



Email: committeeservices@horsham.gov.uk
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Planning Committee (South)

Tuesday, 18th October, 2022 at 2.30 pm
Conference Room, Parkside, Chart Way, Horsham

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

You are summoned to the meeting to transact the following business

Jane Eaton
Chief Executive

Agenda

	Page No.
GUIDANCE ON PLANNING COMMITTEE PROCEDURE	
1. Apologies for absence	
2. Minutes	7 - 10
<p>To approve as correct the minutes of the meeting held on 21 June 22. <i>(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.)</i></p>	
3. Declarations of Members' Interests	
To receive any declarations of interest from Members of the Committee	
4. 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:

5. **Appeals** 11 - 16
Applications for determination by Committee:
6. **DC/22/0100 Land North of Huddlestone Farm, Horsham Road, Steyning** 17 - 58
Ward: Steyning and Ashurst
Applicant: Bolney Green Limited
7. **DC/22/0773 Abingworth Nurseries, Storrington Road, Thakeham** 59 - 74
Ward: West Chiltington, Thakeham and Ashington
Applicant: Miss F Whiles
8. **DC/22/0695 Woodmans Farm, London Road, Ashington** 75 - 92
Ward: West Chiltington, Thakeham and Ashington
Applicant: Mr Anthony Skeet
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

Agenda Annex

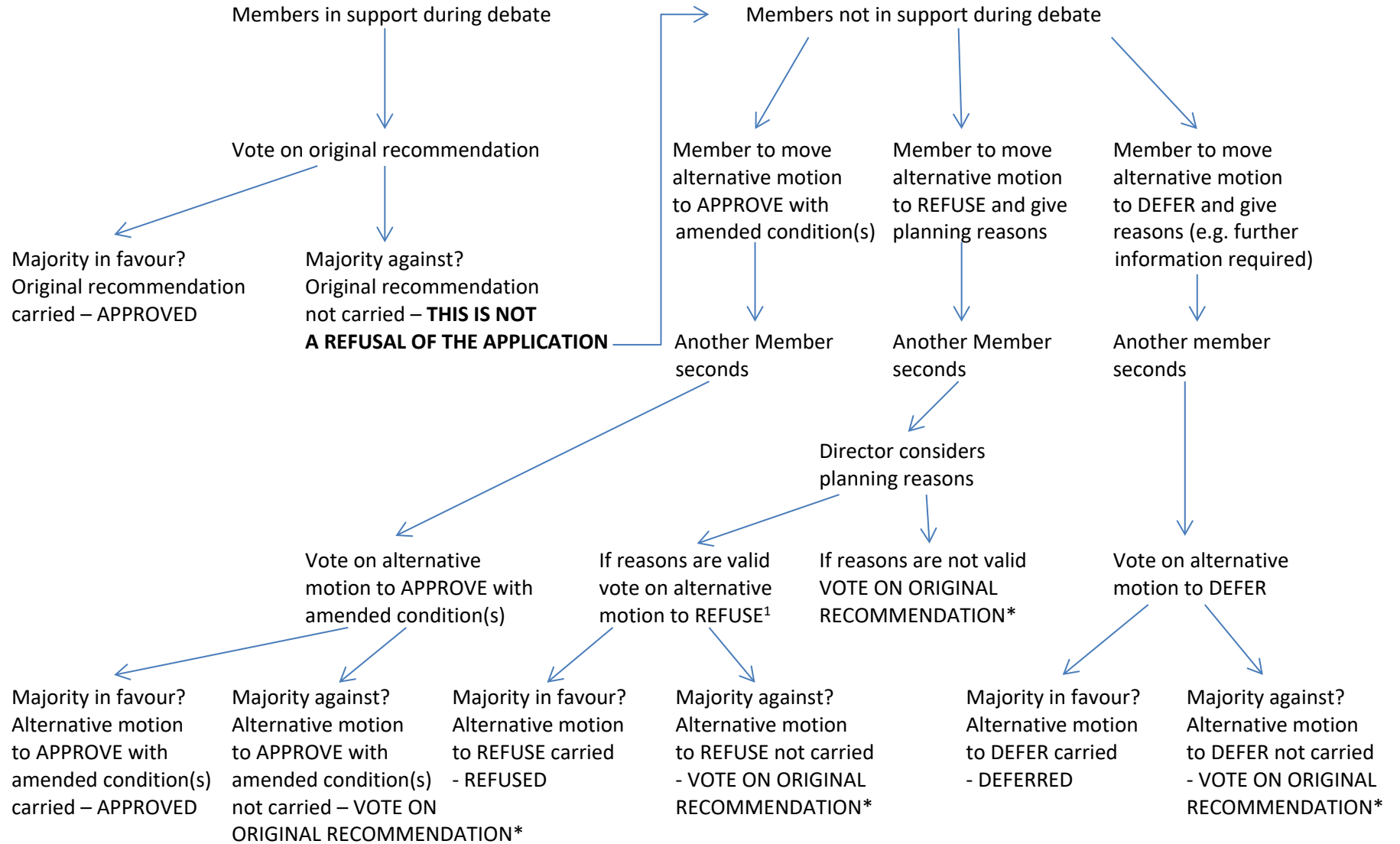
GUIDANCE ON PLANNING COMMITTEE PROCEDURE

(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>

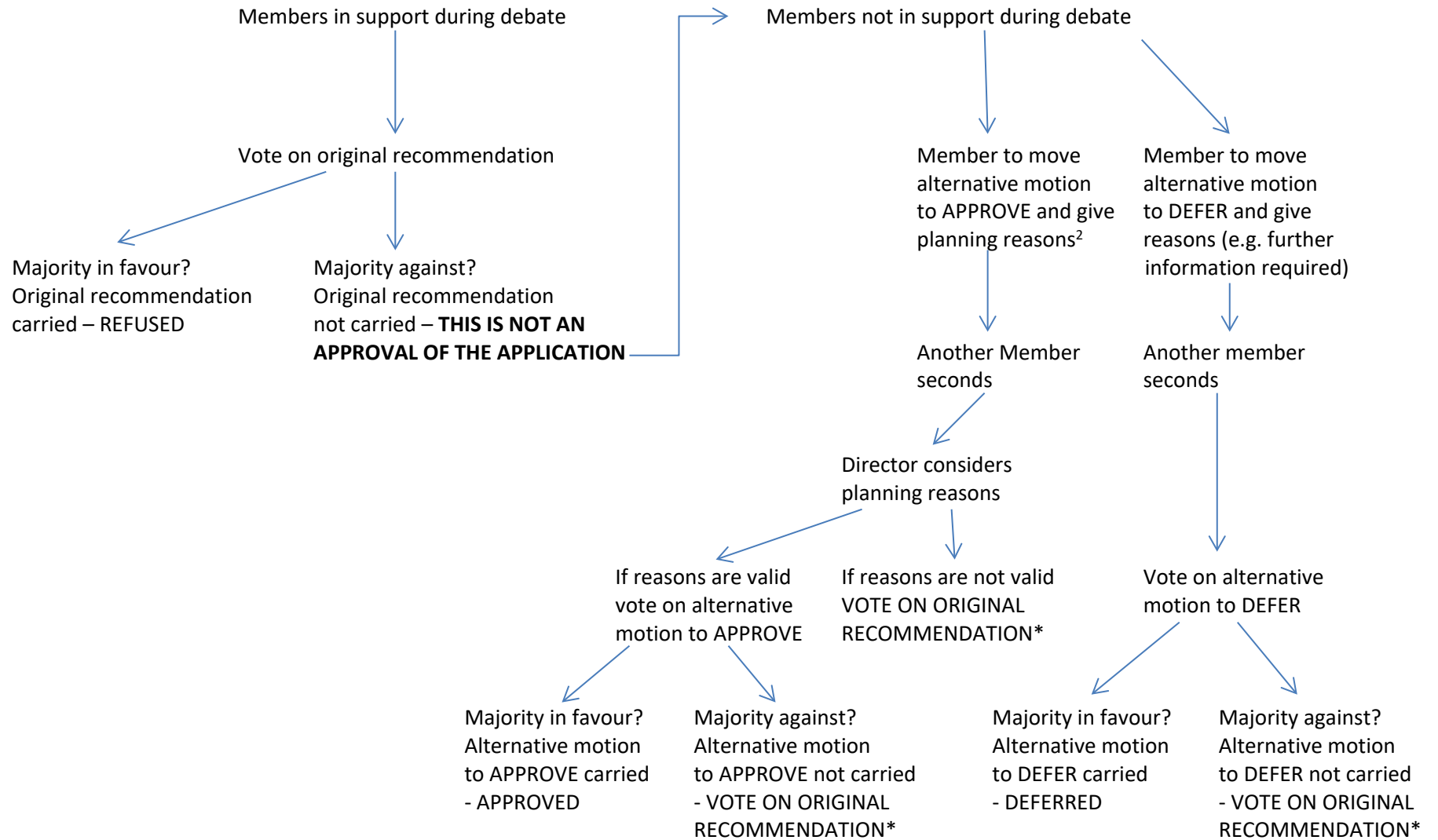
Original recommendation to APPROVE application



*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 JUNE 2022

Present: Councillors: Tim Lloyd (Chairman), Paul Clarke (Vice-Chairman), John Blackall, Chris Brown, Jonathan Chowen, Philip Circus, Michael Croker, Ray Dawe, Joan Grech, Lynn Lambert, Mike Morgan, Roger Noel, Bob Platt, Josh Potts, Kate Rowbottom, Diana van der Klugt and James Wright

Apologies: Councillors: Jack Saheid
Absent: Councillors: Nigel Jupp

PCS/1 **ELECTION OF CHAIRMAN**

RESOLVED

That Councillor Tim Lloyd be elected Chairman of the Committee for the ensuing municipal year.

PCS/2 **APPOINTMENT OF VICE-CHAIRMAN**

RESOLVED

That Councillor Paul Clarke be appointed Vice-Chairman of the Committee for the ensuing municipal year.

PCS/3 **TO APPROVE THE TIME OF MEETINGS OF THE COMMITTEE FOR THE MUNICIPAL YEAR**

RESOLVED

That meetings of the Planning South Committee meet at 2.30 pm for the ensuing municipal year.

PCS/4 **MINUTES**

The minutes of the meeting held on 24 May were approved as a correct record and signed by the Chairman.

PCS/5 **DECLARATIONS OF MEMBERS' INTERESTS**

Item 9 DC/21/2394, 141 Shooting Field, Steyning.
Councillors Tim Lloyd, Bob Platt, Michael Croker and Roger Noel all declared a personal interest as they knew the agent.

PCS/6 **ANNOUNCEMENTS**

There were no announcements.

PCS/7 **APPEALS**

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

PCS/8 **DC/21/2394 141 SHOOTING FIELD, STEYNING**

The Head of Development & Building Control reported that this application sought permission for the demolition of 2 residential dwellings and construction of 14 2- bedroom apartments with associated cycle storage, car parking and refuse provision.

The application site was located within the built-up area of Steyning, towards the northern extent of Shooting Field with an area predominantly characterised by mid to late 20th century residential development.

Since the publication of the report the agent had supplied a further report on water neutrality to the Planning Department for further consideration.

The Parish Council did not object to the proposal. Twenty four letters of support were received and thirteen letters of objection, of which four were received from households outside of the district.

The agent spoke in support of the application and one further speaker addressed the committee in support.

Members considered the consultees' responses and the planning assessment which included the following key issues: principle of development, character, design and appearance, amenity impact, affordable housing, parking and highway safety, drainage, flood risk, ecology and climate.

Members were in support of the scope and design of the proposal, provision of housing for first time buyers and those residents looking to downsize within the area. Concern was raised over suitable parking provision and designing some units appropriate for older residents with mobility issues. Members were in favour of deferring a decision until further consideration could also be given to new information received on water neutrality.

RESOLVED

That planning application DC/21/2394 be deferred to:

Allow for further consideration of a revised water neutrality strategy and associated effects upon Arun Valley habitat sites.

To explore opportunities to provide up to 14 parking spaces on site.

To explore opportunities to improve accessibility of the proposed development to disabled users within the proposed ground floor layout.

PCS/9 **DC/22/0135 FIELD VIEW, CLAY HILL, BRAMBER, STEYNING**

The Head of Development and Building Control reported that this application sought planning permission for the erection of a replacement brick boundary wall to the front of the dwelling with a slight variation to vehicle access permitted under DC/17/1245.

The application was revised and resubmitted in March 2022 and proposed a reduction in height to the front boundary brick wall either side of the vehicle access positioned west of the garage.

The site was set to the southern side of Clays Hill within the built up area boundary of Steyning.

The Parish Council did not object to the revised application. One letter of objection had been received.

The agent spoke in support of the application.

Members considered the consultees' responses and officers planning assessment which included the following areas: character and appearance, impact on neighbouring amenity, highways and water neutrality.

Members noted the busy road and concern over access arrangements however accepted that WSCC Highways had no objections to the revised vehicle access.

RESOLVED

That planning application DC/22/0135 be approved subject to the conditions set out in the report.

PCS/10 **TPO-1551 LAND AT SOUTHMILL HOUSE, MILL ROAD, WEST CHILTINGTON**

The Head of Development & Building Control reported that provisional tree preservation order 1551 was served on 25 January 2022 under the provisions of the Town and Country Planning (Tree Preservation) (England) Regulations

2012. Under these regulations, the trees included within the Order benefited from immediate protection.

The trees were located within the garden and field east of the property at Southmill House, West Chiltington.

The Parish Council supported the Order, eight letters of support had been received and one letter of objection.

Two speakers objected to the Order, three spoke in support and the Parish Council addressed the committee in support.

Members strongly agreed to the importance of protecting the local environment, trees and wildlife and supporting the Officer recommendation.

RESOLVED

That TPO 1551 be confirmed.

The meeting closed at 4.03 pm having commenced at 2.30 pm

CHAIRMAN

Planning Committee (SOUTH)

Date: 18th October 2022



**Horsham
District
Council**

Report on Appeals: 09/06/2022 – 05/10/2022

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/20/2450	Blanches Farm Bungalow Littleworth Lane Partridge Green Horsham West Sussex RH13 8JF	13-Jun-22	Application Refused	N/A
DC/21/1756	Woodmans Farm London Road Ashington West Sussex	01-Jul-22	Application Refused	Application Refused
DC/21/2563	Keepers Cottages West Chiltington Lane Coneyhurst West Sussex	14-Jul-22	Application Refused	N/A
DC/21/1815	St Crispins Church Church Place Pulborough West Sussex RH20 1AF	19-Jul-22	Application Refused	Application Refused
DC/22/0446	Annexe East House Henfield Common South Henfield West Sussex BN5 9RS	11-Aug-22	Application Refused	N/A
DC/22/0319	Garage Block Blackstone Rise Blackstone Lane Blackstone West Sussex	23-Aug-22	Application Refused	N/A
HRA/22/0001	Unit 12 Laura House Jengers Mead Billingshurst West Sussex RH14 9NZ	08-Sep-22	Application Refused	N/A

Ref No.	Site	Date Lodged	Officer Recommendation	Committee Resolution
DC/21/2168	Oldfield Cottage Fryern Road Storrington Pulborough West Sussex RH20 4BJ	16-Sep-22	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/21/2635	Blanches Farm Bungalow Littleworth Lane Partridge Green Horsham West Sussex RH13 8JF	Written Representation	17-Jun-22	Application Refused	N/A
DC/21/1264	Wiltshire Farm Pickhurst Lane Pulborough RH20 1DA	Written Representation	20-Jun-22	Application Refused	N/A
DC/20/2266	Rye Farm Hollands Lane Henfield West Sussex BN5 9QY	Written Representation	21-Jun-22	Application Permitted	Application Refused
DC/21/2490	Land at Stonepit Lane Henfield West Sussex	Written Representation	15-Jul-22	Application Refused	N/A
DC/22/0148	1 Rosemary Avenue Steyning West Sussex BN44 3YS	Fast Track	22-Jul-22	Application Refused	N/A
DC/22/0381	The Gattens Upper Station Road Henfield West Sussex BN5 9PL	Fast Track	25-Jul-22	Application Refused	N/A
EN/22/0160	Land Adjoining The Orchard Cowfold Road West Grinstead West Sussex	Written Representation	02-Aug-22	Notice served	N/A
DC/21/1240	Land East of Pemberley Mill Lane Partridge Green West Sussex	Written Representation	11-Aug-22	Application Refused	Application Refused

