



Planning Committee (South)

Tuesday, 16th November, 2021 at 2.30 pm
Park Suite, Parkside, Chart Way, Horsham

Councillors:

Tim Lloyd (Vice-Chairman)	Mike Morgan
John Blackall	Roger Noel
Chris Brown	Bob Platt
Karen Burgess	Josh Potts
Jonathan Chowen	Kate Rowbottom
Philip Circus	Jack Saheid
Paul Clarke	Jim Sanson
Michael Croker	Diana van der Klugt
Ray Dawe	James Wright
Nigel Jupp	
Lynn Lambert	

You are summoned to the meeting to transact the following business

Glen Chipp
Chief Executive

Agenda

Page No.

GUIDANCE ON PLANNING COMMITTEE PROCEDURE

1. **Election of Chairman**

To elect a Chairman of the Committee for the rest of the Municipal Year

2. **Apologies for absence**

3. **Minutes**

7 - 12

To approve as correct the minutes of the meeting held on 21 September
(Note: If any Member wishes to propose an amendment to the minutes they should submit this in writing to committeeservices@horsham.gov.uk at least 24 hours before the meeting. Where applicable, the audio recording of the meeting will be checked to ensure the accuracy of the proposed amendment.)

4. **Declarations of Members' Interests**

To receive any declarations of interest from Members of the Committee

5. **Announcements**

To receive any announcements from the Chairman of the Committee or the Chief Executive

To consider the following reports of the Head of Development & Building Control and to take such action thereon as may be necessary:

6. **Appeals** 13 - 16

Applications for determination by Committee:

7. **DC/21/1552 - Land at Kingsbrook Vineyard, West Chiltington Road, Pulborough** 17 - 30

Ward: West Chiltington, Thakeham and Ashington
Applicant: Mr J Beckett

8. **DC/21/1335 - Chalk Farm, Okehurst Lane, Billingshurst** 31 - 46

Ward: Billingshurst
Applicant: Mr N Antoniou

9. **Urgent Business**

Items not on the agenda which the Chairman of the meeting is of the opinion should be considered as urgent because of the special circumstances

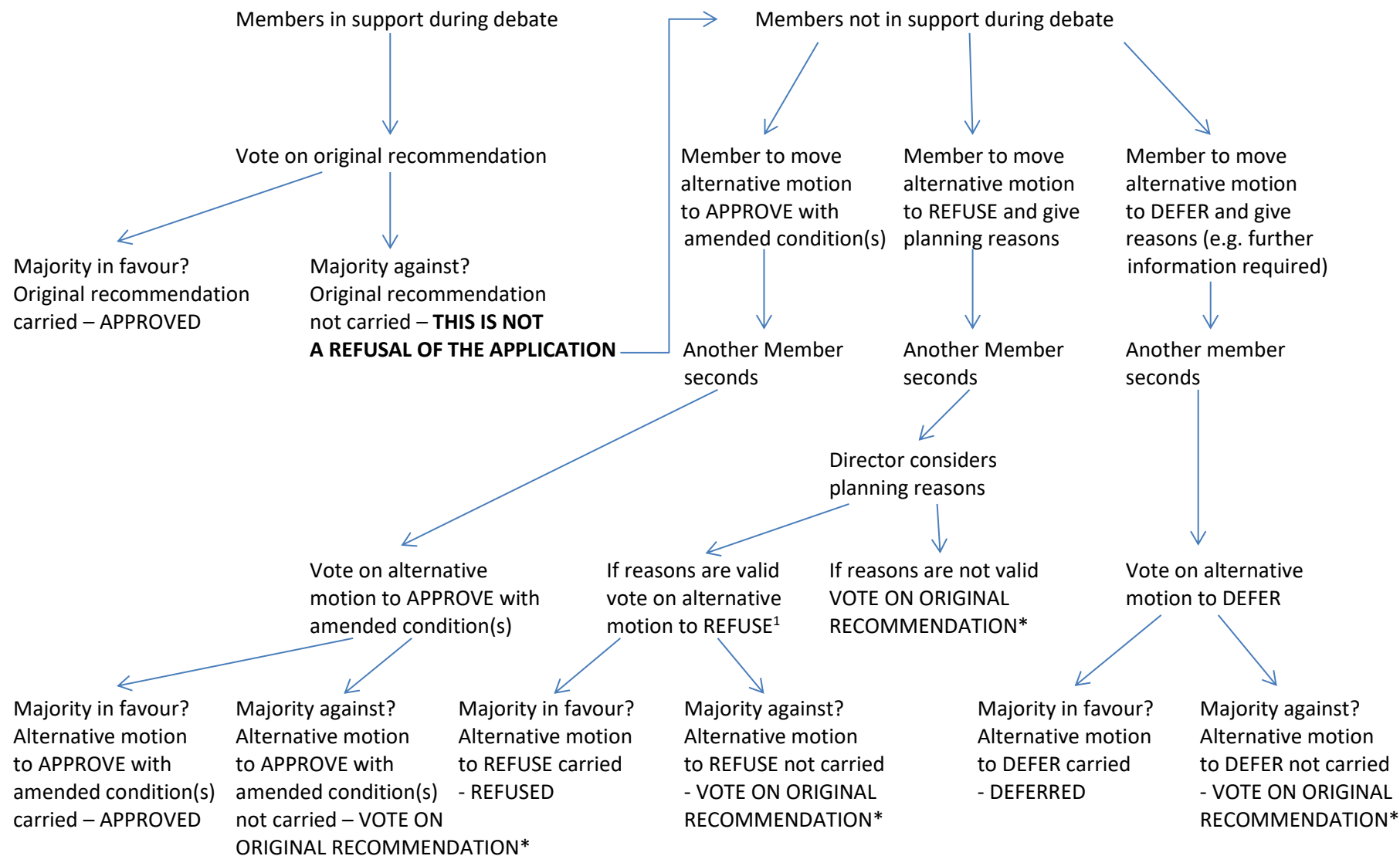
GUIDANCE ON PLANNING COMMITTEE PROCEDURE

(Full details in Part 4a of the Council's Constitution)

Addressing the Committee	Members must address the meeting through the Chair. When the Chairman wishes to speak during a debate, any Member speaking at the time must stop.
Minutes	Any comments or questions should be limited to the accuracy of the minutes only.
Quorum	Quorum is one quarter of the total number of Committee Members. If there is not a quorum present, the meeting will adjourn immediately. Remaining business will be considered at a time and date fixed by the Chairman. If a date is not fixed, the remaining business will be considered at the next committee meeting.
Declarations of Interest	Members should state clearly in which item they have an interest and the nature of the interest (i.e. personal; personal & prejudicial; or pecuniary). If in doubt, seek advice from the Monitoring Officer in advance of the meeting.
Announcements	These should be brief and to the point and are for information only – no debate/decisions .
Appeals	The Chairman will draw the Committee's attention to the appeals listed in the agenda.
Agenda Items	The Planning Officer will give a presentation of the application, referring to any addendum/amended report as appropriate outlining what is proposed and finishing with the recommendation.
Public Speaking on Agenda Items (Speakers must give notice by not later than noon two working days before the date of the meeting)	Parish and neighbourhood councils in the District are allowed 5 minutes each to make representations; members of the public who object to the planning application are allowed 2 minutes each, subject to an overall limit of 6 minutes; applicants and members of the public who support the planning application are allowed 2 minutes each, subject to an overall limit of 6 minutes. Any time limits may be changed at the discretion of the Chairman.
Rules of Debate	<p>The Chairman controls the debate and normally follows these rules but the Chairman's interpretation, application or waiver is final.</p> <ul style="list-style-type: none"> - No speeches until a proposal has been moved (mover may explain purpose) and seconded - Chairman may require motion to be written down and handed to him/her before it is discussed - Secunder may speak immediately after mover or later in the debate - Speeches must relate to the planning application under discussion or a personal explanation or a point of order (max 5 minutes or longer at the discretion of the Chairman) - A Member may not speak again except: <ul style="list-style-type: none"> o On an amendment to a motion o To move a further amendment if the motion has been amended since he/she last spoke o If the first speech was on an amendment, to speak on the main issue (whether or not the amendment was carried) o In exercise of a right of reply. Mover of original motion

	<p>has a right to reply at end of debate on original motion and any amendments (but may not otherwise speak on amendment). Mover of amendment has no right of reply.</p> <ul style="list-style-type: none"> ○ On a point of order – must relate to an alleged breach of Council Procedure Rules or law. Chairman must hear the point of order immediately. The ruling of the Chairman on the matter will be final. ○ Personal explanation – relating to part of an earlier speech by the Member which may appear to have been misunderstood. The Chairman's ruling on the admissibility of the personal explanation will be final. <ul style="list-style-type: none"> - Amendments to motions must be to: <ul style="list-style-type: none"> ○ Refer the matter to an appropriate body/individual for (re)consideration ○ Leave out and/or insert words or add others (as long as this does not negate the motion) - One amendment at a time to be moved, discussed and decided upon. - Any amended motion becomes the substantive motion to which further amendments may be moved. - A Member may alter a motion that he/she has moved with the consent of the meeting and seconder (such consent to be signified without discussion). - A Member may withdraw a motion that he/she has moved with the consent of the meeting and seconder (such consent to be signified without discussion). - The mover of a motion has the right of reply at the end of the debate on the motion (unamended or amended).
Alternative Motion to Approve	<p>If a Member moves an alternative motion to approve the application contrary to the Planning Officer's recommendation (to refuse), and it is seconded, Members will vote on the alternative motion after debate. If a majority vote against the alternative motion, it is not carried and Members will then vote on the original recommendation.</p>
Alternative Motion to Refuse	<p>If a Member moves an alternative motion to refuse the application contrary to the Planning Officer's recommendation (to approve), the Mover and the Secunder must give their reasons for the alternative motion. The Director of Planning, Economic Development and Property or the Head of Development will consider the proposed reasons for refusal and advise Members on the reasons proposed. Members will then vote on the alternative motion and if not carried will then vote on the original recommendation.</p>
Voting	<p>Any matter will be decided by a simple majority of those voting, by show of hands or if no dissent, by the affirmation of the meeting unless:</p> <ul style="list-style-type: none"> - Two Members request a recorded vote - A recorded vote is required by law. <p>Any Member may request their vote for, against or abstaining to be recorded in the minutes.</p> <p>In the case of equality of votes, the Chairman will have a second or casting vote (whether or not he or she has already voted on the issue).</p>
Vice-Chairman	<p>In the Chairman's absence (including in the event the Chairman is required to leave the Chamber for the debate and vote), the Vice-Chairman controls the debate and follows the rules of debate as above.</p>

