



Appeal Decision

Site visit made on 1 April 2025

by Nick Davies BSc(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 April 2025

Appeal Ref: APP/B9506/W/24/3350546

Pitmore Farm Cottage, Pitmore Lane, Sway, Hampshire SO41 8LL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Nigel Harvey against the decision of New Forest National Park Authority.
 - The application Ref is 23/01551FULL.
 - The development proposed is change of use from an agricultural building (previously used as a chicken shed) to B8 storage; external alterations to building.
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Decision

1. The appeal is allowed and planning permission is granted for change of use from an agricultural building (previously used as a chicken shed) to B8 storage; external alterations to building at Pitmore Farm Cottage, Pitmore Lane, Sway, Hampshire SO41 8LL in accordance with the terms of the application, Ref 23/01551FULL, and the plans submitted with it, subject to the following conditions:
 - 1) No activity shall take place on the site in connection with the approved use other than between the hours of 0800 and 1800 Monday to Saturday, not including recognised public holidays.
 - 2) No external lighting shall be installed on the site unless details of such proposals have been submitted to and approved in writing by the New Forest National Park Authority.

Preliminary Matters

2. I have used the description of the development given on the Council's decision notice, as it accurately describes the proposal, and is more succinct than that given on the application form.
3. The building was already in use for storage prior to the submission of the application, and was still in use for that purpose at the time of my visit. I am therefore dealing with the appeal retrospectively.

Main Issue

4. The main issue is whether the proposed use and associated alterations would be appropriate, bearing in mind development plan policies.

Reasons

5. The appeal site forms part of a complex of buildings that occupy land to the west of Pitmore Lane. The evidence indicates that there were previously ten buildings, all used as a poultry farm, with up to 250,000 birds on site at any one time. The on-site agricultural dwelling was approved in 2004 to support the operation of this

business. Subsequently, however, lack of profitability resulted in the cessation of the poultry operation, and it is contended that it would not be viable to reinstate the use due to modern animal welfare requirements. In 2012, planning permission was granted to change the use of two of the buildings at the southern end of the site to storage, and to demolish another, with the resultant hard standing also to be used for storage. I saw that this permission appeared to have been implemented, and the building had been demolished.

6. The proposal relates to Unit 7, which is closely associated with the buildings and hardstanding that are already in permitted storage use. The evidence indicates that the use of the appeal building for storage commenced in 2018. It has been altered externally to provide eight double-door openings that break the eaves of the building, thus allowing easier access for vehicles and items to be stored.
7. Policy DP49 of the New Forest National Park Local Plan 2016-2036 (August 2019) (the Local Plan) says that the re-use of buildings outside Defined Villages will be permitted subject to four criteria. The first two of these would be satisfied, as the proposal is not for residential use, and would not result in the loss of an employment use. As far as criterion c) is concerned, there is no evidence to suggest that the building is structurally unsound. Furthermore, the conversion has been carried out without significant extension or detriment to the building or its surroundings.
8. Paragraph 8.39 of the supporting text indicates that the re-use of purpose-built or prefabricated agricultural buildings, such as glasshouses or prefabricated barns, particularly those of a large scale, are unlikely to be considered favourably under Policy DP49, as such buildings are often out of character with the New Forest landscape. In this case, the building is not prefabricated, although it does appear that it was originally purpose-built for poultry housing. Nevertheless, the building is surrounded by similar structures on three sides and a large disused glasshouse on the other. Its scale and appearance are, therefore, appropriate to its location, and the building is not seen in the context of the wider National Park landscape. Consequently, I am not persuaded that there is any conflict with criterion 3.
9. Criterion d) requires that the building is genuinely redundant and not capable of fulfilling any beneficial agricultural use. The building is no longer required for the original poultry operation. However, Paragraph 8.38 of the Local Plan explains that, whilst buildings may no longer be required by a particular farm, they may still be suitable for use by commoners, e.g. for storage of feedstuffs or housing animals, or for conversion to a commoners' dwelling. In this case, the restricted height of the appeal building, and its general lack of light and ventilation, make it unsuitable for housing animals. Its scale, and location amongst other buildings, make it unsuitable for conversion to a dwelling. Consequently, its only potential beneficial use to commoners would be for storage, which would still be allowed for under the proposed use. In accordance with criterion d), therefore, the building is genuinely redundant, and its proposed re-use would not deprive the agricultural community of a potentially useful building.
10. Overall, therefore, the proposal complies with the requirements of all four criteria, so is supported by Policy DP49, without any need to demonstrate that it represents farm diversification. Nevertheless, Policy SP48 of the Local Plan says that land-based businesses that help maintain the overall character and cultural identity of the National Park will be supported through farm diversification. Support for non-

agricultural farm diversification under this Policy is dependent on the maintenance of the long-term agricultural operation of the land, and where it can be demonstrated that the new use would remain ancillary to the farming business.