Ref No.	Site	Appeal Procedure	Start Date	Officer Recommendation	Committee Resolution
DC/21/1234	Ashley House Roundabout Copse West Chilington Pulborough West Sussex RH20 2RN	Written Representation	12-Aug-22	Application Permitted	Application Refused
EN/21/0390	Chanctonbury View 13 Turnpike Way Ashington Pulborough West Sussex RH20 3QG	Written Representation	06-Sep-22	Notice served	N/A
DC/21/1416	Delspride Kent Street Cowfold Horsham West Sussex RH13 8BB	Written Representation	16-Sep-22	No decision issued	N/A
DC/21/2648	Frithknowle Farm Picts Lane Cowfold Horsham West Sussex RH13 8AN	Written Representation	22-Sep-22	Prior Approval Required and REFUSED	N/A
EN/22/0043	Springfield Spring Gardens Washington Pulborough West Sussex RH20 3BS	Written Representation	23-Sep-22	Notice served	N/A
EN/22/0226	Merrylands Rock Road Washington Pulborough West Sussex RH20 3BQ	Written Representation	29-Sep-22	Notice served	N/A
DC/21/2765	Merrylands Rock Road Washington Pulborough West Sussex RH20 3BQ	Written Representation	29-Sep-22	Application Refused	N/A
DC/21/1599	St Josephs Abbey Greyfriars Lane Storrington West Sussex	Written Representation	29-Sep-22	Application Refused	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/20/2444	Barns To The South of Adams Garden Henfield West Sussex BN5 9RF	Informal Hearing	Appeal Dismissed	Application Refused	N/A
DC/21/0474	Dyke Farm West Chiltington Road Pulborough West Sussex RH20 2EE	Written Representation	Appeal Dismissed	Application Refused	N/A
DC/21/0735	Wychwood Farm Brighton Road Shermanbury West Sussex RH13 8HE	Written Representation	Appeal Dismissed	Application Refused	N/A
DC/21/1069	28 Portway Steyning West Sussex BN44 3QF	Fast Track	Appeal Allowed	Application Refused	N/A
DC/21/1342	Malthouse Farm Malthouse Lane Ashington Pulborough West Sussex RH20 3BU	Written Representation	Appeal Dismissed	Prior Approval Required and REFUSED	N/A
DC/21/2445	Fordyce Nightingale Lane Storrington Pulborough West Sussex RH20 4NU	Fast Track	Appeal Dismissed	Application Refused	N/A
DC/21/1784	5 The Green Dial Post Horsham West Sussex RH13 8QS	Fast Track	Appeal Dismissed	Application Refused	N/A
EN/21/0301	Heatherdown 17 Bramber Avenue Storrington Pulborough West Sussex RH20 4HZ	Written Representation	Appeal Allowed	Notice served	N/A

Ref No.	Site	Appeal Procedure	Decision	Officer Recommendation	Committee Resolution
EN/21/0021	Priory Fields Barn Land South of Kithurst Lane Storrington West Sussex RH20 4LN	Written Representation	Appeal Dismissed	Notice served	N/A
DC/21/1446	Priory Fields Barn Monastery Lane Storrington West Sussex	Written Representation	Appeal Allowed	Prior Approval Required and REFUSED	N/A
DC/21/0177	Land East of Furzedown Kithurst Lane Storrington West Sussex RH20 4LL	Written Representation	Appeal Dismissed	Application Refused	N/A
DC/21/0994	Nyetimber Chestnut Close Storrington Pulborough West Sussex RH20 3PA	Fast Track	Appeal Dismissed	Application Refused	N/A
DC/22/0032	27 Maple Road Billingshurst West Sussex RH14 9TS	Fast Track	Appeal Allowed	Application Refused	N/A
EN/20/0230 EN/20/0266	Mayfield Nursery West Chiltington Lane Broadford Bridge Billingshurst West Sussex RH14 9EA	Written Representation	Appeal Dismissed	Notice served	N/A
EN/20/0231	Mayfield Nursery West Chiltington Lane Broadford Bridge Billingshurst West Sussex RH14 9EA	Written Representation	Appeal Allowed	Notice served	N/A
DC/21/1614 DC/21/1615	95 High Street Steyning West Sussex BN44 3RE	Written Representation	Appeal Dismissed	Application Refused	N/A
EN/20/0542 EN/19/0400	Brookhill Cottage Horsham Road Cowfold Horsham West Sussex RH13 8AH	Written Representation	Appeal Dismissed	Notice served	N/A

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**Horsham
District
Council**

PLANNING COMMITTEE REPORT

TO: Planning Committee South

BY: Head of Development and Building Control

DATE: 18th October 2022

DEVELOPMENT: Installation of a solar farm with associated infrastructure.

SITE: Land North of Huddlestone Farm, Horsham Road, Steyning, West Sussex

WARD: Steyning and Ashurst

APPLICATION: DC/22/0100

APPLICANT: **Name:** Bolney Green Limited **Address:** C/O Enso Energy Limited

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.

By request of Councillors Lloyd and Platt.

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 The overall site area comprises some 42.2ha of agricultural land, used for both pasture and arable fields. Within the application site area, it is proposed to install a solar farm across parts of 2 fields aligning east-west, amounting to an enclosed area of approx. 27.25ha, along with the required infrastructure necessary to convert the energy from the panels and feed back into the national grid. The solar array would generate some 18MW of renewable energy (equivalent power for some 4,500 family homes per year).
- 1.2 The proposals have been amended during the course of consideration to arrive at the above quantum, with two parcels of panels now omitted from the plans to address landscape impacts. This has reduced the originally submitted array from an enclosed area of approx. 35ha to the 27ha now being considered, and consequently the energy generation from 21MW down to 18MW.

- 1.3 The site has been selected owing to having a relatively short cable route / connection to grid point, and therefore resulting in reduced energy losses which occur during the connection. The current proposal has been the result of public consultations carried out by the applicant involving a much larger site (49.9MW / 85ha), and has been refined and reduced following public interaction, with a proposal that has no on-site battery storage need.
- 1.4 The estimated life-span of the installation would be some 40 years, after which the site would be decommissioned and dismantled, with associated works subject to discussions with the LPA at the time.

Panels:

- 1.5 The panel array would comprise a ground-mounted frame, with galvanised metal with posts driven into the ground, and therefore no need for concrete foundations. The panels are single-axis tracker panels, arranged in linear rows – north-south, and have small motors to rotate panels slowly throughout the day to maximise solar exposure. At highest point, panels would reach 3m (when tilted at 60degrees), although the central axis would sit some 2m above ground level.

Farm Diversification:

- 1.6 The overall site area of some 42.2ha is classified as Grade 3b agricultural land with much of the site identified as being of heavy clay, which is slowly permeable with a history of waterlogging / wetness, which in turn prevents access to the areas of the farm which is of a higher grade land, with this higher grade land falling outside of the application site.
- 1.7 The proposed solar farm would be considered to enable ‘farm diversification’, which enables “*the entrepreneurial use of farm resources for a non-agricultural purpose for commercial gain*”. This reduces dependence of farmers on agriculture as a source of income, with the proposal therefore helping to secure the farming business.

Associated Infrastructure:

- 1.8 The proposed solar farm development would connect to the Distribution Network Operation (DNP) network via the overhead 33kv line that crosses the site and would enable the renewable energy to be exported directly to the national electricity grid. The connection to overhead lines is to form a separate application for utilities work. The planning agent has confirmed that there would be no connection to the Bolney substation from this site.
- 1.9 Aligned to the solar panels would be Inverter, Transformer and switchgear stations throughout site, housed in green metal containers 12.2m x 2.4m x 2.9m (h), which are needed to convert DC to AC and ensure safe on-site operating systems. The wider infrastructure that would accompany the panels includes:
- Substation (11.7m x 4m x 3.9m [h]),
 - Auxiliary transformer (4.1m x 4.1m footprint enclosed by 2m fence with 1x 5.7m high weather station and communications satellite dish)
 - Control room (6m x 3m x 3m[h])
 - Storage containers (12.2m x 2.4m x 2.9m [h]) within fenced enclosure on crushed aggregate surface.
 - Weather station poles, up to 3 m in height, located around the site including at least one near the substation compound
 - 2.1m deer proof perimeter fence
 - Security / CCTV cameras on 3.1m poles Security and monitoring CCTV/infra-red cameras mounted on up to 3 m high posts along the internal perimeter of the Site
 - Underground cabling to connect the panels and inverters/transformer stations to the proposed on-site substation and control room are included within the proposals

Temporary Access /Haul Route

- 1.10 The farm site is currently primarily accessed via farm track at Huddlestone Farm, off the B2135 Horsham Road, which is shared with a number of other residential properties. However, there is a secondary field access to the farmlands set immediately north to a residential property, Nutwood House, which is also access to the PROW (FP_2600). This secondary access point is to form the temporary construction access to the site, with the access widened to 6m, bound on the north by the PROW finger sign and on the south by an electricity pole.
- 1.11 The PROW will remain in open and accessible throughout the works, with appropriate signage advising users of the construction vehicles, and the use of a Banksman to facilitate safe access and egress of vehicles.
- 1.12 Once operational, the site would be accessed via Huddlestone Farm for maintenance purposes, likely by way of a transit van once or twice a month only.
- 1.13 Compacted internal crushed aggregate tracks to allow vehicular access between fields are to be laid having a width between 3.5m and 6m. These connect the associated plant and equipment onsite.
- 1.14 There is to be an estimated 7-months construction period with 8 HGV movements per day during construction. The creation of the 6m access route / temp haul route would require the removal of a section of hedgerow, but the route avoids more significant tree root protection areas. The loss of this section of hedgerow is to be replaced elsewhere on site as part of a wider landscaping scheme.

Mitigation / Ecology / Biodiversity:

- 1.15 Landscape planting, biodiversity enhancements and surface water attenuation measures are included as part of the current proposal, which would also include the planting of new wildflower meadows around site boundaries.
- 1.16 Grassland habitats are to be established and or remain underneath and between panel rows, which would enable sheep grazing. Around the site, some 2km of new native hedgerow is to be planted (60cm stock - along southern sides, PROW and northern sides of the blocks) and new woodland planting (1.5m high stock - to northern side of main block). In addition, wildlife enhancements would include, bird, bat boxes, hedgehog boxes, insect hotels and log piles (10 of each across the site).
- 1.17 The proposal would enable increased soil biodiversity and carbon sequestration owing to the development leading to no ground disturbance / tillage, which would otherwise occur throughout the farming of the land.

DESCRIPTION OF THE SITE

- 1.18 The site lies to the eastern side of the B2135 / Horsham Road, approximately 2km north of Steyning, 2.5km west of Small Dole and around the same distance south-west of Henfield. It lies on a sloping site in a rural area with residential and farm properties dotted around the site, including a number of grade II listed buildings:
- Huddlestone Farm Cottages to the south-west – circa 300m
 - Wappingthorn Farm to the south-west – circa 770m
 - Northover Manor to the north-west – circa 500m
 - Horsebridge House to the north-west – circa 660m
 - Upper Wyckham Farm to the south – circa 470m
 - Wyckham Farm to the south-east – circa 810m

- 1.19 The land is in agricultural use and considered to be Grade 3b (*moderate quality agricultural land - capable of producing moderate yields of a narrow range of crops, principally cereals and grass or lower yields of a wider range of crops or high yields of grass which can be grazed or harvested over most of the year.*)
- 1.20 A number of public rights of way run through and close to the site, with FP_2602 running north-south within the application site, FP_2600 running parallel some 370m to the west, and Bridleway_3512 running along Horsebridge Common to the north with good views over much of the application site and up to the ridgeline. Further to the south and beyond the ridgeline are footpaths FP_2601, Bridleway_3511, FP_2732 and FP_2563. These paths don't benefit from views directly of the site owing to intervening landscape features and the crest of the ridgeline itself. However, to the east, some oblique distanced views of the site are afforded from the Bridleway_3512 and FP_3200 alongside the Adur River.
- 1.21 Some 350m to the south of the site is an Archaeological Notification Area (ANA) and one area of ancient woodland abuts the site: Huddleston Wood to the western side. Another area of ancient woodland, Wyckham Wood, lies some 215m to the east of the site.

BACKGROUND

- 1.22 In April 2014, the Council considered an application for a solar farm on the Huddleston Farm site (DC/13/2420), comprising an area of some 35ha and generating in the region of 16MW. The installation was noted to give rise to a low hum from the inverters when power is converted and distributed through to the grid (some 75db measured immediately beside the building), which was to be exported through to the grid via underground lines. A 3-month construction period was envisioned with access taken from the existing farm-track serving Huddleston Farm and other properties.
- 1.23 The proposals included fixed panels arranged in east-west rows facing south along with associated infrastructure (fencing, ancillary equipment, substation, inverters, CCTV poles and new trees and hedgerow). The site area comprised the central field of the current proposals, extending from the northern boundary up to the southern field boundary.
- 1.24 The proposal was taken to committee with a recommendation for refusal, noting the environmental benefits and the provision of renewable energy, but also considering the visual impact occurring to users of the PROW and bridleway at Tottington Mount (some 4.1km to the south-east), and significant adverse effects on visual amenity to some residential properties looking out over the site. The identified harm at the time was envisioned for some 15 years whilst the planting matures sufficient to provide screening. The Council formally refused the proposal at committee for the following reason:
- 1 *The proposed development by reason of its siting, extent and the character of the use would result in significant adverse visual amenity impacts on users of the footpaths on the site and in the surrounding area together with owners of nearby residential properties as well as significant adverse landscape character impacts on the site itself and its immediate surrounds as well as on the setting of the South Downs National Park. The proposal is therefore contrary to the requirements of Policies CP1, CP2 & CP3 of the Core Strategy, Policies DC1, DC2 & DC9 of the General Development Control Policies and Section 11 of the National Planning Policy Framework.***
- 1.25 The decision was subsequently appealed to The Planning Inspectorate, which was then referred to the Secretary of State for formal consideration in August 2015, in order to consider the impact on the South Downs National Park. The formal decision by the SoS was issued on January 2016, dismissing the appeal. At the time, the key determining considerations in assessing renewable energy proposals lay in whether or not such proposals would result in

'adverse significant impact on landscape'. In this instance, the appeal proposal was judged to lead to a *'change to the character of the landscape which would be severe, even with to proposed mitigation within and immediately adjacent to the site'*. The SoS went on to state that *'the introduction of a visible new feature and its uncharacteristic regimentation would appear markedly out of place in the receiving landscape. The impact of the proposal on the countryside would be dramatic, most notably from the public footpath within the site and from its continuation to the north and from part of the bridleway between Ashurst Place Farm and Heron Farm. Sweeping views across a parkland-like landscape and their seamless integration with the rising slopes of the South Downs National Park would be lost to an unforgiving utilitarian aspect. Even with the degree of landscaping sought by the Council, the development would remain as highly intrusive and damaging to the rural scene. Moreover, the new screening between the footpath within the site and the installation would rob users of a tangible appreciation of the wider open countryside and severely impair the enjoyment of the route.'*

- 1.26 In relation to living conditions of nearby properties, neither the Inspector nor the SoS considered adverse harm to nearby living conditions to be adversely diminished as a result of the proposal.
- 1.27 The benefits of renewable energy were recognised as a positive, with the potential for the site to generate some 16MW of 'green' energy per year (approx. 3,400 households). However, the SoS did not consider that the environmental credentials of the proposal outweighed the harm arising from the development. Although the solar farm would be envisaged to have a lifespan of some 30 years, this was still a considerable period of time within which the negative aspects of the development would be perceived.
- 1.28 It is noted that at the same time, two other applications for solar farms were also considered by the Council (DC/13/2310, Ford Farm, and DC/13/2381, Priors Byne Farm), both located some 3.6km to the NE of the current site.
- 1.29 The site at Ford Farm (DC/13/2310) was to produce some 10MW (2,400 homes) of power across an area of 28.28ha, with the panels occupying some 9.23ha of the site, and had been refused for reasons of scale and resulting intrusiveness on the visual enjoyment of the countryside outweighing the environmental benefits.
- 1.30 The site at Priors Byne Farm (DC/13/2381) was to produce some 7.6MW (1,700 homes) of power across an area of 17.7ha, with the panels occupying some 9.23ha of the site, and had also been refused for the same reasons of scale and resulting intrusiveness on the visual enjoyment of the countryside outweighing the environmental benefits.
- 1.31 These two decisions were also subject to appeal decisions, with both being allowed by the Inspector, with DC/13/2381 (Priors Byne Farm) having been allowed in March 2015 and DC/13/2310 (Ford Farm) having been allowed in September 2015. Both solar farms have subsequently been constructed.
- 1.32 Both Inspectors noted that the sites each comprised a landscape character of medium sized fields generally enclosed by hedgerows, where trees and hedges limit intervisibility. Both proposals were considered to result in some adverse harm on visual amenity, particularly from users of PROW, despite mitigation measures involving additional planting. In particular, the site at Ford Farm was noted by the Inspector to be separated from busy public roads and intensive human activity, where the tranquillity of the landscape was a notable feature. However, the identified harm arising from each of the proposals was considered to be localised. In the planning balance, the benefit of the resulting output of renewable energy and associated environmental benefits were considered to outweigh the adverse effects that were identified.