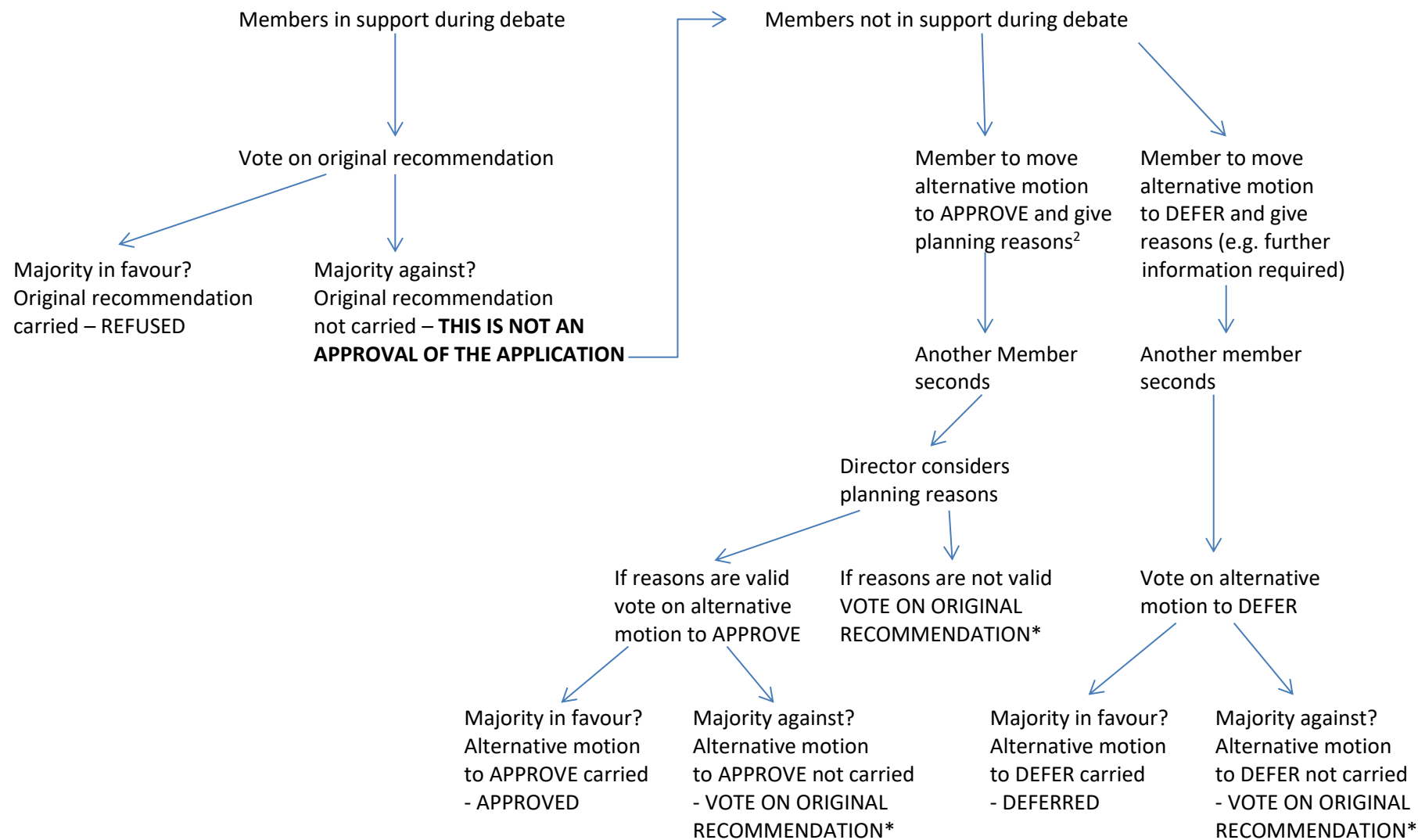
Original recommendation to APPROVE application



*Or further alternative motion moved and procedure repeated

¹ Subject to Director's power to refer application to Full Council if cost implications are likely.

Original recommendation to REFUSE application



*Or further alternative motion moved and procedure repeated

² Oakley v South Cambridgeshire District Council and another [2017] EWCA Civ 71

Planning Committee (South)
21 SEPTEMBER 2021

Present: Councillors: Brian Donnelly (Chairman), John Blackall, Jonathan Chowen, Philip Circus, Paul Clarke, Michael Croker, Ray Dawe, Nigel Jupp, Lynn Lambert, Mike Morgan, Roger Noel, Bob Platt, Josh Potts, Kate Rowbottom, Jack Saheid, Diana van der Klugt and James Wright

Apologies: Councillors: Tim Lloyd, Chris Brown, Karen Burgess and Jim Sanson

PCS/28 **MINUTES**

The minutes of the meeting held on 17 August were approved as a correct record and signed by the Chairman.

PCS/29 **DECLARATIONS OF MEMBERS' INTERESTS**

DC/21/1240: Councillor Lynn Lambert declared a pecuniary interest in this item. She withdrew from the meeting and took no part in the determination of the item.

PCS/30 **ANNOUNCEMENTS**

There were no announcements.

PCS/31 **APPEALS**

The list of appeals lodged, appeals in progress and appeal decisions, as circulated, was noted.

PCS/32 **DC/21/0057 - ANGELL SAND PIT, WASHINGTON ROAD, STORRINGTON**

The Head of Development & Building Control reported that this application sought permission for a phased development of six detached houses (four to be self-build) with associated landscaping, drainage, and access improvements to Heather Way.

The application had been deferred by the Committee in July to allow for the scheme to be amended to include a mix of dwellings with a greater number of smaller 2- and 3-bedroom units (Minute No PCS/18 (20.07.21) refers).

The application site was located within the very eastern side of Storrington Built-up area boundary and comprised an area of sloping land, which was a former sand quarry.

Members were referred to the previous report, which contained details of the location, relevant policies, planning history, the outcome of consultations and a planning assessment of the proposal.

Since the deferment, officers have confirmed the applicant's viability report, which calculated the minimal profit that the existing scheme for larger dwellings would realise, and demonstrated that it was not viable to amend the scheme to provide a greater number of smaller units.

Members noted the comments of the Council's Landscape Architect, as set out in the report, which indicated that the site was unlikely to have the landscape capacity to accommodate an increase in quantum of development.

The agent addressed the committee in support of the proposal and then read out a statement on behalf of the applicant.

Members concluded that, given the site constraints and the detrimental impact that a higher quantum of development would have on the landscape, the scheme as submitted was acceptable.

Concerns were raised regarding the need to protect the nearby South Downs National Park from light pollution, given its status as an International Dark Skies Reserve, and it was requested that a further lighting condition be added to ensure that the Reserve status was taken into account.

RESOLVED

That planning application DC/21/0057 be granted subject to the conditions as reported, with an additional lighting condition restricting lighting to that approved as part of the application, taking into account the site's proximity to the International Dark Skies Reserve.

PCS/33 **DC/21/1240 - LAND EAST OF PEMBERLEY, MILL LANE, PARTRIDGE GREEN**

The Head of Development & Building Control reported that this application sought permission for: the conversion of a stable building to a 4-bedroom dwelling, including extensions and alterations; and the erection of two 4/5-bedroom detached dwellings. Each dwelling would have its own amenity space and areas of hardstanding, a large carport and greenhouse.

The application site was located south of Mill Lane approximately 0.6 kilometres from the built-up area of Partridge Green. The land included a paddock and parcels of land, which were overgrown. There was linear development to the north and east of the site, and two new dwellings to the south.

The Parish Council objected to the application. There had been 12 representations from nine households supporting the application (five of which raised some concerns as well), and a letter of support from the Littleworth

Residents Association. There had been one letter of comment and seven representations from five households objecting to the proposal. A representative of the Littleworth Residents Association spoke in support of the application.

Members considered the outcome of consultations and the officer's planning assessment, which indicated that the key issues for consideration in determining the proposal were: the principle of development; design and appearance; amenity impacts; highways impacts; and ecology. It was noted that no ecological documents had been submitted.

Members weighed the benefits of the scheme in providing additional homes against the harm caused by the scale, massing and bulk of the proposed dwellings, and the encroachment of development into this rural setting.

RESOLVED

That planning application DC/21/1240 be refused for the following reasons:

- 01 The proposed development, due to its scale, quantum and form, would fail to reflect the landscape characteristics and intrinsic features of the landscape area, and would detract from the ambience and sense of the place of the rural countryside setting by formalising and urbanising the rural landscape character. The proposal would therefore result in significant and demonstrable harm to the countryside setting, contrary to Policies 25, 26, 32, and 33 of the Horsham District Planning Framework (2015).
- 02 The proposed dwellings would be of a scale, mass and bulk that would over-dominate this backland setting and fail to reflect or reinforce the built characteristics and proportions of the locality, and specifically the immediate context to which each dwelling would sit. The development would therefore be unsympathetic to the built surroundings and would fail to respect the character of the immediate setting, contrary to Policies 25, 32, and 33 of the Horsham District Planning Framework (2015).
- 03 Insufficient information has been provided to demonstrate that the proposed development would have no adverse impact on protected species and its habitat, and to establish how the development will contribute to measurable Biodiversity Net Gain, contrary to Policy 31 of the Horsham District Planning Framework (2015), Policy 4 of the West Grinstead Neighbourhood Plan and Paragraphs 174 and 180 of the NPPF.

PCS/34 **DC/20/2266 - RYE FARM, HOLLANDS LANE, HENFIELD**

The Head of Development & Building Control reported that this application sought permission for the demolition of two barns and the erection of three 3-bedroom dwellings. The site benefited from prior approval consent DC/20/0604 to convert one of the barns into four 3-bedroom dwellings. Shared access would be along a private track from Hollands Lane.

The application site was located outside the built-up area boundary to the south-west of Henfield in a predominantly rural area with farm buildings nearby. Rye Farm House, a Grade II Listed Building, lay to the east where there were a number of other small buildings. Another dwelling lay to the south, along with a fencing business.

The Parish Council objected to the application. There had been 74 representations from 42 households objecting to the application. Three members of the public, including a representative of the Campaign to Protect Rural Henfield, spoke in objection to the application and applicant and applicant's agent both addressed the Committee in support of the proposal.

Members considered the outcome of consultations and the officer's planning assessment, which indicated that the key issues for consideration in determining the proposal were: the principle of development; landscape and design impacts; heritage impacts; flooding; amenity and noise impacts; and ecological impacts.

Members were concerned at the suburbanising effect of the proposal, which extended the development across a wider area of the site than the fall-back position and concluded that the prior approval would have less impact on the character of the rural location than the current proposal.

Members discussed the extent to which the area flooded, including Hollands Lane, and were concerned that any mitigation measures to address flooding could not be addressed satisfactorily through conditions.

RESOLVED

That planning application DC/20/2266 be refused for the following reasons:

- 01 The proposed development would increase the extent of development and suburbanisation of the site to the detriment of the heritage and landscape setting of the site, and would not amount to a betterment on the fall-back position, contrary to policies 32, 33 and 34 of the of the Horsham District Planning Framework (2015).
- 02 It has not been demonstrated that a safe means of escape can be provided for in the event of a flood event, contrary to Policy 38 of the Horsham District Planning Framework (2015).

