permanent residential occupation in accordance with Policies OSS4 (iii) EC6 and RA3 of the Rother Local Plan Core Strategy.

5. The proposed holiday unit shall not be occupied for more than 56 days in total in any calendar year by any one person.

Reason: To ensure that the approved holiday accommodation is not used for unauthorised permanent residential occupation in accordance with Policies OSS4 (iii) EC6 and RA3 of the Rother Local Plan Core Strategy.

NOTE:

1. The black line edged on the Block Plan/Application Site, dated 19 February 2019, is not considered to reflect the residential curtilage for the dwellinghouse, Pooks Farm.

NATIONAL PLANNING POLICY FRAMEWORK: In accordance with the requirements of the Framework (paragraph 38) and with the Town and Country Planning (Development Management Procedure) (England) Order 2015, 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 have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.