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

Horsham District Planning Framework (HDPF 2015)

Policy 1 - Strategic Policy: Sustainable Development
Policy 2 - Strategic Policy: Strategic Development
Policy 11 - Tourism and Cultural Facilities
Policy 30 – Protected Landscapes
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

RELEVANT NEIGHBOURHOOD PLAN

The Steyning Neighbourhood Plan has progressed through Examination and was subject to a Referendum on 14th July 2022, where the majority of votes were cast in favour of the NP. Following the referendum, the NP has been formally 'made' and now carries full weight in decision making.

Policy SNDP1 – Green Infrastructure & Biodiversity
Policy SNDP2 – Responsible Environmental Design
Policy SNDP3 – Contribution to Character

PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/13/2420	Solar farm comprising arrays of photovoltaic panels and ancillary plant, equipment, equipment housing and underground cable to connect the park to the national grid.	Application Refused on 16 th April 2014 – <i>Appeal Dismissed on 26th January 2016</i>
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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 **Landscape Consultant:** Objection

Initial comments relating to the initial 35ha / 21MW proposal: Objection

Updated comments relating to the revised 27ha / 18MW proposals [Summarised]:
Objection maintained

Based on the information presented, it is considered that the development would have an adverse impact on landscape character, qualities and visual amenity. There are significant concerns that the proposed development, in conjunction with the other notable schemes, will have an adverse and eroding impact on the landscape character and qualities of: the Low Weald National Character Area (NCA); the Low Weald; Wiston Low Weald; Upper Adur Valley; Ashurst and Wiston Wooded Farmlands; Steyning and Henfield Brooks; and Farmland and Floodplains Landscape Character Areas (LCAs) and to the Cohesive Assarts Historic Landscape Character Area (HLCA), as well as harmful effects to the special landscape qualities of the South Downs National Park. The proposals also result in harm to the receptors and visual resources of the PRoW network and the Downs Link. Consequently, from a landscape perspective, the proposed development would not conform with Policies 2, SD6, 25, 26, 30, 31, 33 & 36 of the Horsham District Planning Framework (2015), Policies SCP1, SCP2 & SCP3 of the Steyning Neighbourhood Development Plan (2022), and therefore at conflict with the National Planning Policy Framework (2021), Planning Practice Guidance and National Design Guide.

Whilst the submitted amendments show a reduction in urbanising-built form (i.e., PV panels and associated infrastructure) from the southern half of the second parcel (south-east of Huddlestone Wood) and now omits the fourth parcel entirely from the development proposals (west of Wyckham Wood), the changes do not however, address the missing information within the submitted Landscape and Visual Impact Assessment (LVIA) as prepared by Landscape Visual Limited. The crux of the issue therefore remains extant in terms of the Site's location within the rural Countryside and its proximity to, and in the setting of, the South Downs National Park (SDNP) as identified by the Horsham District Planning Framework (2015) Proposals Maps and South Downs Local Plan (2019) Policies Map.

We also note that the Site and its immediate surroundings as being considered in several different landscape character assessments which have not been mentioned or addressed within the submitted LVIA. The onus remains on the development to demonstrate how the proposals can be brought forward without unacceptable or undue adverse impact and / or significant material effects to the landscape character, qualities and / or condition of the Site and surroundings, the Landscape Character Areas (LCAs), and the South Downs National Park (SDNP) as noted above and detailed below in our previous landscape response.

Consequently, in absence of a comprehensive LVIA, we have therefore made the professional judgement that the proposals would have an adverse and eroding impact on the landscape character and visual resources of the Low Weald NCA; the Low Weald; Wiston Low Weald; Upper Adur Valley; Ashurst and Wiston Wooded Farmlands; Steyning and Henfield Brooks; and Farmland and Floodplains LCAs and to the Cohesive Assarts Historic Landscape Character Area (HLCA), which results in further harmful effects on the special landscape qualities of the South Downs National Park (SDNP) and the receptors and visual resources of the Public Right of Way (PRoW) network and the Downs Link.

Overall, given our concerns regarding adverse impacts on landscape character, the site's rural countryside location and special qualities of the SDNP, as well as insufficient supporting information, we would not be supportive of this application as it is currently presented and we are of the judgement that the application does not comply with Policies 2, SD6, 25, 26, 30, 31, 33 & 36 of the Horsham District Planning Framework (2015), Policies SCP1, SCP2

& SCP3 of the Steyning Neighbourhood Development Plan (2022), and therefore at conflict with the National Planning Policy Framework (2021), Planning Practice Guidance and National Design Guide.

Reference to the comments made in respect of the original proposals, for completeness [summarised]:

Although the nature of the proposed development means that landscape features such as hedgerows and trees will predominately remain, this doesn't automatically mean that the principle of this form of development will not have an adverse impact on the character of the site, and general sense of place. This is even more pertinent in this location given the potential cumulative landscape and visual impacts created by this and other solar energy farms schemes in the local area.

The application has been supported by a Landscape and Visual Impact Assessment (LVIA) undertaken by Landscape Visual Limited. The LVIA has been carried out accordance with the principles set out within the 'Guidelines for Landscape and Visual Impact Assessment', Third Edition ('GLVIA3') (2013).

As acknowledged in the LVIA (Para 1.4.3 & 3.3.5), the site visits and photography used to inform the assessment were undertaken in March (early Spring) when leaf cover and screening are at a minimum and therefore representative of the worst-case scenario and in August (summer) during full leaf cover. Therefore, it is noted that visibility of the Site would be greater in early Spring (where deciduous trees have little leaf cover) than illustrated in some of the photography presented in this ES. Though winter views would have been appreciated, all judgements have been reviewed on the basis that this constraint is considered, which is welcomed.

The LVIA Methodology (Appendix 1) states that the scope of the LVIA is derived from the Town and Country Planning (EIA) Regulations 2011 (as amended). Schedule 4 of the EIA Regulations has also been referenced stating that "with respect to landscape and views, an LVIA typically considers the direct and indirect effects of a proposal, its potential cumulative effects, considers the changes which would arise over time, and whether those changes would be beneficial, neutral or adverse".

The LVIA (Section 3.0) has identified the landscape baseline of the site as including the National Character Area (NCA) as defined by Natural England, the Horsham District Landscape Assessment, the South Downs National Park Landscape Character Assessment, and the South Downs National Park: View Characterisation and Analysis. We note however, that the Site and its surroundings are considered in several different landscape character assessments which have not been mentioned or addressed within the submitted LVIA [including Landscape Character Assessment of West Sussex (2003), A Strategy for the West Sussex Landscape (2005), A Strategy for the West Sussex Landscape (2005), Sussex Historic Landscape Characterisation (2010), and the Steyning Character Assessment (2019)]

Similarly, to the above, the LVIA (Para. 3.1.23) does make reference to Views from the scarp looking north across the Low Weald outside the National Park' view type but disregards the 'Views from the scarp looking north across the Rother Valley to the Greensand Hills' view type. Where mentioned, the inclusion of the special qualities, aim and management guidance is welcomed, but does not fully address the identified threats and that the insufficient supporting information means that the LVIA posits an inaccurate assessment of indirect effects.

Overall, where appropriately mentioned within the LVIA, the landscape baseline is generally welcomed however, we are of the judgement that the LVIA (as currently submitted) fails to

consider all of the relevant landscape character assessments as referenced above (please refer to Table 1). Furthermore, justification should be provided for any departure from the findings of an existing established landscape character assessment. We would expect that for development of this scale and nature and owing [among others] to the special qualities and characteristics as highlighted above, that the LVIA should include refined and detailed analysis of all landscape character types / landscape character areas as identified within their respective studies.

Notwithstanding the above, GLVIA3 recognises that landscape value is not always signified by designation “the fact that an area of landscape is not designated either nationally or locally does not mean that it does not have any value”. This has been considered in the assessment (Table 5.1 and Para. 5.1.5) which states that overall, the Site has been judged as having a ‘High to Medium’ value. Overall, we also consider the value of the local landscape including the Site to be a fair assessment and as such it is not considered to be a valued landscape for the purposes of paragraph 174(a) of the NPPF but does contain a number of valued landscape qualities.

With regards to the impacts of the proposed development, and its inconsistency as a result of the lack of evidence from the baseline study as required by GLVIA3 (Para. 5.43), we consider the judgements of susceptibility is too low and should therefore be revised. Because of this judgement, there is concern that the landscape receptors’ sensitivity, magnitude of change and significance of effect may also differ from that stated.

Notwithstanding the above, it also needs to be acknowledged that the proposed development, would adversely affect the rural landscape, by introducing solar array structures, but by also introducing other discordant industrial features such as fencing, CCTV cameras, racking, DNO and client switching, battery sub-stations, storage, and tracks. In turn, this would substantially change the character of the landscape and the perceived sense of place, resulting in the loss of a coherent and representative part of the Wiston Low Weald / Upper Adur Valley LCAs the Ashurst and Wiston Wooded Farmlands and Steyning and Henfield Brooks LCAs and Cohesive Assarts HLCA. The attractive and finely balanced mosaic of irregular pastoral and arable fields enclosed by a strong framework of mature trees, woodland shaws and Ancient Woodlands would be degraded. Huddlestone Farm would no longer be surrounded by an historic landscape of fields assarted from woodland and modern field amalgamation but instead would represent intrusive urban development within the rural countryside.

Review of visual impact

Visual effects are a result of the sensitivity of visual receptors (people who will experience changes to existing views) to the proposed development and the magnitude of those changes. The appraisal has identified visual receptors within the Study Area that are likely to have visibility of the Proposed Development. These include; Horsham Road, Henfield Conservation Area, the Downs Link, and a number of routes on the Public Right of Way (PRoW) network from the surrounding area and the South Downs National Park.

The LVIA (Table 6.2) states that effects will be long-term in duration, the LVIA Methodology (Section A1.2) also defines medium-term when lasting “up to 15 years post completion” and long term when lasting between “15 and 40 years post completion and for the duration of the operational life of the proposal” which is welcomed.

The receptors that have been identified, which includes [among others] PRoW users, Sustrans / Downs Link users and visitors within the South Downs National Park, have been reviewed and the LVA summarises that:

- “The Site is visible in near and middle-distance views from adjacent areas of open farmland to north.
- A local ridgeline limits views towards the Site from the wider landscape to the east.

- *The topography of the Huddlestone ridgeline restricts views from land to its south.*
- *Boundary vegetation screens most near and middle-distance views towards the Site from the south and the west.*
- *Further afield, there are scattered, limited areas of distant visibility across the valley floor and lower valley slopes of the River Adur to north-east up to 2 km from the Site.*
- *There are distant views towards some parts of the Site seen from the SDNP from the Major Scarp LCT, including Chanctonbury Ring, Steyning Round Hill and Tottington Mount”.*

Currently, the LVIA has assessed those views of the proposed development will be possible to varying degrees with prominent close-distance views from Public footpath (2602) by high sensitivity receptors using this route which traverses through the Site at Huddlestone Farm, Bridleway (3512) to the north-east, and long panoramic views from the eastern edge of Chanctonbury Ring in the South Downs National Park and glimpsed views available as far as Footpath (2565) south of Henfield and the Henfield Conservation Area. Dense woodland vegetation and hedgerows will screen views further south close to the junction of Public footpaths (2601 & 2602), while there would be prominent middle-distance views towards the solar panels from the PRow network by high sensitivity visual receptors in the immediate area.

Overall, it has been judged that on completion of the development there will be a ‘Major’ Adverse effect (Significant) on the views from Public footpath (2602) which runs through the centre of the Site between two of the western field parcels and along part of its northern boundary. In the medium and longer term, once the mitigation planting has established, the residual effect will be ‘Major to Moderate’ Adverse. We agree with the methodology and support the judgement of visual effects, and it’s worth noting that we would also deem ‘Major to Moderate’ Adverse effects as Significant in accordance with the LVIA Methodology (Table A1.7) which defines “large-scale changes which introduce new, uncharacteristic or discordant or intrusive elements” as considered to be more significant.

Notwithstanding the above, it should also be acknowledged that there will in turn be a dramatic change to the views experiences by PRow, Sustrans and Downs Link users within the Site, its immediate location and within the South Downs National Park, as well as a change to the perceived sense of place and character because open panoramic views would become urbanised, enclosed and constrained. Therefore, though these impacts have, for the most part, been deemed as ‘Moderate’ Adverse in the medium and long-term, we would however judge the adverse impacts to be greater than what is currently judged in the LVIA. To conclude, we are therefore of the judgement that the proposed scheme will have a significant adverse impact on both landscape character and visual amenity and would advise that impacts on visual amenity are revised to take into consideration impacts on winter views.

Review of Cumulative Impact:

The need to consider cumulative effects in planning and decision making is set out in the NPPF. Paragraph 211(b) states “that there are no unacceptable adverse impacts on the natural and historic environment, human health or aviation safety, and take into account the cumulative effect of multiple impacts from individual sites and / or from a number of sites in a locality”.

The overarching NPS for Energy (EN-1) 2011 also states that “when considering cumulative effects assessment, the ES should provide information on how the effects of the applicant’s proposal would combine and interact with the effects of other developments”.

The LVIA has undertaken a brief assessment of cumulative impacts, concluding that “no other major development scheme has been identified with any relevance to this proposal within the study area and cumulative impacts are not considered further in this LVA”. The LVIA has undertaken an assessment of cumulative impacts, with Priors Byne Solar Farm,

Ford Farm Solar Farm, Lower May's Farm Solar Farm included in the assessment, as well as residential development proposals at Land off King's Barn Lane (approximately 2.3 km south of the proposed development).

It has been assessed that significant effects on the Ashurst and Wiston Wooded Farmlands LCA, Steyning and Henfield Brooks LCA, Arun to Adur Downs Scarp LCA, Adur to Ouse Downs Scarp LCA and Downs Link and South Downs Way will occur if any combination of the proposed solar farms or residential development were to be constructed together. It has also been assessed (Para. 6.5.3 that "no other cumulative landscape or visual effects would arise as a consequence of the proposal with the cumulative schemes". In our judgement however, we consider that there will be adverse (significant) sequential cumulative effects on landscape receptors not referred to in the LVIA (Please see Table 1) should the above development and proposals be constructed together and would advise that cumulative impacts are revised to take into consideration impacts on the currently excluded information.

We would expect that a cumulative visual assessment to also be provided and supported up by cumulative wireframes set beneath photographs and / or photomontages prepared from key viewpoints to illustrate the magnitude of cumulative visual effects (these can also be useful to illustrate the nature and degree of cumulative change to the landscape.

To conclude, we have significant concerns that the proposed development in conjunction with the other notable schemes will have a significant adverse impact on landscape character of the 'Wiston Low Weald' and 'Upper Adur Valley' LCAs, the 'Ashurst and Wiston Wooded Farmlands' and 'Steyning and Henfield Brooks' LCAs, and the 'Cohesive Assarts' HLCA, as well as indirect effects on the landscape qualities of the South Downs National Park and significant adverse visual harm to the PRoW network, and Downs Link and therefore would not conform with Policies 2, SD6, 25, 26, 30, 31, 33 & 36 of the Horsham District Planning Framework (2015), Policies SCP1, SCP2 & SCP3 of the Steyning Neighbourhood Development Plan 2019-2031, and therefore at conflict with the National Planning Policy Framework and Planning Practice Guidance.

3.3 **HDC Conservation:** Comment [Summarised]:

The current proposal brings the solar array closer to 1 and 2 Huddlestone Farm than the previous application /appeal (DC/13/2420). There have been updates to the NPPF, the adoption of HDPF and guidance in relation to setting of heritage assets since the previous application was considered.

The significance of 1 and 2 Huddlestone Farm Cottages relates to the historic fabric of the building and its character as a historic farmstead, dwelling has a legible historic and functional relationship with surrounding agricultural lands and which forms its setting which contributes to the appreciation and significance of the heritage asset. Although farm buildings now lessen the intervisibility of the site with the listed buildings – proposal is therefore considered to result in less than substantial harm to the significance of 1 and 2 Huddlestone Farm Cottages (at the lower end of the scale).

The significance of Northover Manor relates primarily to the historic fabric of the building – exemplifying local vernacular traditions and architectural interest. Whilst the property may not have a functional relationship with the application site, over time the perception of the heritage asset as a rural farmstead is understood by its setting with the open fields beyond. The proposed change to the appearance of the landscape would result in less than substantial harm to the setting of the heritage asset (at the lower end of the scale).

Calcot Farmhouse and Wappingthorn Farm are separated from the site by the B2135 with the location from the site with no functional or historic relationship to the site, therefore the proposal is not considered to detract from the understanding of their clear architectural and

historic interest and their rural setting which contributes to their significance – no resulting harm to the appreciation of these heritage assets.