PCS/35 **DC/21/0911 - ZEPHYR, 158 SINNOCKS, WEST CHILTINGTON**

The Head of Development & Building Control reported that this application sought permission for the change of use of land to a campsite, with the formation of a new access and parking area. The proposal included four 2-person geo-domes sited along the western boundary and a stable building to the south that has been converted into a toilet /shower block. The campsite would run wellness retreats focussed on yoga and therapeutic services.

The application site was located outside the built-up area to the east of Sinnocks and was a parcel of agricultural land. The nearest dwelling was 60 metres to the west. The area was largely agricultural fields with sporadic residential development along the lanes.

The Parish Council had raised concerns, as set out in the report, and officers confirmed that they had objected to the application. As detailed in the report, there had been 23 representations from 21 households supporting the application and 13 representations from ten households in objection. Since publication of the report two further letters of support had been received, and one of objection referring to car parking and noise disturbance.

Two members of the public spoke in objection to the application and the applicant and a supporter of the applicant both addressed the Committee in support of the proposal.

Members considered the outcome of consultations and the officer's planning assessment, which indicated that the key issues for consideration in determining the proposal were: the principle of development; design and appearance; amenity impacts; highways impacts; and ecology.

The applicant had clarified that the size of the parking area was to assist vehicles to leave in forward gear, and to give sufficient parking for occasional retreat events (maximum of five a year). Members noted the small scale of the campsite, which was designed to take eight guests, and that the resulting impact on amenity and highways would not be significant enough to warrant refusal.

RESOLVED

That planning application DC/21/0911 be granted subject to the conditions as reported.

The meeting closed at 4.16 pm having commenced at 2.30 pm

CHAIRMAN

Planning Committee (SOUTH)

Date: 16th November 2021



Report on Appeals: 09/09/2021 – 03/11/2021

1. Appeals Lodged

Horsham District Council have received notice from the Planning Inspectorate that the following appeals have been lodged:

Ref No.	Site	Date Lodged	Officer Recommendation	Committee Resolution
DC/21/0474	Dyke Farm, West Chiltington Road, Pulborough, West Sussex, RH20 2EE	14/09/2021	Application Refused	N/A
DC/21/0420	The Granary, Hurst Lane, Storrington, Pulborough, West Sussex, RH20 2EW	17/09/2021	Application Refused	N/A
DC/20/2607	Land at Duckmoor, East of Billingshurst, Billingshurst, RH14 9DZ	28/09/2021	Application Refused	N/A
DC/21/0994	Nyetimber, Chestnut Close, Storrington, Pulborough, West Sussex, RH20 3PA	01/10/2021	Application Refused	N/A
DC/21/0445	Land at Ashington House, London Road, Ashington, Pulborough, West Sussex, RH20 3AT	14/10/2021	Application Refused	N/A
DC/21/0729	Craymore, Cray Lane, Codmore Hill, Pulborough, West Sussex, RH20 2HX	18/10/2021	Application Refused	N/A
DC/20/1841	Rye Island, Hollands Lane, Henfield, West Sussex, BN5 9QY	18/10/2021	Application Refused	N/A

2. Appeals started

Consideration of the following appeals has started during the period:

Ref No.	Site	Appeal Procedure	Start Date	Officer Recommendation	Committee Resolution
DC/20/2111	Oak House, Stane Street, Five Oaks, Billingshurst, West Sussex, RH14 9AG	Written Representation	10/09/2021	Application Refused	N/A
DC/21/0251	New Barn Nursery, Broadford Bridge Road, West Chiltington, Pulborough, West Sussex, RH20 2LF	Written Representation	10/09/2021	Prior Approval Required and REFUSED	N/A
DC/20/1419	Raidons, Nutbourne Lane, Nutbourne, Pulborough, West Sussex, RH20 2HS	Written Representation	15/09/2021	Prior Approval Required and REFUSED	N/A
DC/20/1805	Land South of Dukes Row, Pulborough Road, Cootham, West Sussex	Written Representation	30/09/2021	Application Refused	N/A
DC/20/2355	Whiteoaks, Shoreham Road, Small Dole, Henfield, West Sussex, BN5 9SD	Written Representation	30/09/2021	Application Permitted	Application Refused
DC/20/2592	Garages Adjacent To 12 The Juggs, Church Street, West Chiltington, Pulborough, West Sussex, RH20 2JW	Written Representation	06/10/2021	Application Refused	N/A
DC/21/0533	Land Parcel at 511759 115155, Muttons Lane, Ashington, West Sussex	Written Representation	15/10/2021	Application Refused	N/A
EN/20/0610	Downsview Paddock, New Hall Lane, Small Dole, West Sussex, BN5 9YJ	Informal Hearing	25/10/2021	Notice served	N/A

3. Appeal Decisions

HDC have received notice from the Ministry of Housing, Communities and Local Government that the following appeals have been determined:

Ref No.	Site	Appeal Procedure	Decision	Officer Recommendation	Committee Resolution
DC/20/2086	Lancasters Cottage, Littleworth Lane, Partridge Green, Horsham, West Sussex, RH13 8EJ	Written Representation	Appeal Dismissed	Application Refused	N/A
DC/20/2128	Marringdean Barn, Marringdean Road, Billingshurst, West Sussex, RH14 9HF	Written Representation	Appeal Dismissed	Application Refused	N/A
DC/20/1353	The Henfield Tea Gardens, High Street, Henfield, West Sussex, BN5 9DE	Written Representation	Appeal Dismissed	Split Decision	N/A
DC/20/1924	White House Cottage, Coolham Road, Coneyhurst, Billingshurst, West Sussex, RH14 9DH	Written Representation	Appeal Dismissed	Application Refused	N/A

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**Horsham
District
Council**

PLANNING COMMITTEE REPORT

TO: Planning Committee South

BY: Head of Development and Building Control

DATE: 16th November 2021

DEVELOPMENT: Erection of decking with safety rail around pond for a temporary period of 2 years.

SITE: Land at Kinsbrook Vineyard West Chiltington Road Pulborough Horsham RH20 2LU

WARD: West Chiltington, Thakeham and Ashington

APPLICATION: DC/21/1552

APPLICANT: **Name:** Mr J Beckett **Address:** Land at Kinsbrook Vineyard West Chiltington Road Pulborough Horsham RH20 2LU

REASON FOR INCLUSION ON THE AGENDA: More than eight persons in different households have made written representations within the consultation period raising material planning considerations that are inconsistent with the recommendation of the Head of Development and Building Control.

RECOMMENDATION: To approve planning permission subject to appropriate conditions

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.1 Planning permission is sought for the retention of raised decking situated at Kinsbrook Vineyard for a temporary period of two years.
- 1.2 The decking subject of this application is arranged to encompass a recently created pond, being provided to a maximum platform height of 55cm above ground level and minimum platform height of ~30cm accounting for the uneven nature of immediate topography. The decking extends to a maximum width of 13m and minimum width of ~2m and is not of a uniform shape.
- 1.3 The decking is constructed of timber supported upon a scaffold frame. A single post-rail and wire fence is mounted to the perimeter of the decking for safety purposes.
- 1.4 It is understood that the decking is utilised for hospitality purposes, including as seating and a walkway supporting the existing temporary café present at the vineyard in addition to individual events.

- 1.5 As explained within the submitted planning statement a temporary planning consent is sought so as to enable the continued use of the decking whilst the Vineyard recovers from the effects of Covid-19, and whilst the farm shop and café are constructed.

DESCRIPTION OF THE SITE

- 1.6 The application site is found within the Kinsbrook holding, positioned to the south and east of West Chiltington Road and west of Coolham Road, overall occupying an area in excess of 9ha.
- 1.7 The site is found beyond a defined built-up area, constituting a countryside location in planning policy terms, though is not affected by any site-specific ecological, landscape and/or heritage designation.
- 1.8 The decking is roughly positioned at the lowest point of the Kinsbrook holding within a slight depression adjacent to a small stream. The decking is positioned ~100m south of the farm shop and café approved pursuant to ref: DC/18/2505 as currently under construction, and ~90m east of West Chiltington Road at its closest point.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT PLANNING POLICIES

The following Policies are considered to be relevant to the assessment of this application:

National Planning Policy Framework (NPPF) (2021)

Horsham District Planning Framework (HDPF) (2015):-

Policy 1 - Strategic Policy: Sustainable Development
Policy 2 - Strategic Policy: Strategic Development
Policy 3 - Strategic Policy: Development Hierarchy
Policy 4 - Strategic Policy: Settlement Expansion
Policy 7 - Strategic Policy: Economic Growth
Policy 9 - Employment Development
Policy 10 - Rural Economic Development
Policy 24 - Strategic Policy: Environmental Protection
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
Policy 26 - Strategic Policy: Countryside Protection
Policy 31 - Green Infrastructure and Biodiversity
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 35 - Strategic Policy: Climate Change
Policy 36 - Strategic Policy: Appropriate Energy Use
Policy 37 - Sustainable Construction
Policy 38 - Strategic Policy: Flooding
Policy 40 - Sustainable Transport
Policy 41 - Parking
Policy 42 - Strategic Policy: Inclusive Communities
Policy 41 - Community Facilities, Leisure and Recreation

Thakeham Neighbourhood Plan (TNP) (2017):-

Thakeham 1 – A Spatial Plan for the Parish
Thakeham 6 – Design

Thakeham 9 – Development in the Countryside
Thakeham 10 – Green Infrastructure and Valued Landscapes

PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/20/2298	Variation of Conditions 1 and 11 of previously approved application DC/18/2505 (Erection of a farm shop and café building, with ancillary parking for customers). Relating to the amended design and layout of the building and revised opening times for trade or business	Application withdrawn on 03.02.2021
DC/20/1495	Prior notification for the erection of an agricultural building.	Determination that prior approval not required issued on 18.09.2020
DC/18/2505	Erection of a farm shop and café building, with ancillary parking for customers	Application Permitted on 18.10.2019
DC/18/0169	Erection of a two storey farm shop and café building, with ancillary parking for customers	Application withdrawn on 21.06.2018

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

3.2 HDC Environmental Health: Advice:-

The site is currently operating events under Temporary Events Notices (TENs) obtained from Environmental Health. Environmental Health have received complaints in relation to temporary events that included music.

The nature of the site is very open and background noise levels very low, as such, it is unsurprising that events are audible to nearby properties. Environmental Health are engaged with the applicant in relation to licenced events and in respect of noise control, with further information required to support future applications involving music in order to obtain future TENs.

In respect of this proposal specifically, in terms of noise the key issue is how the decking is to be used. If the decking is to be used as an outdoor stage, concern is held that this could increase impacts upon neighbours unless no live and/or amplified music is to be played. A condition limiting live/amplified music would appear compatible with the intended uses described within the submitted planning statement, including in conjunction with yoga, wellness, wine tour/tasting and cultural events operated under an existing 'permitted development' right.

The lighting effects of development should, further, be considered as also subject of complaints received by Environmental Health.

3.3 Natural England: Objection:-

It cannot be concluded that existing abstraction within the Sussex North Water Supply Zone is not having an adverse effect on the integrity of the Arun Valley SAC/SPA/Ramsar sites. Developments within Sussex North must therefore must not add to this impact and one way of achieving this is to demonstrate water neutrality. The definition of water

neutrality is the use of water in the supply area before the development is the same or lower after the development is in place.

