

SITE PLAN

RR/2022/2839/P

BATTLE

Big Wood – Land at  
London Road  
Battle



## Rother District Council

Report to	-	Planning Committee
Date	-	1 June 2023
Report of the	-	Director – Place and Climate Change
Subject	-	Application RR/2022/2839/P
Address	-	Big Wood – Land at, London Road, Battle
Proposal	-	Replacement agricultural building and retention of track and associated hardstanding (part retrospective).

[View application/correspondence](#)

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**RECOMMENDATION:** It be **RESOLVED** to **GRANT (FULL PLANNING)**

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**Director: Ben Hook**

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**Applicant:** Mr Jordon Measom  
**Agent:** Greenhayes Planning  
**Case Officer:** Miss Harriet Nurse  
(Email: [harriet.nurse@rother.gov.uk](mailto:harriet.nurse@rother.gov.uk))

**Parish:** BATTLE  
**Ward Members:** Councillors S. Burton and K.M. Field

**Reason for Committee consideration:** Councillor Mrs Cook call in – inappropriate development in the Area of Outstanding Natural Beauty.

**Statutory 8-week date: 13 February 2023**

**Extension of time agreed to: 8 June 2023**

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### **1.0 SUMMARY**

1.1 The proposed replacement barn and retention of track and hardstanding have an agricultural justification and would not cause harm to the character of the locality or that of the High Weald Area of Outstanding Natural Beauty (AONB). It would not detract from the rural character and appearance of the locality, would not adversely impact on any nearby residential properties and there are no highway safety concerns. The recommendation is to grant permission subject to the imposed conditions.

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### **2.0 SITE**

2.1 The site consists of around nine acres of land which forms an agricultural holding, located on the east side of London Road (A2100). The site comprises an access track leading to an agricultural field that forms part of a smallholding

known as Big Wood. The field is laid to grass with mature hedging and trees are found around the perimeter. There are neighbouring dwellings to the south and north of the site, and to the east is agricultural land.

2.2 There are no Tree Preservation Orders in place in respect of the site and it is not adjacent to any ancient woodland.

2.3 The site is located within the countryside outside of a recognised development boundary. It is within the High Weald AONB and is within the Brede Valley Landscape Character Area.

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### **3.0 PROPOSAL**

3.1 This application seeks planning permission for a replacement agricultural building and retention of track and associated hardstanding (part retrospective).

3.2 The height of the building will be 5.5m to the ridge with gently pitched roof to fall to an eaves height of 4.2m. The new building will measure 30m in length by 15m in width and is purposely designed for storage purposes.

3.3 The building would be solely used for agricultural purposes including storage of hay and machinery and the keeping of existing 12 cattle currently on site in the animal pens. The materials comprise of single skin plastic coated metal sheets coloured green to the roof, containing 12 rooflights and the walls would be of matching sheeting, with ventilation integrated for the livestock.

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### **4.0 HISTORY**

4.1 No planning history relevant.

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### **5.0 POLICIES**

5.1 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 within the Countryside
- EN1: Landscape Stewardship
- EN3: Design Quality

5.2 The following policies of the [Development and Site Allocations Local Plan](#) are relevant to the proposal:

- DCO2: Equestrian Developments
- DEN1: Maintaining Landscape Character
- DEN2: The High Weald Area of Outstanding Natural Beauty
- DEN7: Environment Pollution

- 5.4 The following policies of the Battle Neighbourhood Plan, should also be considered in determining this application:
- HD1: Development Boundaries
  - HD4: Quality of Design
  - HD5: Protection of Landscape Character
  - EN3: The High Weald AONB and Countryside Protection
- 5.5 The National Planning Policy Framework, Planning Practice Guidance and High Weald AONB Management Plan 2019-2024 are also material considerations.
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## 6.0 CONSULTATIONS

### 6.1 Battle Town Council – **NO OBJECTION**

- 6.1.1 No objection in principle but Council suggests a condition to use cladding as existing structures.
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## 7.0 APPRAISAL

### 7.1 The main issues for consideration:

- Principle / Agricultural Need.
- The effect on the neighbouring amenity .
- The impact of the proposal on the character and appearance of the area, including the landscape and scenic beauty of the AONB.

### 7.2 *Principle / Agricultural Need*

- 7.2.1 Policy RA3 of the Rother Local Plan Core Strategy states that proposals for development in the countryside will be determined on the basis of: (i) supporting new agricultural buildings and other non-domestic buildings demonstrably needed to support farming, woodland and other land-based industries that are of appropriate size, siting and design and materials and directly relates to the enterprise, and (v) ensuring that all development in the countryside is of an appropriate scale, will not adversely impact on the landscape character or natural resources of the countryside and, whenever practicable, support sensitive land management.

- 7.2.2 The Agent has stated that the application relates to an existing agricultural holding. The Applicant bought the farm with the complex of buildings with the aspiration to restore the land and develop an agricultural venture consisting of breeding and selling of rare breed cattle. The herd now consists of 16 animals as well as an increase to the holding of nine acres. The intention is to develop the livestock business, selling cattle at market and developing the young as has been the case over the last year or two. The Applicant also undertakes land conservation practices including hedgerow and land management. The land and buildings were in a poor state and the Applicant has restored the land as well as resurfacing the longstanding track and areas of hardstanding.