The wider setting of Upper Wyckham Farm would be impacted by proposed solar array, but this impact is not considered to result in harm – opportunities would remain to understand and appreciate the significance of the heritage asset without visual or other sensory interference from proposed structures.

Para 202 of NPPF – where a development proposal would lead to less than substantial harm to the significance of a designated heritage assets, this harm should be weighed against the public benefits of the proposal.

3.4 **HDC Environmental Health: No Objections**

Generally there should no adverse noise impacts at night. Additional information has been requested to support the following statement:

"Potential low-frequency bias might exist at source, but due to distance to receptors, the residual acoustic environment will mask any significant tones or low frequency characteristics." NSR 7 (Shelleys Cottage) and NSR 12 (Nutwood House)

Following review of the additional information, the concerns have been addressed and the low frequency component to the noise would not be readily discernible due to the quietness of the location.

3.5 **HDC Economic Development: Support**

The proposal enables farm diversification and the diversification of a local farmer's income. The proposal is welcomed as farm diversification benefits the local rural economy and reduces farmers' dependence on agriculture for income. As indicated within the Planning Statement, this in turn provides support for the local agricultural supply chain. As a result, this aligns with key priorities within the district's Economic Strategy, particularly in relation to supporting local enterprise to become more resilient and productive.

It is not clear whether any local job opportunities would be created through the development, for example during the construction phase. Either way, there are wider economic benefits of renewable energy developments beyond farm diversification, for example through the creation of green jobs, which help support a resilient and sustainable economy in the long-term. Moreover, the clear environmental benefits to renewable energy schemes and this proposal, would help us work towards a carbon-neutral economy with less reliance on fossil fuels and helping to reduce Horsham District's contribution towards climate change.

Nothing further raised by way of amended scheme – original comments stand

3.5 **Arboricultural Comments: Comment**

[Summarised]:

An existing track is located where proposed temp construction route is proposed. A small area of new trackway sits within the Ancient Woodland buffer. A condition can be applied to ensure this is of no-dig construction.

3.6 **Ecology Comments: No Objections (following additional information on Skylark and a Biodiversity Net Gain spreadsheet)**

[Summarised]

We are satisfied that there is sufficient ecological information available for determination subject to securing appropriate compensation measures for Skylark (Priority species) – condition acceptable.

The completed BNG spreadsheet is on order and supports the summary of the Ecological Assessment Report (Enso Energy, Jan 2022).

There is the potential for an increase in foraging opportunities for Skylark and other farmland birds, although the nature of the solar farm and research carried out suggests that Skylarks may actively avoid nesting at solar farms, with the proposal therefore leading to a loss of nesting habitat for this Priority Species – suggest that a Skylark Mitigation Strategy is secured to ensure compensation for loss of breeding habitat and to allow the LPA to demonstrate that they have met their duty under the NERC Act 2006.

Lighting will be directed to maintain dark corridors for nocturnal species. Any other lighting required for security reasons should be infra-red to prevent impact on sensitive nocturnal wildlife.

A precautionary approach is to be taken in the event of hedgerows being removed, to be informed by an Ecologist, to secure protection of Hazel Dormouse – a license would be required from Natural England.

Advisory conditions to secure a Landscape and Ecological Management Plan, delivery of Biodiversity Net Gains, and a Construction and Environmental Management Plan (for Biodiversity).

OUTSIDE AGENCIES

3.6 **South Downs National Park:** Comment

Initial comments relating to the 35ha / 21MW proposal [Summarised]: Comment

Updated comments relating to the revised 27ha /18MW proposals [Summarised]: Comment

There is recognition that the proposal has been amended to omit two areas of arrays which may assist in reducing the harmful effects, there is still no assessment of visual and landscape impacts upon the important and publicly accessible viewpoints within the National Park, which therefore makes it difficult to assess whether the amended scheme represents an improvement in this regard. It also remains unclear whether the scheme avoids or adequately mitigates for adverse impacts on the designated landscape

Reference to the initial comments in respect of the original proposals, for completeness [summarised]:

Concern over lack of assessment of visual and landscape impacts upon important and publicly accessible viewpoints within the National Park, and failure to avoid or adequately mitigate for adverse impacts on the designated landscape.

Concern that visual amenity impacts should take account of winter views.

The LVIA should consider direct and indirect effects on the National Park designated landscape, in particular the effect upon its purpose for designation, its special qualities and the relevant policies for the South Downs National Park Partnership Management Plan (2020):

- Policy 1 - Conserve and enhance the natural beauty and special qualities of the landscape and its setting, in ways that allow it to continue to evolve and become more resilient to the impacts of climate change and other pressures*
- Policy 3 - Protect and enhance tranquillity and dark night skies*
- Policy 5 - Conserve and enhance populations of priority species in and around the National Park, delivering targeted action where required*
- Policy 56 – Support appropriate renewable energy schemes, sustainable resource management and energy efficiency in communities and businesses in the National Park, with the aim of meeting Government climate change targets*

Agreement that a LEMP condition is required in the event of an approval.

Glint and Glare assessment only takes into account a 1km study area.

The submitted Environmental Statement includes a section on Landscape and Visual Effects – it does not progress beyond identifying that the National Park is located 1.3km to the south at the closest point and that the scheme would not cause harm to its setting – no evidence or analysis is provided within the LVIA to support this view and no cumulative impact assessment of other solar developments in the locality that are within the setting of the National Park

The submitted ZTV should be extended to 5km to ensure that all relevant sections of the ROW are included to the south east and glint and glare assessments should also be undertaken from relevant viewpoints along South Downs Way.

Viewpoint 10 (from Chanctonbury Ring) indicates development would not be visible which is a positive..

Viewpoints 11 and 12 (from bridleways 3182 and 2754) only indicate development area and don't include 'mock up' – development would be clearly visible from these viewpoints.

3.7 **WSSC Highways:** No Objection (following submission of a Road Safety Audit)

Access:

Access to the site is currently a gated farm access and a public right of way (2600). This will be widened to 6m to allow HGV/LGV traffic associated with the solar farm installation. Visibility splays will also be improved at this access and splays of 2.4m x 215m in the leading direction and 2.4m x 91m in the secondary direction are proposed. The visibility splay in the secondary direction, which is under DMRB standards, is however an improvement over what currently exists. Once the installation is complete the access will receive minimal trips. It is estimated to attract 2 trips a month, by a transit van or similar, for a period of 40 years. Decommissioning of the site will require another planning application; and if the land is returned to agricultural use in the future, the access created here will be reconsidered for the land use it will be used for. Swept path diagrams for the largest vehicle, which will not exceed 16.5m, have been submitted and confirm a longer vehicle can make the turn in and out of the improved access.

S278:

Pre-commencement condition to require s278 agreement to ensure access is constructed and approved prior to any works commencing. Within the site, internal access roads will be created and allow for the safe movement of the maintenance vehicles, and turning to exit the site in forward gear

Trips

There will be 973 HGV deliveries, which equates to 14 two-way trips per day, and 5 two-way LGV movements per day outside of the peak traffic hours. This increase in trips over the 30-week period is accepted by WSSC and would not be considered as severe, using the access routes identified.

Construction Traffic Management Plan

Construction Traffic Management Plan submitted for assessment as part of the application. This plan will be used to ensure the safe and effective routing of all construction vehicles to the site over the 30-week installation period. This plan should be followed and shared with any persons who will be accessing the site during the installation phase. The access will need to be provided prior to the construction phase and should be progressed as soon as possible. Banksman will be provided for all deliveries to the site, temporary signage will be erected and in place for the duration of the construction phase. Routing of the construction traffic has been identified in the plan and will use A and B roads. Therefore, unless there are any unusual impacts from the construction traffic WSSC do not expect the need for a S59

agreement. Any signage on the highway should be discussed with WSCC Area highways Manager and / or Local Traffic Engineer and should be included on any plan.

Road Traffic Casualty and Collision Database (RTCC)

An interrogation of the WSCC RTCC Database has found two recorded incidents in the last 5 years which occurred approx. 215m south of the access onto the B2135. Both incidents occurred when it was dark and were not attributed to the highway layout. Causation factors were driver impairment and swerving to avoid an animal in the road. Therefore, WSCC are satisfied there are no historic patterns of incidents occurring at the proposed access.

Conditions advised

3.8 WSCC Rights of Way: No Objection

Public Footpaths 2600 and 2602 run in a generally north - south alignment through the proposed development, within the red line of the planning application boundary - Footpath 2600 only in part, towards its northern junction with Horsham Road

It is understood that the application does not impact upon, or propose any alteration, to the Public Right of Way.

The stile at the junction of Footpath 2600 and Horsham Road should be removed and replaced with a 1.2m gap, unless a structure is required for livestock control in which case it should be replaced with a gate that conforms to British Standard BS 5709-2018, the minimum width of such a gate being 1.2m. The PROW Team are available to advise the applicant on a suitable structure, if required.

All other stiles within the red line of the boundary should be removed and replaced with a 1.2m gap, unless a structure is required for livestock control in which case it should be replaced with a gate that conforms to British Standard BS 5709-2018, the minimum width of such a gate being 1.2m.

Nothing further raised by way of amended scheme – original comments stand

3.9 WSCC Flood Risk Management: No Objection

Moderate risk of groundwater flooding from map data. An ordinary watercourse runs alongside the boundary – works affecting flows should be subject to Ordinary Watercourse Consent and an appropriate buffer exclusion zone should be included. Proposed SUDS needs to be subject to considerations.

Nothing further raised by way of amended scheme – original comments stand

3.10 WSCC Fire and Rescue: Comment

More information needed

Details needed on fire safety and fire-fighting provisions including fire tender access to all properties and containers on the site – no information of roadways or tracks to the site – and the supply of water of other fire-fighting medium for use in the event of a fire and any safety precautions to be taken when attending a fire.

3.11 Environment Agency: No Objection (following submission of Flood Risk Assessment)

Advisory conditions

3.12 Southern Water: Comment

Reference to the use of SUDS which are not adoptable by Southern Water

Nothing further raised by way of amended scheme – original comments stand

PUBLIC CONSULTATIONS

3.13 **Steyping Parish Council:** No Objection

Initial comments relating to the initial 35ha / 21MW proposals: Objection

Due to the proposed site being on farmland in a biodiverse area with wetlands and ancient woodlands that can be seen from the South Downs National Park and would include within it public footpaths and a bridle path.

Updated comments relating to the revised 27ha / 18MW proposals: No Objection

The PC would like to change their previous comment to **No Objection**

Representations:

- 3.14 Letters of representation have been received in response to this application from 128 separate addresses. Most are from within the district, but 2 letters are noted from Shoreham and Lancing. Representations have also been received from Greening Steyping, CPRE and Friends of the South Downs.

Representations received relating to the initial 35ha / 21MW proposals:

- 3.15 To date, 107 letters of support have been received:

- Essential development to enable the move away from fossil fuels – sustainable future, clean air, enabling a greener future, reducing climate change risks
- Environmental Benefits outweigh limited tree and landscape impact – positive benefit to children's future
- Right thing to do despite 'cost' – vital for UK to achieve its CO2 reduction targets
- Reduced reliance on Russian oil – enables local power supply and become self-sufficient with more resilience to stop price increases
- Demand for more EV cars requires more power supply such as this
- Potential to power 90% of Steyping, Upper Beeding and Bramber
- Resulting increased biodiversity net gain and wildlife measures – pollinator from other crop-based agricultural fields nearby, allowing field to recover, free of synthetic fertilisers or herbicides,
- Defra advice to farmers to diversify following Brexit and reduction in Basic Payment Scheme, poor quality Weald Clay (grade 3b and below), proposal would enable improvement of farmland by way of permanent pasture being established with no fertiliser and sprays – good use of sub-standard farmland
- sheep to continue grazing the land
- Monetary input into local community (£20,000 – promised by applicant)
- Educational boards to be installed
- Remote location, little impact on surrounding countryside – no extra cabling needed
- Disappointed that PC objected to proposal – don't speak for all community
- Not seen from SDNP, not large enough to worry about loss of a view, Greensand Ridge to the south precludes views from SDNP, better looking than pig farm at Tinpots Hill
- Project should be championed by PC
- Not seen once vegetation is established – barely visible from Downslink, the river or Downs – very localised visual impact
- (solar panels) Better than fracking

- 3.16 To date, 21 letters of objection have been received:

- No evidence to support stated figures of generated energy and CO2 savings, Draft Overarching National Policy Statement for Energy (EN-1) (Sept 2021) that all infrastructure projects should include whole life carbon assessment and other criteria – which has not been submitted
- Current energy demands does not warrant proposed installation size

- Limited benefit from installation – better to include 2 extra turbines in Rampion off-shore windfarm site
- No details on connection to Bolney substation
- Inappropriate use of AONB, development on edge of SDPN and Sussex Conservation Area – seen from Truleigh Hill and Chanctonbury Ring
- Unforgiving and utilitarian, landscaping likely not implemented and remain highly obtrusive, more landscaping along PROW would rob users of a tangible appreciation of wider open countryside and severely impair enjoyment of the route
- Loss of habitat
- Change of use of agricultural / farmland into an industrial site, glaring panels instead of pasture, gravel tracks for access
- 7 months of dust, noise and construction works – impact on HGVs passing alongside house for 30 weeks
- Access road to be re-designed for the point of view of safety and amenity – existing gate only used for occasional and seasonal traffic – no details on where site workers will park or how 60-70 workers will be transported each day
- Lasting damage to fields, possibly toxic soil pollution, limited air and rainwater
- Devastating impacts on local community, devastating health benefits and well-being of those living in surrounding area as many enjoy hiking and cycling the local network of public access paths – 3m deer proof fence alongside PROW / caged footpath
- Noise and disturbance, light pollution
- Objections as per previously raised and cited by PINS appeal decision – not materially different although greater harm as lifespan is now 40+ years
- One of the best managed farms with a diverse crop rotation and best use of various soil types across the farm, large and well-run dairy herd and use neighbouring farmland for supplementary cropping – farmers encouraged to produce food so maybe we should not be covering productive farmland in solar panels
- One of the best managed farms with a diverse crop rotation and best use of various soil types across the farm, large and well-run dairy herd and use neighbouring farmland for supplementary cropping – farmers encouraged to produce food so maybe we should not be covering productive farmland in solar panels
- Whole site planted with arable crops year on year shows the land remains productive and viable, financial implications alone should not be reason to allow this, climate change might lead to this type of land being favoured for arable / food crops given higher clay content majority of wheat is imported to the UK, so consideration of the production of crops at the site needs to be taken into account as this can contribute to lowering food miles
- First and foremost a commercial development
- Offer of £20,000 towards local initiatives has influenced local opinions
- Likely significant water run-off , gully erosion, loss of topsoil occurring from intense rainfalls falling on solar panels
- Untrue that grazing would occur under panels – most become populated by weeds, leading to rabbit infestation – pest problems for adjacent farms
- current proposal now closer to ancient woodlands at Wyckham Wood and Huddleston Wood
- Readily seen from SDNP – larger than previously refused scheme
- Highway access along PROW
- Must declare and assess all linked ENSO applications to enable LPA to apply their 2009 duty / scrutiny of cumulative effects
- Diminishment of adjacent heritage assets
- Wetland birds mistake panels for water sources

- Technology likely to become obsolete in 15-20 years so temp haul route will be needed again for decommissioning, risk assessment needs to be carried out in proximity to Nutwood House
- Fire risk, what are fire prevention systems in place, what fumes are emitted in event of a fire, measures to prevent theft, sabotage

Additional representations relating to the revised 27ha / 18MW proposals:

At the time of writing 6 x additional comments, from three separate parties / address points have been received in response to the revised plans, all expressing support:

- Climate emergency declared by Parish Council so development would support local climate action and comply with intentions in Steyning Neighbourhood, need for self-sufficient green energy given recent hottest day on record – impact of global warming is now being affected locally
- need to ensure future power supply and self-sufficient power generation
- low grade farmland – not sustainable for crop production compared to offsetting carbon generated by fossil fuels
- Impact to SDNP is a minor issue that could be resolved by additional screening if necessary. Other local solar farms (Bines Green) fit in well and have hedges, and others in the countryside blend in well, minor visual impact
- All may have to accept some slight reduction in views
- All must play a part in reducing global warming

For clarity the initial letters received still remain relevant and a material consideration in the assessment of the revised proposal.

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

Planning Background:

- 6.1 In considering this application reference is to be had to the previous planning proposal on this site (DC/13/2420) and the subsequent appeal decision, which considered a ground-mounted solar farm proposal for a site area of 32ha (16MW / 3,400 homes), and associated infrastructure. It is noted that this earlier application and subsequent appeal were determined on the basis of the Council's planning policies at the time, which have since been replaced by the Horsham District Planning Framework (adopted November 2015). Although the Appeal was recovered by the Secretary of State with a formal decision being issued in January 2016, the policies of the 2007 Horsham District Local Development Framework (Core Strategy and General Development Control Policies) were the ones against which the appeal case was assessed. Therefore, there has been a material change in local planning policies since the last case was considered.