To achieve this Natural England is working in partnership with all the relevant authorities to secure water neutrality collectively through a water neutrality strategy. Whilst the strategy is evolving, Natural England advises that decisions on planning applications should await its completion. However, if there are applications which a planning authority deems critical to proceed in the absence of the strategy, then Natural England advises that any application needs to demonstrate water neutrality.

3.4 Thakeham Parish Council: No objection, subject to conditions:-

Thakeham Parish Council responded to raise no objection to the proposal, subject to the inclusion of conditions designed to avoid undue nuisance to nearby occupiers. The Parish Council considered the physical decking structure itself unobjectionable, noting the presence of screening from a nearby footpath.

The Parish Council, further, recognised the need to maintain the viability of a rural business employing around ~15 staff, particularly in response to the effects of Covid-19, and of benefit to local retail and leisure amenity. The Parish Council, however, recognised the need to balance the benefits of the proposal in this regard with effects upon nearby occupiers of land arising from events, in particular, which represent a broader scope of use than that consented pursuant to ref: DC/18/2505.

The Parish Council, therefore, indicated that a response of no objection to be conditional upon the inclusion of conditions limiting the period of temporary use to 2-years, appropriate restrictions on operating hours (consistent with the approved farm shop/café), restrictions on the provision of amplification equipment/music and appropriate safety inspections for existing railing.

PUBLIC CONSULTATIONS

3.5 109 representations have been received in connection with the proposed development, of which, 89 sought to support the proposal and 23 sought to object to the proposal.

3.6 The main material grounds for support can be summarised as:-

- The proposal supports the continued viability of an agricultural/viticulture enterprise and associated employment;
- The proposal allows for a greater appreciation of natural beauty/wildlife and supports the needs of disabled visitors;
- The proposal supports the recovery of an existing business in response to the effects of Covid-19;
- The proposal is in keeping with the character and appearance of its surroundings;
- The proposal positively supports the development of a rural area and is an asset to the local community;
- The proposal is constructed of natural materials and will, in time, blend into the natural environment;
- The decking is situated a distance from nearby property and does not impact upon nearby occupiers;

3.7 The main material grounds for objection can be summarised as:-

- Concern regarding the acoustic impact of events upon the living conditions of nearby occupiers, including sleep disturbance arising from the duration of events;
- Concern regarding the effects of light-pollution arising from the use lighting associated with events upon the living conditions of nearby occupiers;

- Concern regarding the effects of light-pollution arising from the use lighting associated with events upon protected species and habitats;
- Concern regarding the detrimental effect of events upon local character and tranquillity;
- Concern regarding the adequacy of existing railing for safety purposes and potential health and safety implications arising from the use of the decking;
- Concern regarding the effects of light-pollution arising from the use of lighting associated with events upon local character and appearance, including upon the International Dark Skies Reserve;
- Concern regarding the acoustic impact of events upon the health and wellbeing of animals;
- Concern regarding the effects of development on habitats and species;
- Concern that the proposal represents a further diversification/intensification of use further to that previously consented pursuant to ref: DC/18/2505.

3.8 Other material comments received in respect of the proposed development (neither in objection to or support of) can be summarised as:-

- Safety equipment and flotation devices should be provided before further use;
- Appropriate safety inspections should be conducted before further use;
- A condition should be incorporated restricting the use of decking for amplified/non-amplified music or speech;
- Night-time activity should be controlled in order to protect local neighbours;

3.9 Concern expressed within a number of representations regarding a potential further diversification of agricultural activity, including wedding events and glamping, is acknowledged. In the determination of this application, however, the Local Planning Authority must solely have regard to the individual merits of the proposal currently before the Authority. The effects of prospective future uses not subject of this application, therefore, do not currently fall within a scope of consideration.

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 main material considerations relevant to the determination of this application are considered to be in respect of:-

- The principle of development;
- The effects of development upon the living conditions of nearby occupiers;
- The effects of development upon local character and appearance;
- The effects of development upon existing habitats and species.

Principle of Development:

6.2 Planning permission is sought for the retention of existing decking for a temporary period of two years. The decking proposed for retention acts as a seating area and walkway for visitors to Kinsbrook Vineyard and is understood to have further operated in conjunction with temporary events held pursuant to Classes B and BA of Part 4, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015. In

this regard the proposal supports the diversified components of the Vineyard business, including a mobile drinks/coffee van stationed at the northern extent of the holding in addition to hospitality events.

- 6.3 The planning statement provided in support of this application explains that the Vineyard currently employs 15 individuals, with the viticulture operation itself understood to constitute a diversification of a wider agricultural enterprise conducted in the form of egg-producing/packing conducted from Brooks Green.
- 6.4 The National Planning Policy Framework (NPPF) (2021) at paragraph 84 provides that planning policies and decisions should enable the sustainable growth and expansion of all types of business in rural areas, including the development and diversification of agricultural and other land-based rural businesses in addition to sustainable rural tourism and leisure developments which respect the character of the countryside.
- 6.5 Policy 10 of the Horsham District Planning Framework (HDPF) (2015) seeks to promote sustainable rural economic development and enterprise in order to generate employment opportunities and provide social and environmental benefits for local communities. In the countryside development which maintains the quality and character of the area, which sustaining its varied and productive social and economic activity will be supported in principle. Policy 10, further, states that the development should be appropriate to its countryside location and must, firstly, contribute to the diverse and sustainable farming enterprise within the District, or in the case of other countryside-based enterprise and activity contribute to the wider rural economy and/or promote recreation in and the enjoyment of the countryside. Development, secondly, must either be contained within suitably located buildings which are appropriate for conversion, or, result in substantial environmental improvement and reduce the impact on the countryside, particularly if new or replacement buildings are involved. New buildings or development in rural areas will be acceptable provided it supports sustainable economic growth towards balanced living and working communities and appropriate consideration to the use of existing buildings has been considered first.
- 6.6 Policy 26 of the HDPF (2015) seeks to protect the rural and undeveloped nature of the countryside against inappropriate development. Any proposal must be essential to its countryside location, and in addition, either support the needs of agriculture or forestry, enabling the extraction of minerals or disposal of waste, provide for quiet informal recreational use or enable the sustainable development of rural areas. Policy 26, further, states that development must be of a scale appropriate to countryside character and location, and where development does not lead (individually or cumulatively) to a significant increase in the overall level of activity in the countryside and conserves the key features and characteristics of local landscape character.
- 6.7 It is considered that HDPF policy 10 and paragraph 84 of the NPPF, in principle, seek to support the appropriate diversification of rural and agricultural businesses in order to support growth and to generate social, economic and environmental benefits to local communities through employment, a demand for services and the continued viable operation of agricultural enterprise.
- 6.8 The decking subject of this application supports the diversification of Kinsbrook Vineyard in providing a seating space and walkway accessible to visitors/users of café facilities, and in support of 'pop-up' events as termed within the submitted planning statement. As a form of operational development, however, the decking itself is not fundamental to the diversified components of the Vineyard operation, nor is planning permission sought in respect of these diversifications which could operate independently of the decking sought for retention.

- 6.9 As explained within the submitted planning statement events are currently conducted pursuant to the provisions of Class BA, Part 4, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order (2015) (as amended), which enables the temporary use of land for up to a total of 56 days per year without the necessity for planning permission. Class BA is presently due to expire on 31st December 2021, though, Class B, Part 4, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order (2015) (as amended), would remain extant following 31st December 2021 and would continue to enable the lawful temporary use of land for up to 28 days per year.
- 6.10 The proposal currently before the Authority does not seek a material change in the use of land so as to enable events to be conducted on a permanent basis beyond the parameters of Classes B and BA respectively, nor is it considered appropriate to have regard to the merits of events conducted pursuant to Classes B and BA which would remain extant notwithstanding the current proposal.
- 6.11 As referenced within a large number of the representations received in support of the proposed development, the decking would appear to support an improved visitor experience, including in promoting access to the countryside and would appear to further an appreciation of rural character/natural beauty. In these regards the proposal supports the attractiveness of the site to visitors and promotes the continued operation/growth of the diversified elements of the Vineyard business. It is, therefore, considered that the proposal would provide indirect social and economic benefits to the existing business and broader rural economy, including in supporting the continuing viability of an agricultural enterprise. The benefits of the proposal, therefore, would be considered to align with the provisions of HDPF policies 10 and 26 in addition to paragraph 48 of the NPPF, which seek to promote sustainable rural economic growth and to support the needs of agriculture.

Visual and Landscape Impact:

- 6.12 Policies 25 and 26 of the HDPF seeks to protect the natural environment and landscape character of the District, including the landform, development pattern, together with protected landscapes and habitats. Development will be required to protect, conserve and enhance landscape and townscape character, taking account of areas or features identified as being of landscape importance, individual settlement characteristics and settlement separation.
- 6.13 Policies 32 and 33 of the HDPF require development to be of a high standard of design and layout. Development proposals must be locally distinctive in character and respect the character of their surroundings. Where relevant, the scale, massing and appearance of development will be required to relate sympathetically with its built-surroundings, landscape, open spaces and to consider any impact on the skyline and important views.
- 6.14 Policy 6 of the Thakeham Neighbourhood Plan (TNP) (2017) provides that the scale, layout, design and materials of development should reflect the scale, architectural and historic character of surrounding buildings. Development should have regard to the published Parish Design Statement and *inter alia*, utilise local natural materials, realise opportunities for the incorporation of sustainable water/energy systems, retain existing trees, use open fencing and minimise the use and effects of external lighting.
- 6.15 The decking proposed for retention represents a modest structure in the context of its respective holding, further positioned (broadly) at the lowest point of the holding. The decking has been constructed and arranged so as to preserve adjacent trees/vegetation, with no apparent change in the local field pattern on the basis of available aerial photography. The siting of the decking, therefore, acts to minimise its impact upon the countryside and its surroundings, with the decking noted to be unappreciable from West Chiltington and Coolham Roads to the east, north and west of the site.

- 6.16 The decking is visible from a public right-of-way ~150m to the direct south, though, benefits from screening present in the form of vegetation which extends along the southern edge of the decking structure and by vegetation present to field-boundaries in the wider vicinity.
- 6.17 The decking is constructed of an untreated timber expected to sympathetically weather over time, with the use of timber deemed an appropriate material to a rural locale. In combination with the modest amount of development above ground level, and the sensitive siting of the proposed development, it is considered that the proposal sympathetically integrates with the character and appearance of its surroundings in compliance with HDPF policies 32, 33, 25 and 26 in addition to Policy 6 of the Thakeham Neighbourhood Plan (2017) in terms of its visual effect.

