



**TO:** Planning Committee North  
**BY:** Head of Development  
**DATE:** 6 June 2017  
**DEVELOPMENT:** Widening of existing gateway and erection of replacement gates along with laying of hardstanding  
**SITE:** Holmbush Farm, Crawley Road, Faygate, West Sussex  
**WARD:** Rusper and Colgate  
**APPLICATION:** DC/17/0570  
**APPLICANT:** Mr Piers Calvert

**REASON FOR INCLUSION ON THE AGENDA:** More than 8 letters of representation have been received which are contrary to the Officer recommendation.

**RECOMMENDATION:** To grant planning permission subject to conditions.

**1. THE PURPOSE OF THIS REPORT**

To consider the planning application.

**DESCRIPTION OF THE APPLICATION**

- 1.1 The application seeks retrospective consent for the widening of an existing gateway on the A264, the installation of replacement gates and the laying of hardstanding. The access prior to the works being undertaken was approximately 6 metres wide with the widened access measuring approximately 10 metres. Works are understood to have been undertaken between July and August 2016.
- 1.2 This application follows application DC/16/1821 which sought retrospective consent for the installation of gates approximately 2.5m in height which had been overlaid with vertical wood lapping. This application was refused planning permission on the grounds that the widened access, by virtue of its width and the gates installed, had an adverse impact on the rural character and appearance of the area and highway safety concerns.
- 1.3 Since the previous application, the gates with vertical timber boarding have been replaced with agricultural, metal five-bar type gates measuring approximately 5 metres in width and 1.3 metres in height. A concrete pad has also been created measuring approximately 35 metres by 6 metres and sited to the west of the widened access, behind the hedgerow field boundary.

- 1.4 The Planning Statement submitted with the application details that the wider gates and concrete pad will be used for agricultural purposes along with ensuring smooth traffic management on event days, when large numbers of vehicles enter the site from the A264. It should be noted that an application for the temporary use of land at Holmbush Farm for Tough Mudder events (a 10-12 mile assault/obstacle race) has been submitted under application reference DC/17/0587 and will be considered at a future meeting of Planning Committee North.

#### DESCRIPTION OF THE SITE

- 1.5 The site is located to the south of a layby on the westbound (Horsham bound) carriageway of the A264 between the Kilnwood Vale and Faygate roundabouts, on land within the ownership of Holmbush Farm.
- 1.6 The field boundary with the layby and the A264 provides the boundary of the High Weald Area of Outstanding Natural Beauty (AONB). The site is therefore located within the High Weald AONB.
- 1.7 The nearest residential properties lie some 250 metres to the west (Park Cottage and North Lodge), with the properties on the edge of Faygate lying just over 400 metres from the site. All other neighbouring properties, including those on the Holmbush Estate and at Holmbush House (grade II\* listed), are over 500 metres from the site.

## 2. INTRODUCTION

#### STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

#### RELEVANT GOVERNMENT POLICY

- 2.2 **National Planning Policy Framework:**  
NPPF3: Supporting a prosperous rural economy  
NPPF7: Requiring good design  
NPPF11: Conserving and enhancing the natural environment

#### RELEVANT COUNCIL POLICY

- 2.3 **Horsham District Planning Framework (HDPF)**  
Policy 1 – Strategic Policy: Sustainable Development  
Policy 2 – Strategic Policy: Strategic Development  
Policy 25 – Strategic Policy: The Natural Environment and Landscape Character  
Policy 26 – Strategic Policy: Countryside Protection  
Policy 30 – Protected Landscapes  
Policy 32 – Strategic Policy: The Quality of New Development  
Policy 33 – Development Principles  
Policy 34 – Cultural and Heritage Assets  
Policy 40 – Sustainable Transport  
Policy 41 – Parking

#### RELEVANT NEIGHBOURHOOD PLAN

- 2.4 No Neighbourhood Plan Designation Area Application has been submitted for the Parish.

## 2.5 PLANNING HISTORY

DC/16/1821	Retrospective application for the installation of replacement gates	Refused on 15 August 2016
DC/17/0587	Change of use to allow site to used for Tough Mudder events	Under consideration

## 3. OUTCOME OF CONSULTATIONS

3.1 Where consultation responses have been summarised, it should be noted that Officers have had consideration of the full comments received, which are available to view on the public file at [www.horsham.gov.uk](http://www.horsham.gov.uk).

### INTERNAL CONSULTATIONS

3.2 **Landscape Officer** – No objection.

3.3 **Conservation Officer** – No objection.

### OUTSIDE AGENCIES

3.4 **WSCC Highways** – No objection, subject to conditions.

3.5 **AONB Unit** – If the Local Planning Authority considers that the principle of the development is acceptable, recommends conditions.

3.6 Colgate Parish Council – objects to the application on the grounds that:

- The gate will be used primarily for the Tough Mudder Event. The gateway should therefore be returned and restored to it's original condition as per the rest of the Tough Mudder obstacles;
- The concrete pad is out of keeping with the AONB;
- For the previous 20 years other entrances have been sufficient for farm vehicles;
- Concerned about traffic exiting from the entrance directly onto a busy dual carriageway (A264).