- 6.2 It is also noted that the previous case and appeal took account of the 2012 NPPF, which directed Local Planning Authorities to approve applications for renewable or low-carbon energy proposals if the impacts are (or can be made) acceptable (para 98).
- 6.3 When dealing with the Natural Environment, para 115 (of the NPPF 2012) stated that conserving the landscape and scenic beauty in areas such as National Parks was to be given great weight, as these benefitted from the highest status of protection.
- 6.4 In the most recent issue of the NPPF (2021), para 158(b) still directs LPAs to approved renewable or low-carbon developments if the impacts are (or can be made) acceptable, but para 176 introduces an additional consideration to developments within the setting of National Parks, which should be 'sensitively designed to avoid or minimise adverse impacts'. Therefore, there has also been a material change in national planning policies since the last case was considered and determined.
- 6.5 The emphasis of conserving and enhancing the natural beauty and special qualities of the South Downs National Park landscape and its setting, is set out under Policy 1 of the South Downs Partnership and Management Plan (2020). This document and the shift to include consideration of the setting of National Parks also presents a material change to local planning policies since the determination of the previous case.
- 6.6 At the time of the previous application, the close proximity between the site and the national grid connection point was noted and the agricultural land selected for the site was of a low grade (Grade 3b). These factors have been reiterated as part of the current scheme and are not contested.
- 6.7 The national and local landscape character assessments and land management guidelines in place at the time of the appeal scheme remain the same, with the Council's Landscape Character Assessment, and that of West Sussex County Council, both dating to 2003, and therefore remain consistent with the previous case.
- 6.8 The previous proposal had a shorter life-span (some 30 years) with all the development located in the large central field, which extended further south up the hill-side. The solar panels were aligned east-west and were fixed with the solar panels facing south. The array was also ground mounted and permanently angled to face south, with the panels starting at a height of around 1m above ground level and their tops reaching a height of around 2.2m. These are material differences to the scale and nature of the current application being considered, which proposed single-axis mounted tracker panels, aligned in rows north-south.
- 6.9 The Planning Inspector noted that the solar panels would be reversible at the end of the array's envisioned life-span, but in recovering the appeal, the SoS afforded no positive weight to reversibility, with only moderate weight attached to any resulting ecological benefits arising from additional planting. The intended 40-year lifespan of the panels currently proposed is a significant period of time, and whilst the panels and associated infrastructure is noted to be ultimately removable, the installation would endure for over a generation in human terms.

Principle of Development:

- 6.10 Nationally, Chapter 14 of the NPPF deals specifically with climate change and renewable and low carbon energy proposals, setting out that there should be positive local strategies in place that '*maximise the potential for suitable development, while ensuring that adverse impacts are addressed satisfactorily (including cumulative landscape and visual impacts)*'. Local Planning Authorities are encouraged to approve the application if its impacts are (or can be made) acceptable. It is also clear in the NPPF that it does not protect all countryside from development for its own sake, but rather seeks to set a hierarchy of valued landscapes, with a recent change that ensures the settings of valued landscapes, such as National Parks are taken into account when considering development proposals.

- 6.11 Locally, Policy 36 of the HDPF supports the provision of renewable energy schemes where they do not have a significant adverse effect on landscape and townscape character, biodiversity, heritage or cultural assets or amenity value, whilst Policy 2 supports development which adapts to climate change and helps to reduce the District's carbon emissions.
- 6.12 The Steyning Neighbourhood Plan, which has just been voted on in a local referendum, sets out an ambition to be 'climate smart' with climate change stated to be a central issue of the emerging local plan. Although there are no specific policies in relation to large-scale renewable energy developments, policy SNDP2.2 does set out a requirement that development proposals be energy self-sufficient, utilising renewable energy sources wherever possible.
- 6.13 In July 2019, Horsham District Council declared a climate emergency, aspiring to become carbon neutral by 2030.
- 6.14 The South Downs Partnership Management Plan (2020) supports appropriate renewable energy schemes in the National Park with the aim of supporting Government climate change targets, but recognises that cumulative impact of developments can erode the special qualities of the National Park, and the very reasons for its designation. However, there is also growing recognition that a decline in soil health over the last 50 years has contributed to climate change. There is now a focus set out in the South Downs Partnership Management Plan (2020) recognising that improving soil and water quality and habitat and woodland creation can play active roles in building resilience to the very impacts of climate change.
- 6.15 It is therefore clear that since the last application for a solar farm was considered on this site, there has been a material change in planning policies, in addition to the declaration of a climate emergency.
- 6.16 The development of renewable and low-carbon energy proposals remains supported in principle under HDPF policy 36 (provided that no adverse impacts occur on landscape, heritage, biodiversity and amenity), and via paragraph 158 of the NPPF which directs Local Planning Authorities to approve renewable and low carbon development if the impacts are (or can be made) acceptable.
- 6.17 The principle of the proposal is therefore considered to be in accordance with local and national planning policies.

Impact on Landscape Character

- 6.18 Chapter 15 of the NPPF (2021) recognises the importance of the intrinsic landscape character, but also the wider benefits that natural capital and ecosystems play within the natural environment, along with trees, woodland and benefits arising from the most versatile agricultural land. The provision of biodiversity net gains and creating ecological corridors that are resilient to current and future pressures are encouraged, and planning decisions should distinguish between the hierarchy of international, national and locally designated sites, with great weight attributed to conserving and protecting the landscape and scenic beauty of National Parks, which have the highest status of protection.
- 6.19 Para 176 (of the NPPF) deals specifically with development affecting National Parks, going on to cover development within their setting which should be '*sensitively located and designed to avoid or minimise adverse impacts on the designated areas*'. Whilst the landscape character of the area is of high quality, it does not constitute a 'valued landscape' triggering consideration under Paragraph 174 of the NPPF. This is consistent with the conclusions of the Council's Landscape consultant and was not previously disputed by the appeal inspector.

- 6.20 Paragraph 158 specifically deals with determining applications for low carbon or renewable development, whereby Local Authorities are directed to approve such applications if the impacts are (or can be made) acceptable.
- 6.21 In the HDPF, policies 2, 25 and 26 recognise the rural character and undeveloped nature of the countryside has a value that requires protection from inappropriate development, with the conservation and enhancement of the setting of the South Downs National Park (SDNP) also being a key consideration.
- 6.22 More locally, the Steyning NP seeks to protect and enhance, where practicable, valued landscape features of the parish (policy SNPD1.1), whilst expecting development proposals to demonstrate how they will positively contribute towards Steyning's Character (policy SNPD3.1). As part of the evidence papers contributing to the drafting of the NP, there is a Character Appraisal of Steyning Parish (summer 2019). This refers to the broader area within which the application site lies as the 'Farmlands and Floodplains' (LCA8), and while this area takes in some 50% of the Parish of Steyning, the Appraisal states that it is often not acknowledged or recognised as being part of Steyning on account of the separation afforded by the A283. The Appraisal is largely descriptive and offers no commentary on the acceptability or otherwise of proposals in this area.
- 6.23 The proposed application site straddles two Landscape Character Areas as defined in the 2003 HDC Landscape Character Area, with G1 (Ashurst & Wiston Wooded Farmlands) to the west and O3 (Steyning & Henfield Brooks) to the east. Character Area G1 is recognised as having the following key characteristics:
- Gently undulating wooded farmland, drained by small streams
 - Small to medium size pasture fields usually enclosed by hedgerows and shaws
 - Occasional glimpsed views of the Downs
 - Isolated farms and cottages on lanes and small tracks
 - Rural, mostly remote and tranquil character
- 6.24 To the east, the defined key characteristics of Character Area O3 relate primarily to the floodplain of the River Adur:
- Largely tranquil undeveloped rural character
 - Arable valleysides with fragmented hedgerow pattern and small isolated woodlands
 - Occasional patches of scrub and isolated trees and tree groupings with scrub following drainage ditches
 - Small fields of unimproved and semi-improved wet grassland divided mostly by drainage ditches
 - Seasonal flooding
- 6.25 County-wide, the site lies split between Landscape Character Areas LW7 (Wiston Low Weald) to the west, and LW9 (Upper Adur Valley) to the east, with similar characteristics as noted in the Horsham Landscape Character Assessment (2003).
- 6.26 It is noted in the Landscape Consultant's comments, that there is concern over a lack of reference to a number of Landscape Character Assessments, including those carried out by the County Council and the more recent Steyning Character Assessment. A helpful guide provided in the Council's Landscape Character Study (2003) reveals that the National Level / Regional Character Areas provide a broad framework for the county level Character Assessments, which in turn provide a framework for the more detailed District Level Assessments. Officers are therefore satisfied that the submitted LVIA covers the more detailed District Level Character Assessment, and that there is no omission of important detail as a result. Whilst there is no direct reference to the much more localised Steyning Character Appraisal, it is noted that the application was submitted whilst the NP was still in

draft stage and prior to its formal adoption. In any case, as mentioned above the offers no commentary on the acceptability or otherwise of proposals in this area.

- 6.27 The application site has a number of visual receptors on account of the PROWs and Bridlepath that either crosses the site, or which run close to the site. On account of the wider rolling landscape character in the area, there are longer-range views of the site possible, notably from the northwest (Henfield around 2.5km), southeast (Edburton / Truleigh Hill / Tottington Mount around 4.4km), and southwest (Chanctonbury Ring around 4km).

Previous scheme (DC13/2420)

- 6.28 When the appeal case for Huddlestone Farm was recovered in by the Secretary of State in August 2015, it was with a view of considering the impact on the South Downs National Park. The main considerations of the appeal were the effect of the proposal on the character and appearance of the landscape, including the South Downs National Park, and on the living environment of nearby residents and whether the benefits would significantly and demonstrably outweigh any identified harm.

- 6.29 In relation to the mid-long range views available at an angle from the east (Adur Valley / Downs Link), the Inspector considered the proposal would *'not be unduly damaging to the outlook from or the enjoyment of this bridleway'*. Further and more elevated views such as those from the South Downs at Devil's Dyke, Edburton Hill and Truleigh Hill were noted to present panoramic views, but with the site not appearing to be identifiable within the landscape pattern on account of topography and vegetation. Sufficient filtering would occur of the site when viewed from these elevated views. A similar assessment was made from elevated positions to the south-west at Chanctonbury Ring, where the site was not deemed to be readily perceptible owing to foreground woodland and hedgerows, and *'not readily apparent due to foreground woodland and hedgerows and, at worst, any views of the proposed development would be heavily filtered and of no material consequence'*.

- 6.30 The Inspector considered that sufficient mitigation was included within the scheme to ensure minimum visual impact arose from the elevated positions within the South Downs National Park, with the effects on the outlook from the National Park deemed 'very limited'.

- 6.31 In the formal decision, the SoS agreed that with suitable planting, the proposal would appear integrated into the landscape from distant viewpoints and from identified viewpoints within the National Park (Tottington Mount), concluding that:

'The minor impact on the outlook from the National Park is an additional, but not determinative, factor'.

- 6.32 The Inspector's report to the SoS noted the key landscape characteristics of the site to be *'a tranquil rural landscape made up of gently undulating countryside; small-moderate sized fields, typically with well-defined hedgerow boundaries; and a notable presence of trees, reinforced by blocks of woodland and linear shelter-belts'*. Large modern farm buildings were also noted, as were some areas of lost field boundaries. The solar farm was not considered to materially impact on the fabric of tranquillity of the landscape, and new hedgerow planting would reinforce the landscape structure. It was the regimented 'strings' of solar panels, aligned east to west, with the panels facing south, that were considered to be *'uncharacteristic man-made elements which would result in a very marked change in character to the site itself'*. The Inspector considered that when considered within the wider context of the Landscape Character Areas within which the solar farm was to be located, there would be limited impact.

'The appeal proposal would not have any material impact on the fabric or the tranquillity of the landscape and new hedgerow planting would reinforce its structure. However, the regimented strings of solar arrays and related development would be uncharacteristic 'man-made' elements which would result in a very marked change to

the character of the site itself. Nonetheless, when considering the totality of the Landscape Character Areas within which the site is located, and from which it is visible, these would remain largely unaffected.'

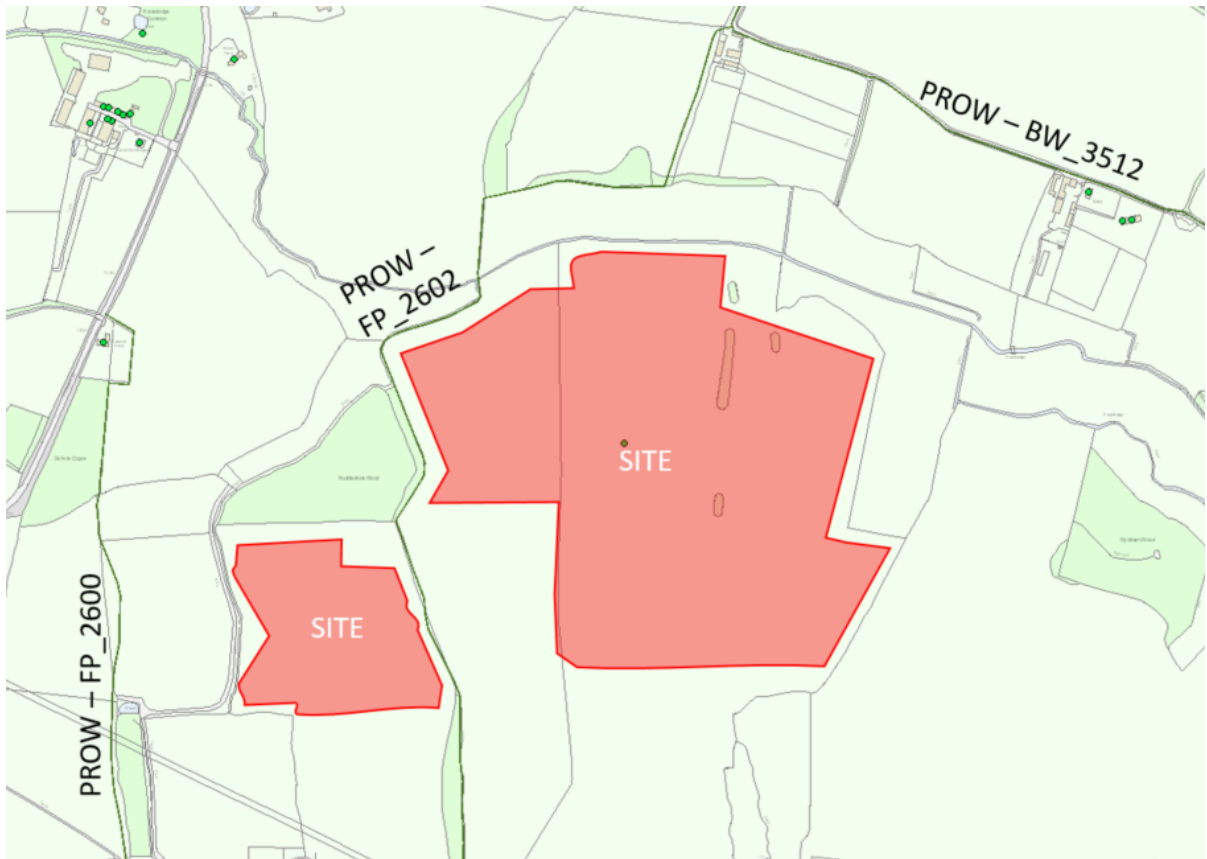
- 6.33 The Inspector went on to consider that a more striking impact would be had from the immediacy of the PROW through the site (FP_2602), and from the bridleway along Horsebridge Common to the north (BW_3512), from where the *'parkland-like quality of the site is seen to flow seamlessly into its backdrop of the South Downs National Park'*, concluding that the solar farm would *'appear highly intrusive in this attractive rural setting'*. The planting of additional hedgerows was noted to offer the potential of screening within a short time-frame, but this would also *'denigrate the ambience of the public footpath as the experience of the wider open countryside would be lost by the looming presence of a new hedgerow boundary and the funnelling effect on its route'*, and that the solar installation would *'rob users of a tangible appreciation of the wider open countryside and severely impair the enjoyment of the route'*. The Inspector went on to refer to the arrays as having an *'alien and uncompromising form'* with the associated infrastructure described as *'utilitarian'*.

'In this instance the impacts of the proposal would, on balance, be very damaging to the rural landscape; and those effects could not be made acceptable.'

- 6.34 There was also a note that the site would be seen within a broad rural vista from the southern side of Henfield (Southview Terrace), where it was concluded that the site would be noticeable and uncharacteristic element in the landscape.
- 6.35 Overall, the SoS's formal decision agreed with the Inspector's judgement in terms of the impact on the landscape appearance and character, which acknowledged the benefit of contributing towards local and national targets on renewable energy generation, but concluded that the proposal would lead to a *'harmful and pervasive impact on the appearance of the local landscape'*. These impacts on the local landscape were considered to outweigh the benefits of the proposal.