Acoustic and Lighting Impact:

- 6.18 It is noted that a number of representations have sought to raise concern with the detrimental effects of events conducted at the Vineyard upon the occupiers/users of nearby land and in respect of character and tranquillity more broadly, predominantly in respect of lighting and noise disturbance.
- 6.19 Policy 33 of the HDPF *inter alia* seeks to ensure development does not result in unacceptable harm to the amenities of nearby occupiers/users of land, by way of disturbance, privacy and/or loss of light. Policy 24 of the HDPF, *inter alia*, seeks to ensure development minimises the emission of pollutants, including noise and light, while NPPF paragraph 184 seeks to ensure development is appropriate to its location taking account of impacts that could arise from the development, including significant adverse impacts on health and quality of life.
- 6.20 Policies 25, 26, 32 and 33, as summarised in the preceding section of this report, further, seek to ensure development is appropriate to the character of its respective setting, including in respect of relative tranquillity.
- 6.21 The decking structure subject of this application does not host permanent lighting and/or acoustic equipment, as observed during the officers site visit, nor would the physical retention of the structure itself provide for a source of light and/or noise.
- 6.22 Events held at the holding have included a number of open evenings, dining/wine tasting events and yoga sessions. Some of these events have involved music and/or lighting, and it is recognised that the predominant concerns expressed within representations in relation to noise and/or light derive from the effect and duration of such events. Planning permission, though, is not sought for the use of land for events purposes, neither are such events solely contingent upon use of the decking. Separate seating areas are found beyond the extent of the decking at the northern extent of the holding (adjacent to the café building under construction). Events documented on the Vineyard's social-media pages, further, show the stationing of tents, temporary stages and other events paraphernalia beyond the decking proposed for retention. While the decking supports these events, and could function as a seating/staging space, the use of conditions restricting the installation of lighting and/or the use of the decking for amplified/live music purposes and limiting hours of use would be considered to substantially eliminate any adverse lighting and/or acoustic impact arising from the decking itself.
- 6.23 Subject to the use of appropriately worded conditions, therefore, it is considered that the proposal would not result in an unacceptable impact upon the occupiers/users of nearby land/property by way of acoustic or lighting impact, or upon local character and tranquillity more broadly. The proposal, therefore, would not be considered contrary to the provisions of HDPF policies 24, 25, 26, 32 and 33 in addition to NPPF paragraph 184 in these regards.

Other Amenity Impacts:

- 6.24 The decking proposed for retention represents a structure of modest height positioned in excess of 190m of the closest residential occupiers to the south-east of the site on Coolham Road. With regard to this arrangement it is not considered that the decking is of a scale and/or nature which would result in an unacceptable loss of natural light and/or privacy to residential occupiers present in the vicinity of the site.

Safety of Visitors/Users:

- 6.25 Policies 32 and 33 of the HDPF *inter alia*, seek to ensure development is functional, accessible and safe.
- 6.26 In support of this application the applicant has provided an 'inspection report', which appears to be conducted in conjunction with an insurance/public-liability process. This inspection considers the decking capable of supporting a suitable loading, with the spacing of handrails and safety wires deemed acceptable. The inspection does recommend that a kick-board is installed to the bottom edge of the handrail surrounding the pond for peace of mind.
- 6.27 On the basis of the Officers own observations on site the decking would appear to be of sound construction, with railings deemed of usual composition and height. Consistent with the recommendations of the applicants own inspection the installation of a kickboard to the water-edge of the decking would likely prove a sensible precaution, though, the decking would not appear to possess any inherent or significant safety defects. The proposal, therefore, would be considered compliant with the provisions of HDPF policies 32 and 33 in these regards.

Effects on Habitats and Species:

- 6.28 Policies 25 and 31 of the HDPF seek to protect the natural environment and landscape character of the district. Protected habitats and species will be protected against inappropriate development, and opportunities to enhance green infrastructure and biodiversity will be encouraged.
- 6.29 The decking subject of this application is positioned away from the closest hedgerow at a distance of ~4m. As shown on previous aerial photography this section of the holding was previously maintained to grass or as crop. The siting of the decking, therefore, has not resulted in the loss of established vegetation or valued habitat.
- 6.30 It is understood that the decking is supported predominantly by a scaffold frame, featuring minimal footings below ground level. While there are mature trees in the vicinity of the structure, it is not considered that the structure is of a type and scale which would adversely influence the health of these existing specimens.
- 6.31 The decking is constructed in a manner which does provide access to the pond, with a number of gaps evident at the various joints of the structure and where topography is uneven likely suitable for use by mammals and amphibians.
- 6.32 Overall, there is no clear evidence before the Authority that the retention of the structure for a temporary period would detrimentally influence habitats and species present within the immediate holding in compliance with HDPF policies 25 and 31 in these regards.

Water Neutrality:

- 6.33 The site lies within the Sussex North Water Supply Zone where Natural England has advised that water extraction cannot be concluded as having no adverse effect on the integrity of the Arun Valley Special Area Conservation (SAC), the Arun Valley Special protection Area (SPA) and the Arun Valley Ramsar Site. As it cannot be concluded that existing abstraction is not having an impact on the Arun Valley site, Natural England have advised that new developments (within this zone) must not add to this impact, and that one way of achieving this is to demonstrate water neutrality, whereby 'the use of water in the supply area before the development is the same or lower after the development is in place'.
- 6.34 The development subject of this application pertains solely to the retention of decking for a temporary period of two years. The proposal, therefore, is not considered of a scale and/or nature which would materially influence water-abstraction such as to contribute to the potential adverse impact on the Arun Valley sites by way reason increased abstraction. The proposal, therefore, would be considered compliant with the provisions of HDPF policy 31 in addition to the relevant provisions of the Habitats Regulations 2017.

Conclusions:

- 6.35 The proposal seeks the retention of decking for a temporary period of two years. The decking operates in support of the diversified components of the Vineyard operation, providing for an enhanced visitor experience which promotes the continued growth and viability of a rural business and agricultural operation of moderate scale. It is considered that the proposal aligns with the provisions of HDPF policies 10 and 26, which seek to support sustainable rural development in recognition of the social, economic and environmental benefits derived from the continued operation of agricultural enterprise.
- 6.36 It is acknowledged that a number of representations have sought to raise concern with the acceptability of the diversified components of Vineyard operation, particularly in respect of events, and the associated effects of such events upon local character and the living conditions of nearby occupiers/users of land. The proposal before the Authority, however, does not seek a material change of use for the use of land for events (or other) purposes, which could continue to take place without the need for planning permission in accordance with existing 'permitted development' rights subject to the applicant obtaining relevant licences from Environmental Health.
- 6.37 The proposed retention of the decking for a temporary period would not be considered to unacceptably influence the character and appearance of its surroundings, habitats and species or the level of natural light/privacy enjoyed by nearby occupiers of land. The existing structure is not a source of light and/or noise pollution, which subject to appropriately worded conditions relating to music and light, would not be considered to exasperate the acoustic and lighting impact of temporary events beyond the scope of consideration of this application.
- 6.38 For the reasons set out in the preceding sections of this report, it is considered that the proposal would comply with all relevant development plan policy, and is recommended for approval subject to the conditions set out below.

7. RECOMMENDATIONS

- 7.1 To approve planning permission, subject to the list of conditions set out below.

Conditions:

1. **Approved Plans List**

2. **Temporary Permission:** The development hereby permitted shall be retained only until 19.08.2023 (inclusive). Subsequent to this date the decking shall be removed and the land reverted to its former condition.

Reason: In order to give effect to the temporary consent sought in preventing a permanent development.

3. **Regulatory Condition:** The decking hereby approved shall be utilised solely for purposes ancillary to the operation of Kinsbrook Vineyard, West Chiltington Road, West Chiltington, Pulborough, RH20 2LU.

Reason: To avoid the creation of an independent planning unit and form development unessential to a countryside location in compliance with the requirements of Policy 26 of the Horsham District Planning Framework (2015).

4. **Regulatory Condition:** Within three months of the date of this consent a kickboard shall be fitted to the interior (water-side) edge of the existing deck in line with the position of existing railings.

Reason: To safeguard the safety of existing and future users in accordance with Policies 32 and 33 of the Horsham District Planning Framework (2015).

5. **Regulatory Condition:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), no amplified, live-music or personal address equipment shall be installed or played on the decking hereby approved.

Reason: In order to minimise the acoustic impact of the proposed development, and to ensure the approved development does not result in unacceptable harm to the amenities of nearby occupiers/users of land in accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015).

6. **Regulatory Condition:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), no external lighting and/or floodlighting shall be erected or installed upon the decking hereby approved.

Reason: To limit the emission of light pollution in the interests of the amenities of nearby occupiers/users of land, and to preserve the rural character of the site surroundings in accordance with policies 24, 25, 32 and 33 of the Horsham District Planning Framework (2015).

7. **Regulatory Condition:** The decking hereby permitted shall only be used between the hours of 08:00 and 21:00 daily.

Reason: In order to minimise the acoustic and/or lighting impact of the approved development and to ensure development does not result in unacceptable harm to the amenities of nearby occupiers/users of land in accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015).

Background Papers:
DC/21/1552

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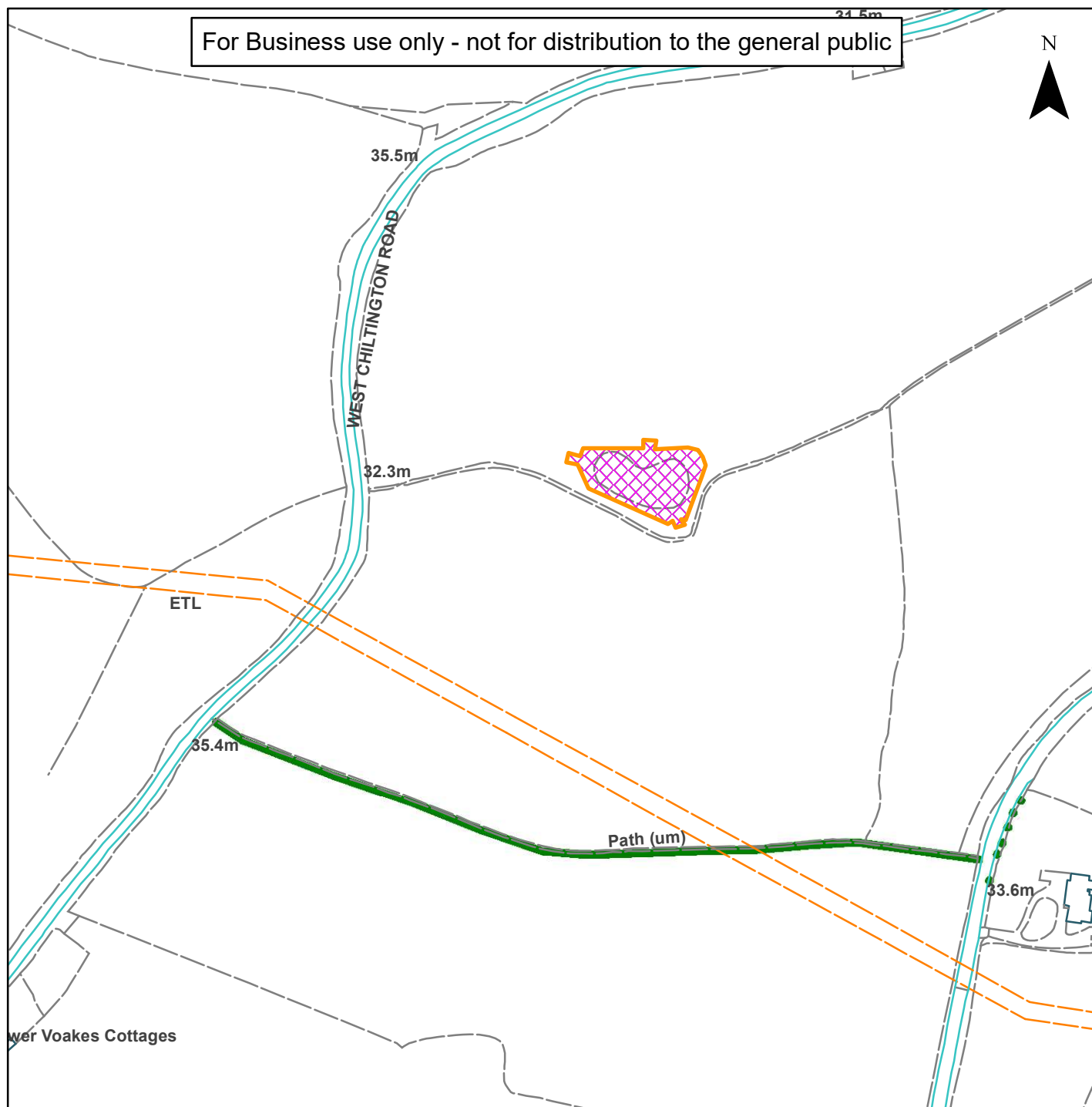
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Horsham District Council