### MEMBER COMMENTS

3.7 No comments received.

### PUBLIC CONSULTATIONS

3.8 Twenty five (25) letters/emails of objection from fifteen (15) households (plus one letter of objection from Holmbush House Management Company) have been received which raise the following concerns:

- Application for works previously been refused
- Access and concrete pad out of keeping with the character of the area
- Adverse impact on the AONB
- The farm has no right to widen the access
- The previous gateway should be restored
- No need for the concrete pad
- The concrete pad should be removed and the land restored

- No need for additional access into Holmbush Farm
- No rationale for additional access provided
- Highway safety concerns
- Gateway should only be opened for use with a traffic management plan in place
- Site will be more attractive to large scale events

#### **4. HOW THE PROPOSED COURSE OF ACTION WILL PROMOTE HUMAN RIGHTS**

- 4.1 Article 8 (Right to respect of a Private and Family Life) and Article 1 of the First Protocol (Protection of Property) of the Human Rights Act 1998 are relevant to this application, Consideration of Human rights forms part of the planning assessment below.

#### **5. HOW THE PROPOSAL WILL HELP TO REDUCE CRIME AND DISORDER**

- 5.1 It is not considered that the development would be likely to have any significant impact on crime and disorder.

#### **6. PLANNING ASSESSMENTS**

- 6.1 The key issues for consideration in relation to this proposal are:

- Principle of development
- Impact on the character and appearance of the locality of the widened access and installation of gates
- Impact on the character and appearance of the locality of the concrete pad
- Impact on the setting of Holmbush House (grade II\* listed)
- Highway safety

##### Principle of development

- 6.10 The Planning Statement submitted in support of the application details that the wider gates and concrete pad will allow a convoy of agricultural vehicles, to include a combine harvester towing the harvester head, tractors towing trailers, and support vehicles, to turn off the dual carriageway and enter the field.
- 6.11 It is noted that a number of local residents have commented that the access has been unused for some time and that its use only began last year when it was widened in preparation for the Tough Mudder events in September. It is acknowledged that the widened access may not have been used for some time, and may have become overgrown. An access into the layby from the field has though existed in this location for a prolonged period of time and as such there are no controls over its reuse in its original form.
- 6.12 Policy 26 of the HDPF seeks to restrict development in the open countryside unless the scheme is essential to its countryside location and meets one of a number of criteria, including, supporting the needs of agriculture or forestry, provide for quiet informal recreational use, or enable the sustainable development of rural areas. The applicant has advised that the widened gateway and concrete plinth are required to allow safe ingress / egress from the site by agricultural vehicles. It is acknowledged that since the last use of the access by agricultural vehicles such equipment may have increased in its size and therefore it would seem reasonable that an increase in the width of the gateway may be required. It is acknowledged that the gateway will also be used in association with events taking place at Holmbush Farm; however this is intermittent in nature and the primary use would be for agricultural vehicles and equipment.

- 6.13 Therefore, whilst concerns have been raised by local residents in respect of alternative accesses off the A264 being available for use by Holmbush Farm, it is not possible to control re-use of the access and the widening works would support the existing agricultural use of the site, which is supported by policy 26 of the HDPF.

#### Character and appearance

##### *Access and gate*

- 6.14 This application follows application DC/16/1821, which sought retrospective consent for the installation of gates approximately 2.5m in height which had been overlaid with vertical wood lapping and was refused planning permission on the grounds that the gates had an adverse impact on the rural character and appearance of the area. Since the consideration of the previous application, the applicant has installed two, 5 metre wide, metal, agricultural, 5-bar type gates in place of the vertical boarded gates. The gates subject of this current application measure some 1.3 metres in height compared to the 2.5 metre high timber boarded gates the subject of the previously refused application.
- 6.15 In respect of the widened access, concerns have been raised by both local residents and Colgate Parish Council on the grounds of the access being double the width that it was previously, the lack of use of the gateway historically, other entrances being available to Holmbush Farm and the removal of a section of hedgerow.
- 6.16 In respect of the access, the High Weald AONB Planning Advisor has advised that the field boundaries, which are historic and unchanged since at least the mid nineteenth century, should be retained and restored as part of the development. The Council's Landscape Officer has advised that the proposed agricultural style gate is in keeping with what is expected within a countryside location such as this and although the loss of the existing hedgerow is regrettable, this break will still allow views into the open fields and countryside.
- 6.17 In terms of the age of the field boundaries, the Council's Arboricultural Officer has verbally advised that the hedgerow boundary with the A264 is less than 30 years old and would have likely have been planted at the time of the upgrading of the A264 to dual carriageway and the construction of the Horsham bypass. In terms of the Hedgerow Regulations 1997, the hedgerow would not meet the criteria required to be considered important and the Council would have no grounds to prevent its removal.
- 6.18 When the impact of the widened access and gates were considered under application DC/16/1821, it was considered that the width of the access combined with the style and design of the gates installed was unacceptable and the application was refused on this basis. As explained above, the gates previously installed have been removed and replaced metal 5-bar gates which are commonplace in rural locations. Whilst it is acknowledged that the width of the access is unaltered from that of the previous application it is considered that the width of the access in itself is acceptable in this location as it is of an agricultural nature and is seen against the backdrop and in the context of the adjoining dual carriageway and associated layby. The proposed access and gate is therefore considered to accord with policies 25, 32 and 33 of the HDPF.
- ##### *Concrete Pad*
- 6.19 Since the consideration of application DC/16/1821 a concrete pad has been created to the west of the widened gateway. The concrete pad measures approximately 35 metres by 6 metres and runs alongside the hedgerow forming the field boundary with the A264.