Current Proposals

- 6.36 The current planning application does set out a solar array that would have a marginally greater output than the previously considered application under DC/13/2420, with the potential to generate some 18MW compared to the previous 16MW (as revised July 2022). In terms of site area, the revised proposal includes a smaller enclosed site area (now some 27ha) compared to the previous enclosed area of some 35ha, extending to encompass the areas of landscape and access necessary to facilitate the development. In comparison to the previously proposed site area under DC/13/2420, the current site does not extend as far south up the hillside, and is therefore focussed on the lower and flatter parts of the central field. Furthermore, amended site plans now remove an additional area of the central field alongside PROW_2602, and a parcel of land alongside Wyckham Wood which had been initially submitted.
- 6.37 Officer's renewed site visits to the site and the nearby PROW have identified a number of views available of the site from nearby PROW and bridleways. The Inspector's comments in the impact of the proposal from PROW (FP_2602) and bridleway (BW_3512) remain relevant, as does some element of view from the Downs Link to the east. Given the additional area included within this proposal (located to the west of PROW_2602 and south of Huddlestone Wood), views of the site from FP_2600 are also now a consideration, running north-south to the west of Huddlestone Wood.



Site in relation to PROW

- 6.38 Whilst the envisaged life-span of the installation would be some 40 years, the amended site plan seeks to limit the identified harm arising from the proposed installation to areas where additional landscaping or topography would best mitigate the wider visual impact as well as the sense of enclosure for users of the footpath that runs through the site (PROW_2602). To this end, the site area covered by the current proposal does not extend southwards up the hill-side as far as the previous appeal proposals. Furthermore, the current proposal has been amended to reduce the site area within the central field, in order to address the visual impact from the PROW 2602 which benefits from an intrinsically open aspect in this location, with the site appearing as part of a wider, open and rolling rural landscape. Whilst human activities have inevitably shaped the farmed landscape, the current impression created on users of the PROW / bridleways retains one of overwhelming tranquillity and rural context, which acknowledges the presence of large utilitarian cattle sheds, silos and barns as part and parcel of the open countryside and necessary to farming activities.
- 6.39 The current proposal would result in a wide footpath corridor along the northern part of FP_2602 and with increased tree planting and a hedgerow alongside the fence line to be maintained to 3-4m in height. Where the revisions to the scheme have now omitted a central area of panels, views from the PROW would then open up allowing a continued appreciation of the wider setting and the prevailing rural landscape, thus offering a betterment over and above the previously considered appeal scheme. Whilst the current proposal includes a new area of panels within the field to the west of the PROW_2602, these are set behind an existing hedgerow that is interspersed with trees. As a result, it is not considered that this area of panels would create an undue sense of enclosure along the line of the PROW, nor lead to the adverse 'tunnelling' effect that was previously raised as a concern east of the footpath. The applicant states that the minimum 10m gap would be maintained between panels and the PROW, along with reinforced planting and more trees in comparison to the previous proposal (DC/13/2420), which would address the harm identified with the appeal scheme. As the new vegetation matures alongside the fencelines, the impact of the installation would also be reduced, returning to baseline once the site has been decommissioned and all equipment has been removed from the site.

- 6.40 The experience of walking along FP_2602 through the western part of the site is already restricted along the western side in parts where the path abuts a dense tree screen to the woodland block in the north-west corner and a further tree belt to the south. The expansive views currently available across the open central field towards the eastern side provides an unrestricted connection to the rural farmed landscape and reinforces the perceived tranquillity of the site and its wider context. Whilst it is noted that the central field is currently planted with a maize crop, the enclosing impact arising from walking alongside this tall crop is limited to a short time of the year only, with the experience otherwise one of openness.
- 6.41 In order to address the diminished sense of openness and rural qualities experienced by users of the PROW_2602, a large section of the central field abutting his footpath has now been omitted from the current proposal. This represents a significant change from the appeal proposal at this point along PROW_2602, along with a reduced site coverage within the central field, which, under the appeal proposal, extended south to the ridgeline. However, the current proposal does seek to add a new area of panels into a field located on the western side of the hedgeline and PROW_2602, which extends close to Huddlestone Wood along its northern side. Overall, officers consider that the likely diminishment occurring by way of the panels extending to within some 17m of the line of the PROW in the very western section of the site would be offset by the openness that is regained further south and east where the amended site plan now omits an area of the central field from the proposal. The removal of part of the central parcel would now allow for longer views over the field and across the rolling rural landscape significantly improving the experience for users of this footpath. Officers consider that the removal of panels within part of the central field adjacent to the PROW significantly addresses much of the harm to the experience of PROW_2602 previously identified by the appeal inspector.
- 6.42 In relation to the mid-range views gained from bridleway BW_3512 to the north of the site, and the previously raised concerns over the harm to the park-land like setting that can be clearly seen from this bridleway, the current proposal does not extend as far up the hill-side to the south as did the earlier application appealed under DC/13/2420, thus limiting some of the previously identified visual harm. It is also proposed to better mitigate the visual impact by way of a new woodland belt and shrub planting along the northern boundary. The proposal would also introduce a new and artificial field boundary along the site's southern boundary. Officers remain concerned that the coverage within the central field remains significant, however the omission of the more exposed parcel alongside Wyckham Wood from the proposals has appreciably reduced the extent of the solar farm across the open landscape, as has the omission of the central parcel alongside PROW_2602 mentioned above at paragraph 6.40.
- 6.43 The increased shrub and woodland planting along the northern boundary is welcomed. This would present additional biodiversity features and would provide some beneficial filtering of the resulting views once mature and in leaf. However, it is considered that there would be remain a significant impact arising on account of the time taken for the vegetation to mature and establish, with views likely to remain of the installation as the ground levels slope upwards across the site, particularly given the height at which the single axis tracker panels sit above ground level.
- 6.44 In reference to the new western section of the proposed array alongside Huddlestone Wood, officers are satisfied that this would not impact on the available views from bridleway BW_3512, on account of sloping topography and the intervening woodland block. Whilst this area in isolation would sit alongside FP_2602, it lies beyond the existing vegetated field boundary and would be of limited impact in its own right with the proposed mitigating planting and separation from the existing field boundary. The available views of this section of the proposed site from FP_2600 would also be more limited, on account of the topography and distance of the available views, along with the boundary planting proposed. In respect of longer views from Southview Terrace in Henfield, the reduction in the extent of the proposal

in the central fields combined with the additional planting significantly reduces the adverse impacts previously identified by the inspector.

- 6.45 In addition to the above amendments from the previous appeal scheme, the very nature of the proposed solar installation now differs to that which had previously been considered. Previously, fixed rows of panels mounted east-west to face permanently south on frames angled between 1m and some 2.2m had been proposed within the appeal scheme. In contrast, the current proposal would comprise rows of single axis tracker panels aligned north-south, with the axis mounted at a height of around 2m above ground, and the panels reaching a maximum height of 3m at full tilt (early / late in the day). The panels would rotate east-west throughout the day to follow the sun's overhead path, and at mid-day when the sun is directly overhead the panels would present a horizontal surface some 2m above ground in rows some 2.25m wide, and some 2m apart.
- 6.46 As a result the tracker panels and their slow rotation throughout the day would not present a static impact on the landscape, but rather one that would have subtle variations as the panels tilt from east to west throughout the day.
- 6.47 The height at which these types of panels are installed would also be higher than the previously proposed array. Whilst this would increase its potential visual impact, it would also allow for some element of a view and a feeling of space underneath the panels with less associated 'framework' than the fixed panels, a feature that would also enable sheep to graze freely across the site.
- 6.48 In respect of potential glint and glare from the panels, the application is accompanied by a detailed Glint and Glare Assessment. The Assessment identifies 10 residential and 7 road receptors within 1km of the site that have the potential to be affected. When considering the existing surrounding landscaping, a high potential impact is predicted at 2 properties which is then fully mitigated by the proposed landscaping. Similarly, the proposed landscaping would mitigate the high potential impact at 3 road points on the Horsham Road. In respect of impacts on aircraft, the assessment considered all eleven airfields within a 30km radius, of which only two (Shoreham and Truleigh Manor airfields) required further assessment given the proposals fall within their respective safeguarding buffer zones. The assessment concludes that green glare is predicted at Runway 28 at Truleigh Manor airfield which is an acceptable impact according to FAA guidance.
- 6.49 Accordingly the impact of glint and glare is not likely to result in harm provided the proposed landscape mitigation is implemented. Whilst the National Park Authority have commented that the study does not include views from the South Downs Way or more generally within a wider 5km radius, there is no known guidance that requires such an extensive assessment. Whilst there is the potential for glint and glare to users of the South Downs Way, this would be at considerable distance and be transitory both in terms of intervening landscaping and the experience of walkers. It would not be reasonable to require that a full glint and glare study be carried out at this distance or expect as a consequence that any very transitory impacts are fully mitigated.
- 6.50 Overall, the visual impact arising as a result of the proposed development would contribute to a significant change in character to the open and rural landscape, which is noted to have park-like characteristics. The previous appeal proposal concluded that 'pervasive harm' would occur as a result of the solar farm (DC/13/2420). In seeking to address this identified harm, the current proposal as amended does not extend as far south so as to limit the resulting harm to the flatter areas of the application site, and furthermore, now omits a sizable central area of panels in order to address the visual harm further by way of reducing the direct impact alongside the PROW_2602 and by reducing the site coverage that is visible from the bridleway along Horsebridge Common (BW_3512). These are notable improvements to the proposals previously considered at the appeal.

- 6.51 Officers acknowledge that the resulting impact would endure for some 40 years of the envisioned life-span of the array, which is a considerable length of time in human terms, but also acknowledge that the mitigating landscape and biodiversity enhancements would only begin to form within 1 year of implementation to form visual screening that would improve as the site ages, leading the panels appearing more exposed in the landscape in the early years.

Impact on the setting of the South Downs National Park

- 6.52 It is noted that the Landscape Consultant's comments raise some concerns in relation to disregarded viewpoints and view types within the National Park (particularly the Rother Valley to the Greensand Hills). Officers have reviewed the relevant documents (South Downs National Park: View Characterisation and Analysis (November 2015), and Viewshed Viewpoint map), and these reveal the Rother Valley and Greensand Hills are located some 18-28 miles to the west of the application site. Given the distances of involved, officers consider that the resulting impact arising from the proposed development on views from and to this area would be seen at such a distance, where any views of the site are interspersed by topography and other landscape features across a wide panorama, thus not being unduly damaging to the landscape or overall public enjoyment of the National Park.
- 6.53 Similarly, the National Park Authority raises concern over a 'lack of assessment of visual and landscape impacts upon important and publicly accessible viewpoints within the National Park, and failure to avoid or adequately mitigate for adverse impacts on the designated landscape'. A number of the submitted viewpoints show a photomontage of the proposed installation in place, with viewpoints 10, 11 and 12 within the National Park, but only viewpoint 10 indicates that the development may be visible from the elevated position at Chanctonbury Ring. The SDNPA considers that the installation would be visible from viewpoints 11 (Steyping Round Hill) and 12 (Tottington Mount), and as these do not show a 'mock-up' as other submitted viewpoints, insufficient assessment has been made in terms of the potential impact on the publicly accessible viewpoints within the SDNP.
- 6.54 Officers have assessed the submitted details, and note that Viewpoint 11 (Steyping Round Hill) includes a small portion of the site being potentially visible beyond the Huddleston Farm complex that is visible in the landscape. From this distance some 3.9km southwest of the site, officers are satisfied that the resulting impact would be absorbed into the wider panoramic view of the landscape, comprising a very small element of a much larger tapestry of farmstead clusters, woodland blocks and other landscape features.
- 6.55 Viewpoint 12 (Tottington Mount), also indicates the approximate extent of the site, but in this instance, any resultant views of the proposed development upon completion are considered to be predominantly obscured by topography and landscape features. This location was also assessed previously by the appeal Inspector when considering DC/13/2420, who considered that the appeal proposal would not be evident as a whole on account of foreground topography, woodland and hedgerows. Views were considered to be *'limited to the small mid-ground shards of countryside, condensed as the route falls to lower ground, set within mature surrounds. The proposed development would be neither obvious nor intrusive'*. Given the reduced extent of development now proposed, officers consider this finding to remain relevant.
- 6.56 In respect of views across the site towards the National Park, the submitted LVIA concludes that the proposal *'would not hamper the availability of existing distance views seen southwards towards the chalk escarpment as a distance backdrop in southward views across the study area'*. Officers are of the view that the amended proposal, omitting two areas of the solar array would reduce the extent by which the proposed development is seen against the backdrop of the National Park to the south, albeit it is acknowledged that some harm would arise particularly in aforementioned views from BW_3512 where the panorama of the National Park hills forms an attractive backdrop to the parkland setting of the site area.

- 6.57 In reference to views gained from within the setting of the National Park, notably the elevated sections along the South Downs Way (Scarp), the LVIA concludes that the site would lead to indirect effects arising from very small changes seen in long-distance views. Cumulative impacts potentially arising from this scheme and a proposed housing development at Kings Barn Lane (DC/21/2233) is considered to be small with a significance that would be minor and adverse, reducing to minor / negligible and adverse in the medium to long term as the associated landscape matures.
- 6.58 Officers have reviewed the current amended proposals and the Inspector's comments in association with the impact of the previous appeal proposals on views from the National Park (DC/13/2420- paragraphs 104-110), and have carried out multiple site visits to the site itself and the wider area. It is clear that the previous appeal proposal was robustly considered by the appointed Inspector who also carried out a series of site visits to various identified locations, and was satisfied that solar farm development set out under DC/13/2420 would have little impact on views from the National Park. In the more immediate views, the judgement was that the solar farm would lead to an intrusive and damaging impact on the *'sweeping views across the parkland-like landscape and their seamless integration with the rising sloped of the South Downs National Park'*, on account of the *'unforgiving utilitarian aspect'*
- 6.59 In relation to the likely impact on the setting of the South Downs National Park, officers consider there is sufficient information within the submitted documentation, particularly given the in-depth and robust assessment made previously, and following site visits in relation to the current proposal, in order to conclude that the proposal would have limited impact on the available views from the publicly accessible views within the National Park.
- 6.60 In relation to the more immediate and localised views gained from publicly accessible viewpoints closer to the site, which set the proposed development against the backdrop of the National Park, officers conclude that the level of identified harm would be more significant. However, this harm is tempered by the very localised nature of these viewpoints, and needs to be balanced against the mitigation offered by way of the proposal, such as ecological enhancement, increased boundary vegetation and screening and carbon sequestration, and the resulting public benefit thereby achieved from the development, with this being the provision of some 18MW of renewable energy, which is capable of being delivered within a short timeframe and with no physical constraints limiting early development.

Conclusion on landscape impact

- 6.61 Overall, it is considered that the proposals have sought to address key aspects of harm identified by the appeal inspector, notably the close and mid-range views available from PROW_2602 and BW_3512, through the reduction in extent of panels on the southern hillside and east of PROW_2602. Nevertheless, and as set out in detail by the Council's Landscape Consultant, the proposals will still result in the urbanisation of the countryside and lead to an adverse and eroding impact on the landscape character of the surrounding area as well as harm to the PROW network.
- 6.62 In respect of the impact on views from the South Downs National Park, the reduced scale of the proposals compared to the appeal scheme are such that the Inspector's findings that the impact on the outlook from the National Park would be 'very limited' remain relevant. Having considered the impact from various panoramic viewpoints it is clear that the combination of distance, intervening topography and woodland belts is such that the impact of the proposals would be minimal.
- 6.63 Officers acknowledge that there remains an impact on the setting of the National Park in views across the site from the north along BW_3512 where the National Park forms a prominent backdrop. This impact is very limited in nature given the distance and localised

nature of the view. Overall, when considered as a whole against the requirements of Paragraph 176 of the NPPF, officers are of the view that the proposals have been sensitively located and designed to minimise adverse impacts on the setting of the National Park. Furthermore, officers conclude that the proposal would broadly accord with policy 30 of the HDPF on account of the proposals not affecting the natural beauty or public enjoyment of the National Park itself, and providing suitable mitigation given its location within the setting of the National Park. When considered against the statutory purposes of the National Park, officers do not consider that the proposal would unduly erode or harm the understanding and enjoyment of the special qualities of the National Park by the public.

- 6.64 Nevertheless the harm identified in more localised views generally would conflict with policies 25, 33 & 36 of the Horsham District Planning Framework (2015) and Policy SNDP1.1 of the Steyning Neighbourhood Development Plan (2022), and paragraph 174 of the NPPF. This harm is not as great as that identified by the appeal inspector in respect of the originally submitted proposals by virtue of the reductions made to the extent of panels across the landscape, but nevertheless is a level of harm that conflicts with the above policies and weighs significantly against the proposals.