Land at Kinsbrook Vineyard, West Chiltington Road, Pulborough, Horsham, RH20 2LU

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Scale: 1:2,500

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Organisation	Horsham District Council
Department	
Comments	
Date	04/11/2021
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**Horsham
District
Council**

PLANNING COMMITTEE REPORT

TO: Planning Committee South

BY: Head of Development and Building Control

DATE: 16th November 2021

DEVELOPMENT: Demolition of existing barn buildings and construction of a new build barn style dwelling.

SITE: Chalk Farm Okehurst Lane Billingshurst West Sussex

WARD: Billingshurst

APPLICATION: DC/21/1335

APPLICANT: **Name:** Mr N Antoniou **Address:** The Beehive City Place Gatwick RH6 0PA

REASON FOR INCLUSION ON THE AGENDA: The development, if approved, would represent a departure from the Development Plan

RECOMMENDATION: To approve planning permission subject to appropriate conditions

1. THE PURPOSE OF THIS REPORT

1.1 To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.2 The application seeks full planning permission for the demolition of the existing barn buildings and the construction of a 1no. 4-bed dwelling.
- 1.3 The proposal would comprise a “U” shaped single storey building that would incorporate a mix of mono-pitched and barrel roof forms, along with a central flat roof connecting section to each wing. The proposal would measure to a length of 29.8m and a total width of 18m, and would measure to an overall height of 4.1m. The proposal would be oriented to face west, and would be finished in horizontal cladding and zinc standing seam sheeting.
- 1.4 The proposal would incorporate an area of hardstanding to the south-west of the dwelling, with the land to the northern portion of the site utilised as incidental amenity space. The proposal would provide 4no. parking spaces, cycle store, and bin store.
- 1.5 This proposal follows permissions for a dwelling on the site in July 2018 and January 2021. The January 2021 permission remains extant.

DESCRIPTION OF THE SITE

- 1.6 The application site is located to the north of Okehurst Lane, outside of any designated built-up area boundary. The application site is therefore located in a countryside location in policy terms.
- 1.7 The site comprises 3no. utilitarian barns sited in a 'U' shape arrangement, which open to a central courtyard area. The wider area is laid to grass, with recently planted trees to the northern corner of the site. The site benefits from an existing access to the south, extending from Okehurst Lane.
- 1.8 The application site is surrounded by residential dwelling to the east and south, with a mobile home located immediately to the south. This mobile home has been subject of previous temporary permissions dating from the 1990s, with the most recent permission lapsing on 31 May 2000. Given the length of time since this permission, it is likely that the siting of the mobile home is lawful by virtue of time.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT PLANNING POLICIES

- 2.2 The following Policies are considered to be relevant to the assessment of this application:

2.3 National Planning Policy Framework

2.4 Horsham District Planning Framework (HDPF 2015)

Policy 1 - Strategic Policy: Sustainable Development
Policy 2 - Strategic Policy: Strategic Development
Policy 3 - Strategic Policy: Development Hierarchy
Policy 4 - Strategic Policy: Settlement Expansion
Policy 15 - Strategic Policy: Housing Provision
Policy 16 - Strategic Policy: Meeting Local Housing Needs
Policy 24 - Strategic Policy: Environmental Protection
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
Policy 26 - Strategic Policy: Countryside Protection
Policy 31 - Green Infrastructure and Biodiversity
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 34 - Cultural and Heritage Assets
Policy 35 - Strategic Policy: Climate Change
Policy 36 - Strategic Policy: Appropriate Energy Use
Policy 37 - Sustainable Construction
Policy 38 - Strategic Policy: Flooding
Policy 40 - Sustainable Transport
Policy 41 - Parking
Policy 42 - Strategic Policy: Inclusive Communities
Policy 41 - Community Facilities, Leisure and Recreation

Paragraph 33 of the NPPF requires that all development plans complete their reviews no later than 5 years from their adoption. Horsham District Council is currently in the process of reviewing its development plan however at this stage the emerging policies carry only limited weight in decision making. As the HDPF is now over 5 years old, the most important policies for the determination of this application must be considered as to whether they are 'out of

date' (NPPF paragraph 11d). This includes, for applications involving the provision of housing, whether the Council can demonstrate a five year supply of deliverable housing sites (NPPF footnote 8).

The Council is currently unable to demonstrate a five year supply of deliverable housing sites, with the supply currently calculated as being 4.3 years. The presumption in favour of development within Paragraph 11d) of the NPPF therefore applies in the consideration of all applications for housing development within the District (unless footnote 7 or Paragraph 14 applies to relevant applications), with Policies 2, 4, 15 and 26 now carrying only moderate weight in decision making.

All other policies within the HDPF as itemised above have been assessed against the NPPF and are considered to be consistent such that they continue to attract significant weight in decision making.

RELEVANT NEIGHBOURHOOD PLAN

2.5 Billingshurst Neighbourhood Development Plan 2019-2031

Policy 1: Billingshurst Built-Up Area Boundary

Policy 2: Housing Design and Character

Policy 3: Energy Efficiency and Design

Policy 14: Residential Parking Provision

PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/17/2773	Conversion of agricultural barn to form a two-bedroom single storey dwelling.	Application Permitted on 19.07.2018
DC/20/2373	Conversion of existing agricultural barn to a dwelling (as permitted under DC/17/2773) with replacement of adjoining pole barns to form linked bedroom accommodation	Application Permitted on 07.01.2021

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

INTERNAL CONSULTATIONS

- 3.2 **HDC Environmental Health:** No objection
No objection subject to conditions in respect of land contamination, asbestos, waste removal, soil importation and construction hours.

OUTSIDE AGENCIES

- 3.3 **WSCC Highways:** No objection

Given the history of the site the principle of conversion to residential has already been established. No in principle concerns would be raised to this latest iteration of the proposal which instead seeks demolition and redevelopment to provide one dwelling.

The Local Highways Authority accepts that this point of access could generate vehicular activity in its current state. There have been no personal injury accidents in the vicinity of the existing point of access. Evidence suggests that developments of this type are unlikely to result in increased access or safety concerns.

No highways concerns would be raised to this point of access serving one dwelling. It should be noted that WSCC Highways do not have evidence that the access point approved under DC/11/2438 was implemented under licence to a specification obtained from WSCC Highways. However, this would be a separate matter and should not be used as a reason for resisting this planning application.

A suitably sized area of hardstanding has been provided to facilitate parking for a dwelling of this size in this location. This can also facilitate a turn on site. In the interests of sustainability and as result of the Government's 'Road to Zero' strategy for at least 50% of new car sales to be ultra-low emission by 2030, electric vehicle (EV) charging points should be provided for all new homes. Active EV charging points should be provided for the development in accordance with current EV sales rates within West Sussex (Appendix B of WSCC Guidance on Parking at New Developments) Horsham Local Plan policy. Ducting should be provided to all remaining parking spaces to provide 'passive' provision for these to be upgraded in future.

The Applicant has indicated on plan 'P-PR5 - June 2021' that one space will be EV enabled, this would be acceptable to the Local Highways Authority. The exact details of the provision will need to be secured in perpetuity via planning condition.

A secure and covered cycle parking provision has been demonstrated by the Applicant (P-PR5 - June 2021'). This is acceptable.

The Local Highways Authority does not consider that the proposal would have and an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 111), and that there are no transport grounds to resist the proposal.

3.4 **Southern Water:** Comment

There are no surface water sewers in the area to serve this development. The Applicant is advised to examine alternative means of surface water disposal.

It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

3.5 **Natural England:** Objection

It cannot be concluded that existing abstraction within the Sussex North Water Supply Zone is not having an adverse effect on the integrity of the Arun Valley SAC/SPA/Ramsar sites. Developments within Sussex North must therefore must not add to this impact and one way of achieving this is to demonstrate water neutrality. The definition of water neutrality is the use of water in the supply area before the development is the same or lower after the development is in place.

To achieve this Natural England is working in partnership with all the relevant authorities to secure water neutrality collectively through a water neutrality strategy. Whilst the strategy is evolving, Natural England advises that decisions on planning applications should await its completion. However, if there are applications which a planning authority deems critical to proceed in the absence of the strategy, then Natural England advises that any application needs to demonstrate water neutrality

3.6 **Ecology:** Awaiting final comments on Preliminary Roost Assessment and Barn Owl Survey Report. To be verbally reported at committee.

PUBLIC CONSULTATIONS

3.7 **Billingshurst Parish Council:** No Objection

- 3.8 2 letters of support were received which commented on the design and style of the proposal, the benefit of locating the development further from the shared boundary, and considered the development to be in keeping with the woodland that surrounds it.

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 application seeks full planning permission for the demolition of the existing barn buildings and the construction of a 1no. 4-bed dwelling.

Principle of Development

- 6.2 Policy 4 of the HDPF outlines that the expansion of settlements outside the built-up area are supported where the site is allocated in the Local Plan or in a Neighbourhood Plan and adjoins an existing settlement edge; the level of expansion is appropriate to the scale and function of the settlement type; the development is demonstrated to meet the identified local housing needs; the impact of development individually or cumulatively does not prejudice comprehensive long term development; and the development is contained within an existing defensible boundary and the landscape and townscape character features are maintained and enhanced.
- 6.3 Paragraph 79 of the NPPF states that "to promote development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby."
- 6.4 Paragraph 80 of the NPPF continues that "planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:
- a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;
 - b) the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;
 - c) the development would re-use redundant or disused buildings and enhance its immediate setting;
 - d) the development would involve the subdivision of an existing residential dwelling; or
 - e) the design is of exceptional quality, in that it:
 - is truly outstanding, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and

- would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.