- 7.2.3 The Council at the pre-application meeting observed that the existing buildings were in poor condition and unsuitable for modern agricultural use, with low eaves heights and less than robust materials and recognised the need for better buildings. Thus, having regard to the growing needs of the holding and the lack of suitable storage or accommodation for livestock, the proposals seek to replace the existing building with a new building to meet modern agricultural standards.
- 7.2.4 Therefore, the principle of development in this countryside location is considered acceptable.
- 7.3 *The effect on the neighbouring amenity*
- 7.3.1 Policy OSS4 (ii) of the Rother Local Plan Core Strategy states that new development should not unreasonably harm the amenities of adjoining properties.
- 7.3.2 The proposed barn would take place to the east of London Road over 40m, at the end of a track. It would be set over 66m from the neighbour of the host dwelling to the south (Orchard Bank), over 75m from the neighbour (Voecot) to the north and over 68m from the neighbour (Lily Bank) to the west. Given its distance, positioning, single storey nature, traditional design and sympathetic materials it is not considered to cause unreasonable harm to any neighbours.
- 7.3.3 There are no immediate neighbours to the east of the application site as such there would be no impact.
- 7.4 *The impact of the proposal on the character and appearance of the area*
- 7.4.1 The site is located in the countryside and is within the High Weald AONB. The Government's approach to the natural environment is set out in the National Planning Policy Framework and advises that valued landscapes should be protected and enhanced. Paragraph 176 says that: "Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues."
- 7.4.2 Policies OSS3, OSS4, RA2, RA3 and EN1 of the Rother Local Plan Core Strategy, along with Policies DEN1 and DEN2 of the Development and Site Allocations Local Plan are consistent with the advice of the National Planning Policy Framework.
- 7.4.3 These policies all seek to ensure that development respects the character and qualities of the landscape and countryside, especially where they are protected by national designation.
- 7.4.4 The building would be used for the keeping of livestock within the animal pens and the storage of hay and machinery required for agricultural purposes, with the design of the barn considered to be agricultural in appearance which is common within the AONB.
- 7.4.5 The site already has the appearance of being used for agricultural purposes, with the existing barn that is to be replaced being erected several years ago

and the continued siting of a barn in this location would not appear at odds with its surroundings.

- 7.4.6 The proposed replacement barn is similar in footprint, although slightly larger, and is within the same location as the existing barn. The proposal would be of a scale and design appropriate for its use and location and as such it would have a similar landscape impact to that which currently exists. Given this, the proposal should not detract from the character and appearance of the locality or the landscape and scenic beauty of the AONB.
- 7.4.7 The application also includes the retention of the track which was subject to the enforcement notice. At the recent meeting, the Council recognised the needs of the Applicant and the growing enterprise. This track and associated hardstanding follow the historic line of the yard and has been formalised. It should be noted that the Applicant is open to further landscaping if this would be beneficial.
- 7.4.8 The provision of the retrospective access track, enables the easy access to an existing agricultural barn. The location within the AONB and running through the middle of an open field with a hardstanding track does not appear incongruous within the landscape, due to the nature of providing an access to an agricultural barn.
- 7.4.9 There is no lighting detailed on the submitted plans. However, a condition would be imposed to prevent any external lights being added to protect the character and appearance of the locality in the AONB, the dark skies and local ecology. A condition is also recommended to restrict the use the building to agricultural use in the interests of maintaining local character and suitable landscape use.
- 7.4.10 Overall, with regards to the above points it is not considered that the proposals would harm the character of the locality or that of the High Weald AONB.

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## **8.0 PLANNING BALANCE AND CONCLUSION**

- 8.1 The proposed replacement barn is considered of an acceptable scale and design for its agricultural purpose. The proposal does not unreasonably harm the amenities of neighbouring properties and would have an acceptable impact on the character and appearance of the locality within the High Weald AONB.
- 8.2 As such subject to conditions permission can be granted for this scheme.

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## **RECOMMENDATION: GRANT (FULL PLANNING)**

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### **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:

Site Location Plan submitted 1 December 2023

Block Plan submitted 1 December 2023

Proposed Floor Plan submitted 6 December 2023

Proposed Elevations submitted 6 December 2023

Proposed Roof Plan submitted 6 December 2023

Proposed Section – Cross Section submitted 6 December 2023

Proposed Section – Internal Elevations submitted 6 December 2023

Planning Statement submitted 1 December 2023

Reason: For the avoidance of doubt and in the interests of proper planning.

3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall be as described within the application, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To maintain the characteristics and the visual amenities of the surrounding area in accordance with Policies OSS4 (iii) of the Rother Local Plan Core Strategy (2014).

4. The building hereby permitted shall only be used for the purposes of agriculture and/or forestry as defined in Section 336 of the Town and Country Planning Act 1990 and for no other purpose.

Reason: To ensure that only buildings essential to the running of an agricultural unit are provided in the countryside in accordance with Policy RA3 of the Rother Local Plan Core Strategy (2014).

5. The building hereby permitted shall only be used as described within the application; for the keeping of livestock within the animal pens and the storage of hay and machinery associated with the agricultural use of the site.

Reason: To preserve the amenities of nearby residential properties in accordance with Policy OSS4 (ii) of the Rother Local Plan Core Strategy (2014).

6. No floodlighting or other external means of illumination of the development hereby permitted shall be provided, installed or operated at the site, except in accordance with a detailed scheme which shall have first been submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the visual amenities of the locality in accordance with Policies OSS4, RA2, RA3 and EN1 of the Rother Local Plan Core Strategy (2014), and Policies DEN1, DEN2 and DEN7 of the Development and Site Allocations Local Plan (2019).

**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.