- 6.20 Concerns in respect of the concrete pad have been raised by both local residents and Colgate Parish Council on the grounds of there being no justification for the hard surface, it being out of keeping with the character of the area, and it being constructed at the request of Tough Mudder rather than being required for the purposes of Holmbush Farm. The High Weald AONB Planning Advisor also raised a concern in respect of the concrete pad, considering that permanent urbanising features should be avoided.
- 6.21 It is acknowledged that the concrete hardstanding is visible from surrounding properties (i.e. from Holmbush House). It is though considered that it does not significantly harm the landscape character and visual amenity of the area. In time, the colour and starkness of the concrete pad will lessen as the pad is overtime used and becomes dirty and discoloured. This view is supported by the Council's Landscape Officer, who has advised that *"...although the hardstand is of a considerable size, due to its location immediately adjacent to the A264 and being in its large majority concealed from view by the existing hedgerow, this is not considered to significantly harm the landscape character and visual amenity of the area."* This view is agreed and the proposed concrete pad is considered to accord with policies 25, 32 and 33 of the HDPF.

#### Impact on setting of Holmbush House (grade II\*)

- 6.22 The site lies some 550 metres from the boundary of the curtilage with the grade II\* listed Holmbush House and therefore the impact of the works on the setting of Holmbush House needs to be considered. The Council's Conservation Officer has raised no objections to the application and considers that whilst the introduction of a non-permeable surface is not ideal, given there was an existing vehicular access and the presence of the dual carriageway immediately adjacent to the access, the works are considered negligible. In respect of the gates, they are considered by the Conservation Officer to be of an appropriate visually lightweight design and material for the location and maintain the agricultural and rural character of the context. The proposal is therefore considered to accord with policy 34 of the HDPF.

#### Highway safety

- 6.23 Policy 40 of the HDPF states that development will be supported where it, amongst other things, provides safe and suitable access for all vehicles, pedestrians, cyclists, horse riders, public transport and the delivery of goods.
- 6.24 In respect of highway safety, concerns have been raised by both local residents and Colgate Parish Council on the grounds of there being no need for an extra access off the A264, no rationale being provided for the additional access and the dangerous nature of the access being into/out of a layby.
- 6.25 The applicant has advised that the wider gates and concrete pad will allow a convoy of agricultural vehicles, to include a combine harvester towing the harvester head, tractors towing trailers and support vehicles, to turn off the dual carriageway and enter the field. WSCC highways have advised there is no evidence of highway safety concerns resulting from historic use of the access by agricultural vehicles. While concerns have previously been raised concerning vehicles parking either side of the access, resulting in an emerging vehicle from the field having to directly merge on to Crawley Road, this is a practise that could be happening at present and would not be an intensification of use over existing. As such there are no highway safety concerns relating to agricultural use of the access.

- 6.26 It is acknowledged that permitted development rights allow temporary use of the site for up to 28-days a year and that the access would be available for such temporary uses. As a pre-existing access this was though always the case and the proposal does not entail a material change of use or amount to a new route to or from the site. Any temporary use of the site which does not require planning permission but has implications for the A264 would require liaison with the Highway Authority and the preparation of a Traffic Management Plan. This is the most appropriate mechanism to manage temporary events which take place outside of the planning system. A planning application is though currently under consideration for temporary use of the site for 'Tough Mudder' with the transport impact of this event to be considered under ref: DC/17/0587.

#### Conclusion

- 6.27 In conclusion, it is considered that the retention of the widening of an existing gateway on the A264, the installation of replacement gates and the laying of hardstanding complies with the relevant policies of the HDPF and guidance within the NPPF and the High Weald AONB Management Plan.
- 6.28 Whilst concerns have been raised by local residents and Colgate Parish Council in respect of the retention of the works, the re-use of the access cannot be prevented and the impact of the widened access, gates and the concrete plinth on the character and appearance of the locality, on the setting of the grade II\* listed building and on highway safety is considered to be acceptable.

## **7. RECOMMENDATIONS**

- 7.1 It is recommended that planning permission be granted subject to appropriate conditions as recommended below:
1. List of approved plans

Background Papers: DC/17/0570 and DC/16/1821