- 6.5 The term “isolated” is not defined within the National Planning Policy Framework, but case law has confirmed that it should be given its ordinary objective meaning of remote and far away from other places, buildings and people, and separate or remote from a settlement, services, and facilities. It was concluded in the Braintree Judgement that a settlement would not necessarily exclude a cluster of dwellings. The application site is located within close proximity to a number of residential dwellings and other buildings, and given this spatial context is not considered to be “isolated” in its truest sense, and does not therefore engage the considerations of paragraph 80.
- 6.6 In this countryside location, the proposal is also considered against Policy 26 which seeks to protect the countryside against inappropriate development unless it is considered essential and appropriate in scale; whilst also meeting one of four criteria. This criteria includes: supporting the needs of agriculture or forestry; enabling the extraction of minerals or the disposal of waste; providing for quiet informal recreational use; or enabling the sustainable development of rural areas. The proposed development does not meet any of this criteria, nor is it considered to be essential to the countryside location, and does not therefore comply with Policy 26 of the HDPF. The proposed development, resulting in the provision of a dwelling within a countryside location, would therefore be contrary to the overarching spatial strategy, and the development plan policies within the Horsham District Planning Framework.
- 6.7 While the provision of new dwellings in the countryside would not usually be supported in policy terms, it is recognised that the site benefits from an extant planning permission under reference DC/20/2373 for the conversion of the buildings to a 4-bed dwelling. This permission remains extant and represents a fallback position.
- 6.8 Fallback is a material consideration in the decision-making process, and when making a determination, weight needs to be given to the fallback position. The weight to be given to such material consideration varies according to whether what could have been built under previous applications would result in a broadly similar or worse impact to the development proposed; and the reasonable likelihood that if permission were refused, the previous approval(s) would be implemented.
- 6.9 The current application seeks to demolish the existing buildings with the construction of a similarly scaled dwelling. The proposal would be of a similar form to the existing buildings, with the incorporation of mixed roof profiles to provide visual interest and relief, along with a softer material palette that would reflect the countryside setting. The proposed development would provide better thermal efficiency than the existing building and is considered to result in a better quality of accommodation for future occupants in this regard. This benefit is considered to be of weight in the assessment of the current application.
- 6.10 While the provision of new dwellings in this countryside location would not usually be supported by policy, given the previous approval for a barn conversion to a dwelling (which for the avoidance of doubt is a full planning permission rather than a prior approval), it is considered that the proposed scheme would result in a built form that would improve and enhance the character of the semi-rural locality. On the basis of the potential to implement the extant planning permission, and the likelihood of this occurring, this fallback position is considered to be of significant weight to the consideration of the current application, with the proposed development likely to provide a better, more rational re-development of the site.
- 6.11 In weighing the policy considerations and the existence of a fallback position, it is therefore considered that the principle of the proposed redevelopment is acceptable, subject to all other material considerations.

Design and Appearance

- 6.12 Policy 25 of the HDPF states that the natural environment and landscape character of the District, including landscape, landform and development pattern, together with protected landscapes, will be protected against inappropriate development. Proposals should protect, conserve and enhance the landscape character, taking into account areas identified as being of landscape importance. In addition, policies 32 and 33 of the HDPF promote development that is of a high quality design, which is based upon a clear understanding of the local, physical, social, economic, environmental, and policy context. Development will be expected to provide an attractive, functional, and accessible environment that complements locally distinctive characters and heritage of the District. Development should contribute to a sense of place both in the buildings and spaces themselves and in the way they integrate with their surroundings and the historic landscape in which they sit. Development should ensure that the scale, massing and appearance of the development relates sympathetically with the built surroundings, landscape, open spaces and routes within and adjoining the site.
- 6.13 Paragraph 130 of the NPPF states that planning decisions should ensure that developments function well and add to the overall quality of the area; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are sympathetic to local character and history, including the surrounding built environment and landscape setting; establish a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development; and create places that are safe, inclusive and accessible.
- 6.14 The proposed dwelling would be of a similar form and proportion to the existing building and is considered to sit appropriately within the context of the site and the surrounding built form. The proposed material palette is considered to better reflect the rural character, with the mix of contemporary finishes considered to provide visual interest. The proposal would relate sympathetically to the character and visual amenity of the wider surroundings, and the proposal is not therefore considered to result in any further harm to the landscape character and visual amenities of the countryside setting, in accordance with Policies 25, 32, and 33 of the Horsham District Planning Framework (2015).

Amenity Impacts

- 6.15 Policy 32 of the HDPF states that development will be expected to provide an attractive, functional, accessible, safe, and adaptable environment that contributes a sense of place both in the buildings and spaces themselves. Policy 33 continues that development shall be required to ensure that it is designed to avoid unacceptable harm to the amenity of occupiers/users of nearby property and land.
- 6.16 The application site is located immediately to the north and west of residential properties, with the land to the south currently benefiting from an extant permission for a residential dwelling. Potential amenity impact was considered under the previous planning application (reference DC/20/2373). Subject to the location of windows and the internal arrangement to position the habitable rooms away from the southern boundary, the development was no considered to result in overlooking or loss of privacy to the south.
- 6.17 The proposed development has maintained the internal arrangement as approved, and it is not therefore considered that the proposal would result in harm to the amenities or sensitivities of the neighbouring properties, in accordance with Policies 32 and 33 of the Horsham District Planning Framework (2015).

Highways Impacts:

- 6.18 Policies 40 and 41 of the HDPF promote development that provides safe and adequate access, suitable for all users.

- 6.19 Policy 14 of the Billingshurst Neighbourhood Development Plan outlines that development proposals must provide suitable off-street parking that meets the minimum number of parking spaces as determined by the West Sussex Residential Parking Demand Calculator.
- 6.20 The proposal seeks to utilise an existing agricultural access to the south of the site, which would provide a separate access to the existing dwelling of Chalk Farm. A total of 4no. parking spaces would be provided on-site.
- 6.21 Following consultation with WSCC Highways, it is considered that the proposed development would not result in significant or demonstrable harm to the function and safety of the highway network, with sufficient off-road parking and turning space provided.
- 6.22 The proposal is therefore considered to accord with Policies 40 and 41 of the Horsham District Planning Framework (2015).

Ecology:

- 6.23 Policy 31 of the HDPF states that development will be supported where it demonstrates that it maintains or enhances the existing network of green infrastructure. Development proposals will be required to contribute to the enhancement of existing biodiversity, and should create and manage new habitats where appropriate.
- 6.24 Circular 06/2005 identifies that the presence of protected species is a material consideration when considering a development proposal that, if carried out, would be likely to result in harm to the species or its habitat. Therefore, it is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed application, is established before planning permission is granted. Information on biodiversity impacts and opportunities should inform all stages of development, and an ecological survey is usually necessary where the type and location of development are such that the impact on biodiversity may be significant and existing information is lacking or inadequate.
- 6.25 The Applicant has submitted a Preliminary Roost Assessment and Barn Owl Survey Report by Arbtech. The Assessment found that there is no evidence of bat use inside the buildings and the buildings do not present any internal or external features that would meet the criteria for further surveys. The open-sided structures have limited potential for bats and it is highly unlikely that the buildings are host to a bat roosts. There is also no evidence of Barn Owls within the buildings or surrounding area, and this species is considered absent from the buildings due to a lack of suitable habitat. It is however suggested that ecological enhancements through the inclusion of an Owl Nesting Box or alternative bird nesting box be provided.
- 6.26 On the basis of the information provided, it is not considered that the proposed development would result in harm to protected species or habitat. It is however considered reasonable to require the suggested ecological enhancements, and this would be secured through condition.

Water Neutrality:

- 6.27 Horsham District is supplied with water by Southern Water from its Sussex North Water Resource Zone.
- 6.28 This supply is sourced from abstraction points in the Arun Valley, which includes locations such as Amberley Wild Brooks Site of Special Scientific Interest (SSSI), Pulborough Brooks SSSI and Arun Valley Special Protection Area/Special Area of Conservation and Ramsar site.

- 6.29 On 14 September 2021, the Council received a Position Statement from Natural England. The Natural England position is that it cannot be concluded that the existing abstraction within the Sussex North Water Supply Zone is not having an impact on the Arun Valley sites. It advises that development within this zone must not add to this impact.
- 6.30 The Position Statement is a new material consideration, and if an application cannot demonstrate water neutrality is reasonably achievable, this will mean the development will not meet the requirements of section 63 of the Habitats Regulations.
- 6.31 The application follows an extant planning permission under reference DC/20/2373 for the conversion of the building to 1no. residential dwelling. The permitted scheme has the potential to be implemented and represents a fallback position which could be carried out in full. The proposal would result in no additional accommodation than that approved, and it is therefore considered that the proposal would result in an a neutral impact when compared to the existing planning permission.
- 6.32 There is no clear or compelling evidence to suggest the nature and scale of the proposed development would result in a more intensive occupation of the approved dwelling which would consequently necessitate an increased consumption of water that would result in a significant impact on the Arun Valley SAC, SPA and Ramsar sites, either alone or in combination with other plans and projects. The grant of planning permission would not therefore adversely affect the integrity of these sites or otherwise conflict with Policy 31 of the HDPF, NPPF paragraph 180 and the Council's obligations under the Conservation of Habitats and Species Regulations 2017.

Climate change:

- 6.33 Policies 35, 36 and 37 require that development mitigates to the impacts of climate change through measures including improved energy efficiency, reducing flood risk, reducing water consumption, improving biodiversity and promoting sustainable transport modes. These policies reflect the requirements of Chapter 14 of the NPPF that local plans and decisions seek to reduce the impact of development on climate change.
- 6.34 Should the application be approved, the following measures to mitigate the impacts of climate change would be imposed by condition:
- Water consumption limited to 110litres per person per day
 - Requirement to provide full fibre broadband site connectivity
 - Refuse and recycling storage
 - Cycle parking facilities
 - 1 electric vehicle charging point
- 6.35 Subject to these conditions the application will suitable reduce the impact of the development on climate change in accordance with local and national policy.

Conclusions:

- 6.36 The site is within a countryside location and has not been allocated for residential development. The proposal does not represent a use essential to this countryside location and therefore conflicts with policies 4 and 26 of the HDPF. The Council cannot currently demonstrate a five year housing land supply thereby triggering the presumption in favour of sustainable development contained within Paragraph 11d of the NPPF. This results in Policies 4 and 26 being considered out of date reducing the weight to be applied to them. The recent adoption of the Billingshurst Neighbourhood Plan does not trigger the provisions of Paragraph 14 of the NPPF as the Neighbourhood Plan does not contain allocations to meet its identified housing requirement. The presumption in favour of development contained within Paragraph 11d of the NPPF therefore applies in full.