Biodiversity

- 6.65 HDPF policy 31 sets out the principles of maintaining and enhancing existing networks of green infrastructure, biodiversity, and woodland, along with introducing compensatory ecological mitigation measures where appropriate. The submitted details set out a number of biodiversity enhancement measures, new foraging habitat and new habitat creation.
- 6.66 In terms of the adjacent area of Ancient Woodland (AW), it is acknowledged that the proposed development is not to encroach into this area (Huddlestone Wood), with the exception of one new small section of trackway within the buffer of the AW, not the AW itself. It is suggested that a no-dig condition is added in relation to the temporary haul route.
- 6.67 With the exception of a combined 6m section of hedgerow, including at the site entrance off Horsham Road, which is to be removed in order to enable vehicular access to the site for construction and access, all other trees and hedgerows within the site, and tree groups, would be retained. The loss of hedgerows at the site entrance off Horsham Road are to enable the required visibility zones to facilitate the construction period only, with this access then being closed for all but the current farm access, thus enabling replacement to take place as part of the wider Ecological Enhancement and Mitigation Plans
- 6.68 The requirement to protect and enhance biodiversity and geodiversity is set out under paragraphs 174, 179 and 180 of the NPPF, and reflected in HDPF policy 31. Overall, the revised proposal would achieve net biodiversity gain (BNG), by way of the planting of scrub, native hedgerows, trees, creation of grazing grassland and wildflower grassland and increase foraging habitat, as required by para 174(d) of the NPPF. It is suggested that these measures be subject to a long-term LEMP (Landscape and Ecological Management Plan) condition.
- 6.69 Further details are required to demonstrate Skylark compensatory works, as it is considered that minimal evidence exists to assure that Skylarks will continue to nest between the panels, and therefore the proposed development is likely to lead to a net loss of Skylark nesting sites. It is suggested that compensatory measures comprise off-site nesting plots, set aside and potentially secured by way of a legal agreement. Subject to these compensatory measures to the Skylark habitat, the Council's Ecologist supports the proposed measures and BNG.
- 6.70 Overall, subject to conditions the proposal would accord with HDPF policy 31, and paragraph 180 of the NPPF.

Impact on Heritage or Cultural Assets

- 6.71 HDPF policy 34 seeks to sustain and enhance the wider historic environment, which includes not only the heritage assets themselves, but also their wider setting.
- 6.72 The NPPF recognises the importance of heritage assets and their irreplaceable nature, and so seeks to conserve these in a manner appropriate to their significance. The NPPF seeks to avoid the loss of or harm to the significance of a designated heritage asset, including from development within its setting (para 200).
- 6.73 It is noted that the current proposal brings the proposed solar array closer to No's 1 and 2 Huddlestone Farm Cottages, which are both Grade II listed buildings, than the previously refused scheme in 2013 (DC/13/2420). It is also noted that the heritage assets were not specifically referred to as part of the previous scheme, but it is acknowledged that there has been a material change in planning policy since, in the way that heritage assets, and the significance of their settings, are considered.
- 6.74 Having reviewed the submitted Heritage Report, and visited the site, the Council's heritage officer recognises that the intervening farm buildings now lessens the intervisibility between the application site and Huddlestone Farm Cottages. However, the significance of this asset relates to its origins and character as a historic farmstead, with a legible historic and functional relationship to the surrounding agricultural land.
- 6.75 Furthermore, the potential impact on Northover Manor (also known as Northover Farmhouse) has been considered, although the significance of this building relates primarily to the historic building fabric with the building exemplifying local vernacular building traditions.
- 6.76 The wider rural perception of these heritage assets within the landscape is noted to be affected by way of the proposed development, however, the proposed change to the appearance of their landscape setting would be at the lower end of the 'less than substantial harm' scale.
- 6.77 Considerations of other listed properties in the vicinity to the application site have been given to Calcot Farmhouse (W), Wyckham Farm (SE) and Wappingthorn Farm (SW), which are further distanced from the application site with no direct line of sight. In particular, the separation of Calcot Farmhouse and Wappingthorn Farm from the site by way of the B2135, would appear to preclude any functional or historic relationship with the application site, and so the resulting changes arising from the proposed development would not harm the appreciation of these heritage assets. Whilst the proximity of Upper Wyckham Farm to the solar array is considered to impact on the wider setting of this heritage asset, it is not considered that this impact would result in harm.
- 6.78 As set out above, less than substantial harm has been identified to Northover Manor and Huddlestone Farm Cottages. Paragraph 202 of the NPPF requires less than substantial harm to the significance of a designated heritage asset be weighed against the public benefits of the proposal, which in this instance concerns the provision of renewable energy generation. In this case, the provision of renewable energy as a public benefit is considered to outweigh the less than substantial harm (noted to be at the lower end of the scale) to the setting of the identified heritage assets, Northover Manor and Huddlestone Cottages.

Impact on Amenity

- 6.79 HDPF policy 33 requires consideration of neighbouring amenities when determining planning applications, for such matters as overlooking, light, noise and outlook, whilst HDPF policy 36 also seeks to avoid adverse impact on amenity value.

- 6.80 In this instance, the proposed development would be sufficiently distanced from neighbouring residential properties so as to not lead to a direct and harmful loss of amenity, by way of reducing light levels, increasing adverse noise events or creating an adverse loss of outlook. Whilst the solar array would be visible from a number of nearby properties on account of elevated positions and an undulating landscape, the proposal would lead to impacts on the view experienced from the windows of those properties, or their garden settings rather than the creation of any adverse massing that therefore leads to direct harmful impacts on living conditions. Impacts from glint and glare have been assessed at paragraphs 6.48 and 6.49 above and it has been suitably demonstrated that the proposed landscape mitigation would mitigate any impacts on the limited number of potential properties affected.
- 6.81 It is noted that the planning system does not attribute any private 'rights to a view'. The wider amenity of these properties would not be so harmfully impacted by having sight over the proposed solar farm on account of wider rural setting and intervening distances involved.
- 6.82 Different considerations need to be given to the amenities of the occupants of Nutwood House, which is sited immediately adjacent to the temporary site access and haul route which is to be used during the construction of the solar farm. This access is also likely to be used at the end of the envisaged 40-year lifespan, when the site is decommissioned, although full details of the decommissioning would be secured by way of a planning condition at the time.
- 6.83 During the envisaged 7-month (30 week) construction period, the access would be used for all activities and deliveries between Monday to Friday (08:00 – 18:00) and on Saturdays (08:00 – 13:00) only. Overall, an average of 7 HGV deliveries per day is estimated (or 14 two-way movements), with additional movements likely by way of smaller vehicles, such as staff transport and waste management. The following estimated deliveries are noted from the submitted reports, each is a two-way movement:
- 430 deliveries associated with the panels and mounting structures – 16.5m articulated HGV
 - Four inverter / transformer stations – to be delivered individually
 - 4 deliveries of internal equipment on 10m rigid lorries (or 16.5m articulated HGV)
 - 215 deliveries of material required for internal access tracts on 10m rigid vehicles
 - 5 x JCBs required on site – delivered by a 16.5m low loader
 - 315 Additional sand, gravel and cable deliveries
 - Some 60-70 construction workers – likely transported by minibus to site
- 6.84 Whilst the existing access exists directly onto the B2135 / Horsham Road, this is noted to be a field access only, used in association with agricultural purposes and therefore subject to a lower volume of traffic movements.
- 6.85 However, this property (Nutwood House) already sits adjacent to the B2135 with its private amenity area running alongside the B-class road that connects the settlement of Ashurst with the wider public highway network along the A283 further to the south. The property has an existing western flank wall some 5.3m off the public highway (B2135). By contrast, the temporary access route would be set to the north of the residential curtilage of this property, with a gap of some 33m to the north east corner of the house.
- 6.86 Considering the time-limited construction period, the route of the temporary construction access and its position in relation to the most private areas of the residential property at Nutwood House, it is acknowledged that some additional disturbance would occur, but within the context of the existing traffic movements along the B2135 / Horsham Road. Therefore, it is not considered that the temporary construction period would lead to permanent and adverse loss of residential amenities on the occupants of Nutwood House, in accordance with policy 33 of the HDPF.

Highways and Access

- 6.87 As set out above, the proposed development is to be facilitated by a temporary construction access, using an existing field access and field tracks immediately north of Nutwood House. This access is to remain in place throughout the construction, aided by a banksman and operational restrictions and procedures to ensure the deliveries are managed into and out of the site.
- 6.88 The Local Highways Authority has reviewed the submitted information, with the proposed visibility splay improvements and swept path diagrams, and is satisfied that the site can be safely accessed by 16.5m long vehicles. The review of the submitted documents, including the proposed delivery numbers across the construction period, is not considered to lead to a severe increase in trips on the identified access roads.
- 6.89 All site operative parking is to occur within the site, with the public highway incapable of accommodating any on-street parking, waiting or deliveries. Therefore, all vehicles would access the site by way of temporary construction access and access routes, and would therefore not lead to any adverse impact on the existing highway network, as required by HDPF policies 40 and 41 and paragraph 111 of the NPPF.

Other Matters

Flooding

- 6.90 Part of the peripheral edges around the northern boundary of the site lie within the identified Flood Zone 3 and Flood Zone 2. However, on account of the nature of the proposed solar farm, there would only be fencing panel sub-frames and CCTV poles located within these areas at risk of flooding.
- 6.91 Accordingly, the likely impact arising as a result of the proposed development would be minimal. However, attenuation storage has been included into the overall design proposal, by way of a soakaway trenches located alongside the northern fence lines of the site, assisting with any future floodwater percolation, and with all new access tracks within the site comprising a gravel / permeable surface.

Farm Diversification

- 6.92 Nationally, the NPPF (para 174) recognises the economic and other benefits of best and most versatile agricultural land.
- 6.93 Whilst this land has been successfully farmed for many years, combining both pasture lands and arable fields, the site has been assessed as being Grade 3b (moderate quality), which in this location results in the land having a clay / heavy clay loam texture, prone to wetness and waterlogging, and also summer drying out and cracking, with limited ability to hold nutrients, thus limiting the productive crops that thrive on this land.
- 6.94 Regular land usage from tilling and ploughing necessary for large-scale crop production would have contributed to the reduction in the soil quality and productivity. Agriculture is a source of Greenhouse Gas Emissions, not only from use of fuels associated with farm machinery and the production of methane, but also in the way that land is managed. Continuous ploughing and tiling of arable lands, as well as the application of fertilisers, releases carbon from the soils, whilst improved grasslands are also less effective at storing carbon.
- 6.95 The proposal would have the benefit of allowing the land to recover and act as carbon sequestration for the life-span of the proposal (some 40+ years), leading to environmental benefits, but also allowing the soil to regain its natural structure and increasing beneficial microorganisms within the soil.

- 6.96 The land would continue to be grazed by sheep, and thus it would maintain in agricultural use, therefore contributing towards food security as well as tackling climate change and securing ongoing financial stability and viability for the farm holding.

Water Neutrality

- 6.97 The application site falls within the Sussex North Water Supply Zone as defined by Natural England which draws its water supply from groundwater abstraction at Hardham. Natural England has issued a Position Statement for applications within the Sussex North Water Supply Zone which states that it cannot be concluded with the required degree of certainty that new development in this zone would not have an adverse effect on the integrity of the Arun Valley SAC, SPA and Ramsar sites.
- 6.98 Natural England advises that plans and projects affecting sites where an existing adverse effect is known will be required to demonstrate, with sufficient certainty, that they will not contribute further to an existing adverse effect. The received advice note advises that the matter of water neutrality should be addressed in assessments to agree and ensure that water use is offset for all new developments within the Sussex North Water Supply Zone.
- 6.99 In this instance, there is no clear or compelling evidence to suggest the nature of the proposed development would result in 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.

Conclusion and Planning Balance

- 6.100 In considering the current application regard must be had to the previous planning application for a solar array at this site and the subsequent appeal decision. It is noted that the appeal was recovered by the Secretary of State in order to consider the impact of the solar farm on the South Downs National Park.
- 6.101 Since the dismissal of the previous scheme at appeal in 2016, the issue of climate change has grown significantly in national and international importance. This is reflected in a series of policies and strategies that seek to promote and support renewable and low carbon energy generation, including the 25 Year Environmental Plan; the Sixth Carbon Budget; the UK Net Zero strategy; the Energy White Paper; the Environment Act 2021; the British Energy Security Strategy; the Net Zero Strategy: Build Back Greener as well as local climate change action priorities.
- 6.102 The proposed solar farm, as amended, would have a capacity of some 18MW, generating a significant amount of electricity from a clean, renewable source, meeting the energy needs of approximately 4,260 homes. Officers acknowledge that this is a substantial benefit that attracts significant weight in the planning balance. There are no physical constraints limiting early development of this site and a grid connection offer is in place. As such, the scheme could make an early and significant contribution to the objective of achieving the UK's Net Zero target. Given this imperative, the benefits of this proposal attracts significant weight in favour, more so than in respect of the previously appealed scheme given the greater importance now attached to mitigating the effects of climate change.
- 6.103 The proposal also promises to deliver positive net biodiversity gains to the site along with other ecological enhancements and the potential for carbon sequestration and soil restoration. This also weighs in favour of the proposals.
- 6.104 The proposals would result in 'less than substantial harm' to the settings of No's 1 and 2 Huddleston Farm Cottages and Northover Manor (also known as Northover Farmhouse).

However, in this case the wider public benefit arising from the significant potential generation of renewable energy, and the limited life-span of the installation, would sufficiently outweigh the modest level of harm to the settings of these heritage assets.

- 6.105 It is acknowledged that the scale and nature of the proposal, and its location alongside and close to a number of PROW, and the within the setting of the South Downs National Park, would lead to significant adverse impacts on the surrounding landscape character, as well as contributing to significant adverse visual harm to the PROW network that runs through and near to the site. As with the previous appeal decision, it remains that the overall landscape character, quality, setting and its wider appreciation will inevitably be diminished as a result of development within this sensitive location.
- 6.106 Following concerns raised by officers of the scale of the proposed array across the rolling park-land like setting, and its impact on visual receptors including the nearby PROW network, the applicants have sought to mitigate this harm by reducing the extent of the array within the central field and limiting the southern extent of the proposed array where land levels rise and become more visible in the wider landscape. Furthermore, a parcel of panels alongside Wyckham Wood to the east (which was not included as part of the appeal proposals) has now been omitted and an area south-east of PROW_2602 has also been removed from the proposed layout to limit the potential impact on close-range and mid-range views. Additional planting and increased buffer zones, alongside re-orientating the array with the new tilting panels now running north-south through the site are further proposed with the current application. The improved boundary planting is noted, and would be of benefit in filtering views of the array once established.
- 6.107 Officers conclude that the adverse impact on the open experience of PROW 2602, previously identified as important by the appeal inspector and Secretary of State, has been significantly reduced by way of the current reduced proposal. Whilst some compromise to the user's experience is noted, particularly in the north-western corner of the site, the amended proposal has removed an area of panels alongside the PROW_2602, enabling users to continue to enjoy long-range views across the open rural landscape and towards the eastern backdrop with the South Downs National Park in the distance. These amendments, and the additional planting proposed, would also reduce the impacts of the proposal in views from the more elevated Bridleway 3512 to the south compared to the previous appeal proposals.
- 6.108 The proposals would still be visible from, and would sit within views to, the South Downs National Park (SDNP). Impact on a National Park is afforded the highest levels of protection under the NPPF, which now includes an express requirement to consider impact on its setting (para 176). The South Downs National Park Authority and Council's Landscape Consultant continue to raise concern over the impact arising from the solar array on the outlook from the South Downs National Park, particularly given the elevated viewpoints within the Park. However, in considering these viewpoints from the National Park, the topography and intervening landscape features, officers are satisfied that the revised proposal has sought to suitably minimise the adverse impact on the setting of the National Park as required by paragraph 176 of the NPPF.
- 6.109 In considering the wider aspect of setting, the application site does form part of the rural view against which the distant and higher ridge-line of the National Park can be appreciated as the backdrop to the parkland setting of the site, particularly from the elevated vantage point of Bridleway 3512. In this regard, the introduction of the solar array would present an alien and intrusive feature in the local landscape, particularly in the early years whilst the new boundary vegetation is becoming established. Whilst there is some concern that, even once boundary landscaping has become established and effectively filters some of the views from the public receptor points (particularly BW_3512) the proposed array would continue to represent an alien element of intrusiveness at odds with the prevailing landscape character.