11. The Council contends that there is little agricultural activity on the site, and that the primary use is now commercial. However, the evidence indicates that the appellant's business includes 70 acres of rented land off-site, including a cattle shed, and that the existing storage business is not the predominant source of income. Conversion of the appeal building to storage use has resulted in three of the nine remaining buildings being taken out of agricultural use. Five of the other six are, however, considerably larger, so, overall, only about 25% of the floorspace within the complex has an authorised non-agricultural use. These uses are grouped together on the lower part of the site, so would not compromise the continued agricultural use of the remaining buildings, which would still have a considerable cumulative floorspace. I am not persuaded, therefore, that the proposal is of such a scale or extent that it is likely to provide an incentive to reduce the long-term agricultural operation of the overall business. It would, however, provide additional income for the overall farming operation which helps maintain the character and cultural identity of the National Park, so is supported by Policy SP48.
12. The Council contends that the proposal does not meet the criteria for business and employment development outside Defined Villages, as set out in Policy SP42. However, the Policy allows for the re-use of existing buildings and farm diversification schemes. As I have found that the proposal complies with the requirements of Policies DP49 and SP48 in these respects, it logically follows that it also complies with Policy SP42.
13. The Council also cites conflict with Policies SP17 and DP2 of the Local Plan. However, the alterations that have taken place to the building, and its use for storage rather than agriculture, are not readily discernible from outside the site. Consequently, the proposal has not resulted in any erosion of the National Park's landscape character, or had any suburbanising effect, so there is no conflict with these Policies.
14. The legislation¹ defines the National Park purposes as being to conserve and enhance natural beauty, wildlife, and cultural heritage, and to promote opportunities for the understanding and enjoyment of the special qualities of the National Park by the public. The Council's reason for refusal did not cite any conflict with these purposes. Nevertheless, the legislation places me under a duty, in determining this appeal, to seek to further them.
15. In my consideration of the proposal against the requirements of the relevant Policies of the Local Plan, I concluded that the proposal does not result in any harm to the National Park landscape. There is no evidence to indicate that the proposal would be harmful to wildlife. The natural beauty and wildlife of the National Park would, therefore, be conserved. The proposal would support the viability of the appellant's land-based business, which contributes to the overall character and cultural identity of the National Park. Furthermore, the minimal external alterations to the building, and its reuse for storage, within a complex of similar structures and uses, would not diminish the opportunities for the

¹ The National Parks and Access to the Countryside Act 1949

understanding and enjoyment of the special qualities of the National Park by the public. There would, therefore, be no conflict with the National Park purposes.

16. For the reasons given above, I conclude that the proposal is in accordance with the development plan, and that there is no conflict with the statutory purposes of the National Park.

Other Matters

17. The use will result in some vehicle movements to and from the site. However, the building is only a relatively small constituent part of the overall use of the site, which already includes authorised storage uses, as well as agricultural activity. The proportion of vehicles associated with Unit 7 is, therefore, likely to be small, so would not result in any significant increase in disturbance to adjoining residents or to highway safety.

Conditions

18. As the use has already commenced and the external alterations have been completed, it is not necessary to impose conditions limiting the period within which the development must be implemented, or specifying that it should proceed in accordance with the approved plans. The Council has suggested two conditions, which I have considered against the advice in the Planning Practice Guidance.
19. Conditions limiting activity on the site to daytime hours, excluding Sundays, and prohibiting external lighting, are both reasonable and necessary to comply with the policies of the Local Plan, which seek to protect the tranquillity of the National Park and the amenities of nearby residential properties.

Conclusion

20. For the reasons given above, I conclude that the appeal should be allowed.

Nick Davies

INSPECTOR