- 6.37 Whilst conflict with policies 4 and 26 of the HDPF has been identified, the application site benefits from an extant planning permission under reference DC/20/2373. This fallback position is a material consideration of significant weight, with the proposed scheme considered to improve the quality and provision of accommodation within the site. While the provision of new dwellings in this countryside location would not usually be supported by policy, given the fallback position through the extant planning permission, it is considered that the proposed scheme would result in a built form that would improve and enhance the character of the semi-rural locality. The proposed development is considered to provide a better, more rational re-development of the site, and would result in public benefit in this regard.
- 6.38 The proposed development would result in no further harm to the landscape character and visual amenities of the area, and is not considered to result in any further harm to the amenities and sensitivities of the nearby residential properties or users of land. In addition, the proposal would provide adequate parking provision, and is not considered to result in a material intensification in number of vehicular trips or use of the access. For these reasons, the proposal is considered to accord with all relevant local and national planning policies.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 6.39 Horsham District Council has adopted a Community Infrastructure Levy (CIL) Charging Schedule which took effect on 1st October 2017.
- 6.40 **It is considered that this development constitutes CIL liable development.** At the time of drafting this report the proposal involves the following:

Use Description	Proposed	Existing	Net Gain
District Wide Zone 1	361.8		361.8
	Total Gain		
	Total Demolition		354.12

- 6.41 Please note that exemptions and/or reliefs may be applied for up until the commencement of a chargeable development.
- 6.42 In the event that planning permission is granted, a CIL Liability Notice will be issued thereafter. CIL payments are payable on commencement of development.

7. RECOMMENDATIONS

- 7.1 To approve the application subject to the following conditions:

Conditions:

- 1 Approved Plans
- 2 **Standard Time Condition:** The development hereby permitted shall begin before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.
- 3 **Pre-Occupation Condition:** Prior to the first occupation of any dwelling hereby permitted, the parking, turning and access facilities necessary to serve that dwelling

shall be implemented in accordance with the approved details as shown on plan P-PR5 and shall be thereafter retained as such.

Reason: To ensure adequate parking, turning and access facilities are available to serve the development in accordance with Policy 40 of the Horsham District Planning Framework (2015).

- 4 **Pre-Occupation Condition:** No dwelling hereby permitted shall be first occupied unless and until provision for the storage of refuse and recycling has been made for that dwelling in accordance with drawing number P-PR5 rev A. These facilities shall thereafter be retained for use at all times.

Reason: To ensure the adequate provision of refuse and recycling facilities in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 5 **Pre-Occupation Condition:** No dwelling hereby permitted shall be occupied until the cycle parking facilities serving it have been constructed and made available for use in accordance with approved drawing number P-PR5 rev A. The cycle parking facilities shall thereafter be retained as such for their designated use.

Reason: To ensure that there is adequate provision for the parking of cycles in accordance with Policy 40 of the Horsham District Planning Framework (2015).

- 6 **Pre-Occupation Condition:** Prior to the first occupation of each dwelling, the necessary inbuilding physical infrastructure and external site-wide infrastructure to enable superfast broadband speeds of 30 megabytes per second through full fibre broadband connection shall be provided to the premises.

Reason: To ensure a sustainable development that meets the needs of future occupiers in accordance with Policy 37 of the Horsham District Planning Framework (2015).

- 7 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until a fast charge electric vehicle charging point for that dwelling has been installed. As a minimum, the charge point specification shall be 7kW mode 3 with type 2 connector. The means for charging electric vehicles shall be thereafter retained as such.

Reason: To mitigate the impact of the development on air quality within the District and to sustain compliance with and contribute towards EU limit values or national objectives for pollutants in accordance with Policies 24 and 41 of the Horsham District Planning Framework (2015).

- 8 **Regulatory Condition:** The materials to be used in the development hereby permitted shall strictly accord with those indicated on the approved plan Landscaping Plan and Materials reference P-PR5 rev A.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of visual amenity and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 9 **Regulatory Condition:** The development hereby permitted shall strictly accord with the landscaping scheme as shown on plan Landscaping Plan and Materials reference P-PR5 rev A. The approved landscaping scheme shall be fully implemented in accordance with the approved details within the first planting season following the first occupation of any part of the development. Unless otherwise agreed as part of the approved landscaping, no trees or hedges on the site shall be wilfully damaged

or uprooted, felled/removed, topped or lopped without the previous written consent of the Local Planning Authority until 5 years after completion of the development. Any proposed planting, which within a period of 5 years, dies, is removed, or becomes seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure a satisfactory development that is sympathetic to the landscape and townscape character and built form of the surroundings, and in the interests of visual amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 10 **Regulatory Condition:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (and/or any Order revoking and/or re-enacting that Order) no development falling within Classes A, B, C, and D of Part 1 within Schedule 2, or Class A of Part 2 within Schedule 2 of the order shall be erected, constructed or placed within the curtilages of the development hereby permitted without express planning consent from the Local Planning Authority first being obtained.

Reason: In the interest of visual amenity and due to the constraints and countryside location of the site in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 11 **Regulatory Condition:** The development hereby permitted shall strictly accord with the Foul and Surface Water Drainage Strategy by gta Civils Consulting Engineers dated 16 November 2018 and approved under reference DISC/18/0376.

Reason: As this matter is fundamental to ensure that the development is properly drained and to comply with Policy 38 of the Horsham District Planning Framework (2015).

- 12 **Regulatory Condition:** The development hereby permitted shall be carried out in strict accordance with the Preliminary Contamination Risk Assessment reference GHoughton/ChalkFarm/PCRA by eas ltd dated October 2018 and approved under reference DISC/18/0334.

Reason: As this matter is fundamental to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works and to ensure that any pollution is dealt with in accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015).

- 13 **Regulatory Condition:** The development hereby permitted shall be undertaken in strict accordance with the ecological mitigation and enhancement measures set out in the Preliminary Roost Assessment and Barn Owl Survey Report by Arbtech.

Reason: As these matters are fundamental to safeguard the ecology and biodiversity of the area in accordance with Policy 31 of the Horsham District Planning Framework (2015), and to enhance Protected and Priority Species/habitats and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species).

- 14 **Regulatory Condition:** The dwelling hereby permitted shall meet the optional requirement of building regulation G2 to limit the water usage of each dwelling to 110 litres per person per day. The subsequently approved water limiting measures shall thereafter be retained.

Reason: To limit water use in order to improve the sustainability of the development in accordance with Policy 37 of the Horsham District Planning Framework (2015).

- 15 **Regulatory Condition:** No works for the implementation of the development hereby approved shall take place outside of 08:00 hours to 18:00 hours Mondays to Fridays and 08:00 hours to 13:00 hours on Saturdays nor at any time on Sundays, Bank or public Holidays

Reason: To safeguard the amenities of adjacent occupiers in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 16 **Regulatory Condition:** There shall be no burning of materials or waste on the site.

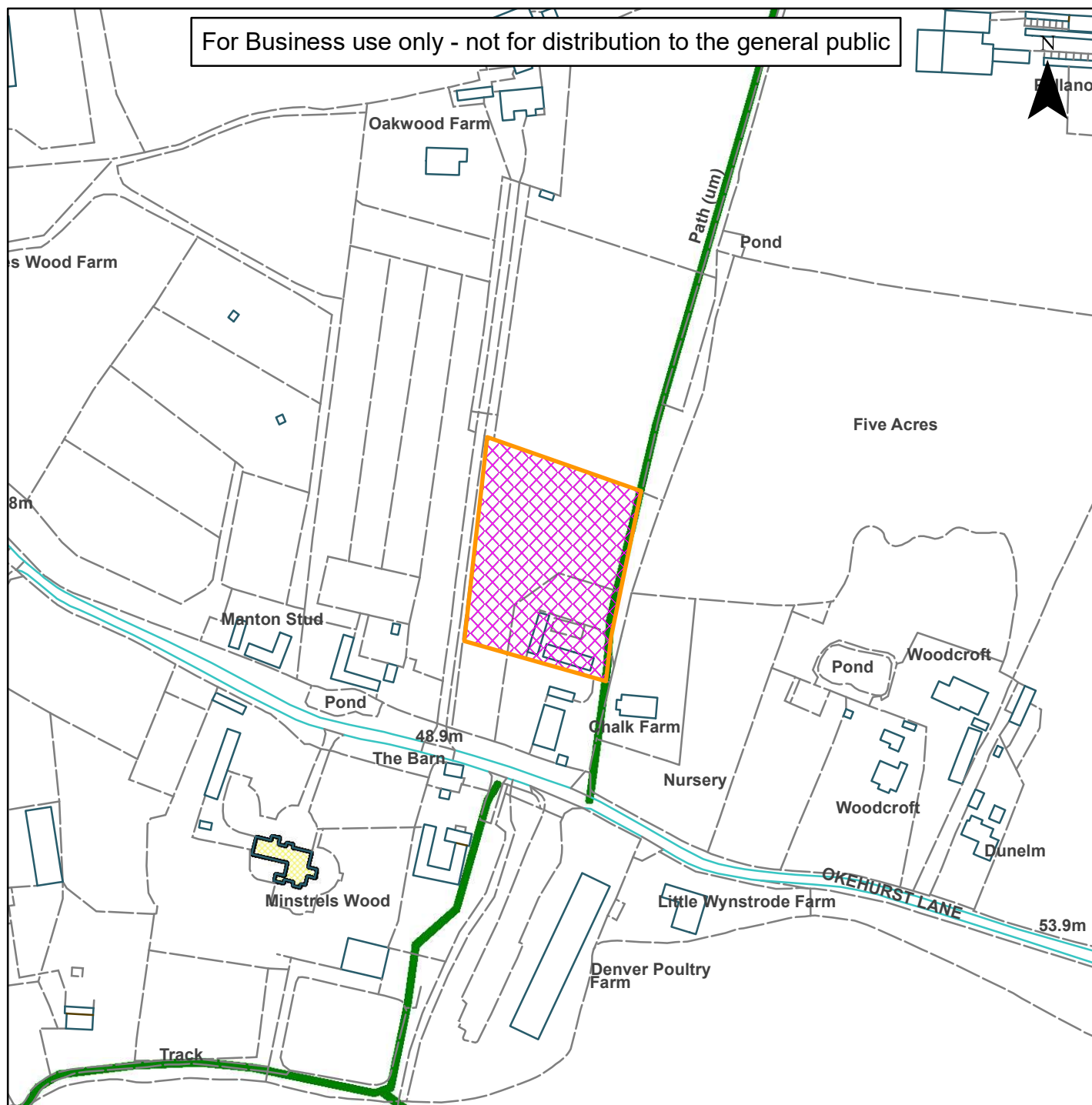
Reason: To safeguard the amenities of adjacent occupiers in accordance with Policy 33 of the Horsham District Planning Framework (2015).

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Chalk Farm, Okehurst Lane, Billingshurst, West Sussex

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Organisation	Horsham District Council
Department	
Comments	
Date	04/11/2021
MSA Number	100023865

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