- 6.110 Whilst a temporary consent is sought for 40 years, this is nevertheless a significant period of time during which these panels would remain in place causing appreciable visual impact on the landscape setting and qualities of the area.
- 6.111 Overall, the potential harm that would result from the introduction of this significant solar array into this sensitive landscape, which falls within the setting of the South Downs National Park, has been carefully assessed by officers, including having regard to cumulative impact with other development proposals. Whilst the proposals would be visible from a number of vantage points, the majority of these are at a considerable distance where any views would be significantly filtered by existing topography and landscaping, and the proposed landscaping such that any harm would be very limited. Of greater concern are the more localised views particularly west and north of the site where the panels would sit in an attractive landscape with the hills of the National Park as a backdrop. Officers consider that the amendments made to the proposal have significantly lessened the degree of harm that was previously judged to occur under DC/13/2420, and with the proposals originally submitted. Nevertheless, the proposals would continue to impose a significant 'man-made' intrusion onto the landscape, notably by way of the scale of the proposed installation, the design and size of the central axis panels, the alignment within the site north-south and the associated infrastructure necessary to support a solar PV installation such as this.
- 6.112 In considering the identified harm arising to the landscape character, officers have had regard to the previous appeal Inspector's decision which was subsequently recovered by the SoS. Although the level of harm is not judged by officers to be as great as that previously identified by the appeal inspector, largely on account of the reductions made to the extent of site coverage and increased landscape enhancements offered, there is nevertheless a level of localised harm that conflicts with local and national planning policies. This harm weighs against the proposal.
- 6.113 However, in considering the proposals as a whole, it is clear that they would make a significant contribution to providing renewable energy generation in the area. The benefits of the proposal in being able to power a large number of homes with renewable energy at a time of considerable climate concern are therefore undoubted and carry significant weight. Whilst the previous judgement of the Council and inspector was that this benefit was outweighed by the significant landscape harm that would arise, in this case the amendments and reductions to the extent of the solar array and the increased planting proposed is such that the balance now tips in favour of the proposals, with the clear benefit of the solar array outweighing the harm that would occur to the landscape character and setting of the area.
- 6.114 The recommendation of officers is therefore to approve the application subject to the conditions as set out below.

7. RECOMMENDATIONS

- 7.1 To approve planning permission subject to the following conditions:

Conditions:

- 1 **Plans list**
- 2 **Regulatory (Time) Condition:** The development hereby permitted shall be begun 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 **Temporary Permission:** The use of the land hereby permitted for generating electricity shall be discontinued on or before 40 years from the first operational use of the solar

photovoltaic panels, in accordance with a scheme of works to be submitted to and approved, in writing, by the Local Planning Authority at least 3 months before the expiry of this permission. The scheme of works shall include:

- Method statement for decommissioning and dismantling all equipment on site;
- Details of any items to be retained on site;
- Method statement for restoring the land to agriculture;
- Timescales for decommissioning removal and reinstatement of the land;
- Method Statement for the appropriate disposal / recycling of redundant equipment / structures;
- Provision for the review of the scheme as necessary.

The scheme of works shall be implemented in accordance with the agreed details and the land restored to its former use within 3 months of the written approval of the scheme of works.

Reason: The Local Planning Authority would not normally grant permission for such a use of land in this location, but it is considered reasonable to allow the development for a limited period in accordance with Policies 25, 30 and 33 of the Horsham District Planning Framework (2015).

- 4 **Pre-Commencement Condition:** A construction environmental management plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following;
- a) Risk assessment of potentially damaging construction activities.
 - b) Identification of "biodiversity protection zones".
 - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
 - d) The location and timing of sensitive works to avoid harm to biodiversity features.
 - e) The times during construction when specialist ecologists need to be present on site to oversee works.
 - f) Responsible persons and lines of communication.
 - g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
 - h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority

Reason: To conserve protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats & species).

- 5 **Pre-Commencement Condition:** A Biodiversity Enhancement Strategy for protected and Priority species shall be submitted to and approved in writing by the local planning authority. The content of the Biodiversity Enhancement Strategy shall include the following:
- a) Purpose and conservation objectives for the proposed enhancement measures;
 - b) detailed designs to achieve stated objectives;
 - c) locations of proposed enhancement measures by appropriate maps and plans;
 - d) timetable for implementation;
 - e) persons responsible for implementing the enhancement measures;
 - f) details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details prior to occupation and shall be retained in that manner thereafter.

Reason: To conserve and enhance protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species) and Policy 31 of the Horsham District Planning Framework (2015).

- 6 **Pre-Commencement Condition:** Prior to the commencement of development a Skylark Mitigation Strategy shall be submitted to and approved by the local planning authority to compensate the loss or displacement of any Skylark territories identified as lost or displaced. The content of the Skylark Mitigation Strategy shall include the following:
- a) Purpose and conservation objectives for the proposed compensation measure e.g. Skylark nest plots;
 - b) detailed methodology for the compensation measures e.g. Skylark plots must follow Agri-Environment Scheme option: 'AB4 Skylark Plots';
 - c) locations of the compensation measures by appropriate maps and/or plans;
 - d) persons responsible for implementing the compensation measure.

The Skylark Mitigation Strategy shall be implemented in accordance with the approved details and all features shall be retained for a minimum period of 10 years.

Reason: To conserve and enhance protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species) and Policy 31 of the Horsham District Planning Framework (2015).

- 7 **Pre-Commencement Condition:** No development shall take place until a landscape and ecological management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas, has been submitted to, and approved in writing by, the Local Planning Authority. The landscape and ecological management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the Local Planning Authority. The scheme shall include the following elements:
- details of maintenance regimes;
 - details of any new habitat created on-site;
 - details of treatment of site boundaries;
 - details of management responsibilities;
 - details of proposed enhancements to include: 10 of each- bird boxes, bat roost boxes, log piles/hibernacula & insect hotels; and
 - details of the proposed 2km of new hedgerow planting, plus additional woodland planting.

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), and in accordance with Para 174 and 180 of the NPPF (2021).

- 8 **Pre-Commencement Condition:** No development shall take place until a scheme for the provision and management of a minimum 5 metre wide buffer zone alongside the watercourse/wetland has been submitted to, and approved in writing by, the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved scheme. Any subsequent variations shall be agreed in writing by the Local Planning Authority, in which case the development shall be carried out in accordance with the amended scheme. The buffer zone scheme shall be free from built development including

lighting, formal landscaping, solar panels and associated infrastructure. The scheme shall include:

- plans showing the extent and layout of the buffer zone;
- details of any proposed planting scheme (for example, native species);
- details demonstrating how the buffer zone will be protected during development and managed over the longer term; and
- details of any proposed footpaths, fencing, lighting, etc.

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), and in accordance with Para 174 and 180 of the NPPF (2021).

- 9 **Pre-Occupation / Use Condition:** No development shall commence until such time as the vehicular access serving the development has been constructed in accordance with the details shown on the drawing titled Proposed Site Access Arrangement 2105-069 - SK01 – Rev A.

Reason: In the interests of road safety and in accordance with Policy 40 of the Horsham District Planning Framework (2015).

- 10 **Pre-Occupation / Use Condition:** No part of the development hereby permitted shall be first brought into use until details of the proposed fire safety and firefighting provisions for the solar farm, including fire appliance access to app properties and containers on site, have been submitted to and approved in writing by the Local Planning Authority. The approved firefighting measures shall be installed and ready for use prior to the first use of the development hereby permitted and shall thereafter be retained as such.

Reason: In accordance with fire and safety regulations in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 11 **Pre-Occupation / Use Condition:** A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to commencement of the development. The content of the LEMP shall include the following:
- a) Description and evaluation of features to be managed.
 - b) Ecological trends and constraints on site that might influence management.
 - c) Aims and objectives of management.
 - d) Appropriate management options for achieving aims and objectives.
 - e) Prescriptions for management actions.
 - f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
 - g) Details of the body or organisation responsible for implementation of the plan.
 - h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason: To conserve and enhance protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006

(Priority habitats & species) and Policy 31 of the Horsham District Planning Framework (2015).

- 12 **Pre-Occupation / Use Condition:** Prior to first use of the development hereby permitted, the stile at the junction of Footpath 2600 and Horsham Road is to be removed and replaced with a 1.2m gap, unless a structure is required for livestock control in which case it should be replaced with a gate that conforms to British Standard BS 5709-2018, the minimum width of such a gate being 1.2m. . All other stiles within the red line of the boundary should be removed and replaced with a 1.2m gap, unless a structure is required for livestock control in which case it should be replaced with a gate that conforms to British Standard BS 5709-2018, the minimum width of such a gate being 1.2m. The PROW Team are available to advise the applicant on a suitable structure, if required

Reason: To retain the right of access for users of the Public Right of Way, in accordance with Policy 40 of the Horsham District Planning Framework (2015).

- 13 **Regulatory Condition** All avoidance and enhancement measures and/or works shall be carried out in accordance with the details contained in the Ecological Assessment Report V3 including Appendix 5 (Avian Ecology Limited, January 2022) and the Landscape and Ecology Enhancement Plan (Landscape Visual Ref. No. 1270/10a, January 2022) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

Reason: To conserve and enhance protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species) and Policy 31 of the Horsham District Planning Framework (2015).

- 14 **Regulatory Condition:** The materials, external colours and other details to be used in the development hereby permitted shall strictly accord with those indicated on the approved drawings associated with the application.

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).

- 15 **Regulatory Condition:** All external lighting shall be installed in accordance with the specifications and locations set out in the scheme, and directed to maintain dark corridors for nocturnal species. Any other lighting required for security reasons should be infra-red to prevent impact on sensitive nocturnal wildlife. All lighting shall be maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

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).

- 16 **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).

- 17 **Regulatory Condition:** All works shall be executed in full accordance with the submitted Arboricultural Impact Assessment [P01 AIA - JANUARY 2022 by Barton Hyett, 14th Jan 2022].

Reason: To ensure the successful and satisfactory protection of important trees, shrubs and hedges on the site in accordance with Policies 30 and 33 of the Horsham District Planning Framework (2015).

- 18 **Regulatory Condition:** In relation to the Public Rights Of Way 2602 and 2600, the following shall apply:

- The PROW shall be kept clear and unobstructed at all times throughout the construction and operational phases of the development hereby permitted, and a useable width of 2 metres shall be available at all times for lawful footpath users
- Adequate visibility splays must be available and maintained at all times, where the internal road crosses Public Footpath 2602
- Signs must be erected on the service road at either side of the junction with Footpath 2602 advising drivers of all vehicles of the presence of the public right of way (PROW) and of the requirement to give way to the public using the PROW
- The surface of the public footpath must not be adversely affected by the service road and this must not present a trip hazard or other obstacle to users of the footpath. The Applicant must make good any damage or undertake any remediation as required by the PROW Team
- Should any trenching be necessary for the laying of underground utilities, such as electrical cables, through a PROW, this would require the consent of the PROW Team. It is a criminal offence to disturb the surface of a PROW without such consent
- Perimeter fencing of the site alongside the PROW must not encroach the width of the PROW. A minimum width of 3m is suggested to be appropriate to ensure that the use of the PROW is not negatively impacted by the development (please note that this is a minimum requirement). Any side and overhead vegetation should be regularly cut back to ensure that encroachment does not occur with summer growth.

Reason: To retain the right of access for users of the Public Right of Way, in accordance with Policy 40 of the Horsham District Planning Framework (2015).

- 19 **Regulatory Condition:** The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) ('Flood Risk and Drainage Impact Assessment – Adur Valley Solar Farm', dated 25/04/2022, by Neo Environmental Limited) and the following mitigation measures detailed within the FRA:

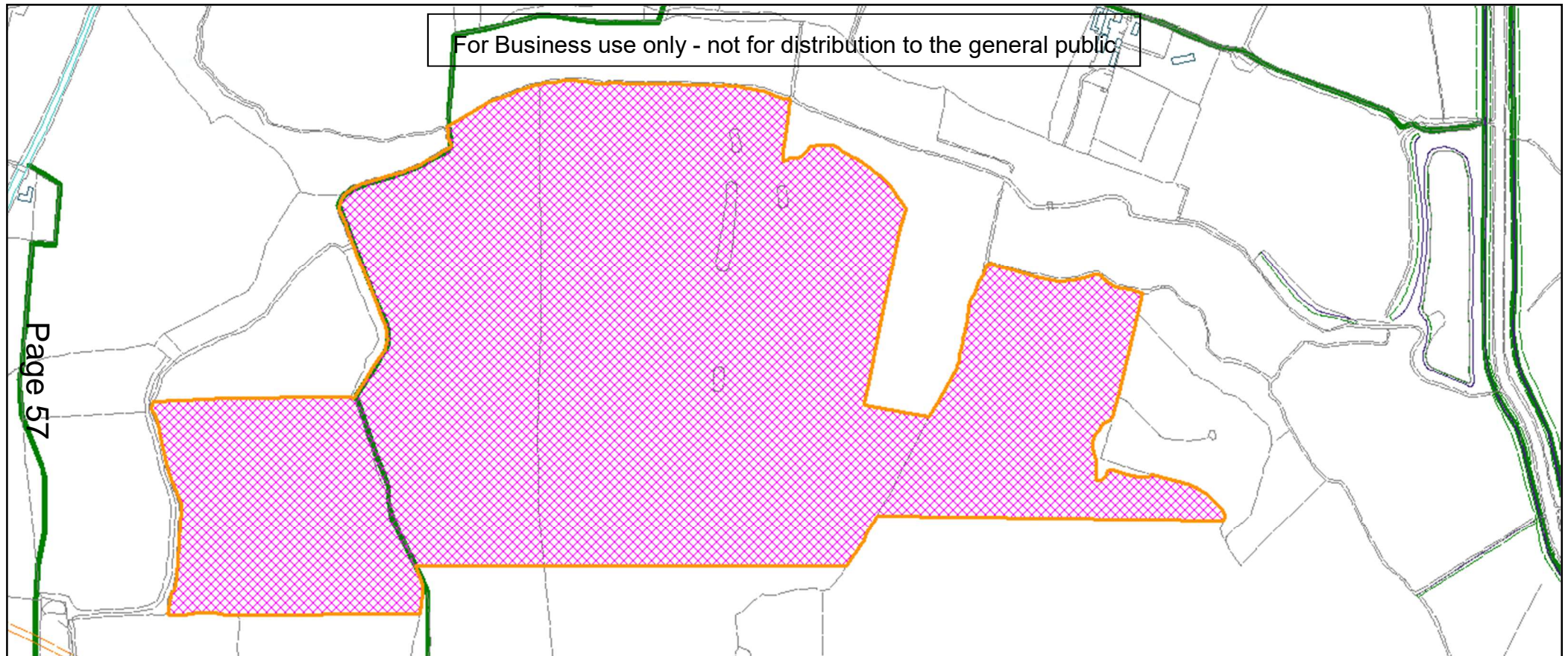
- The solar panels will have a stow height of at least 2.1m AOD.

These mitigation measures shall be fully implemented prior to use. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To ensure the safety of the development and to allow flood flows in accordance with Policy 38 of the Horsham District Planning Framework (2015).

06) DC/22/0100

Land North of Huddlestone Farm, Horsham Road, Steyning, West Sussex



Scale: Approximately 1:7,000. Scale is not exact.

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Organisation	Horsham District Council
Department	
Comments	
Date	09/09/2022
MSA Number	100023865

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**Horsham
District
Council**

PLANNING COMMITTEE REPORT

TO: Planning Committee South

BY: Head of Development and Building Control

DATE: 18th October 2022

DEVELOPMENT: Variation of Condition 1 of previously approved application DC/19/1707 (Revised layout for Phase 3 of the Abingworth Meadows development (Original application ref: DC/10/1314) to provide for 75 dwellings including 26 affordable dwellings and community studio workshops). Amendment to design and layout of houses at plots 42-75.

SITE: Abingworth Nurseries Storrington Road Thakeham West Sussex

WARD: West Chiltington, Thakeham and Ashington

APPLICATION: DC/22/0773

APPLICANT: **Name:** Miss F Whiles **Address:** 1st Floor, Regent House 1-3 Queensway Redhill RH1 1QT

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.

At the request of Thakeham Parish Council

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 Permission is sought under Section 73 of the Town and Country Planning Act 1990 to make minor material amendments to planning permission DC/19/1707, which approved in February 2021. Under planning permission DC/19/1707, consent was granted for 75 dwellings, community studio workshops and workshops within Phase 3 of the Abingworth Meadows development site in Thakeham.

1.3 The amendments sought are to plots 42-75 to the east side of the Phase 3 site. The amendments are to the layout and design of the approved dwellings. The dwellings would all be in the same position as approved but would be altered in terms of their design and size. The current proposal does not include any amendments to the scheme as approved to the west side of the Phase 3 site with Plots 1 – 42, the allotments to the southern section, and the commercial buildings, all being retained as approved under DC/19/1707.

DESCRIPTION OF THE SITE

- 1.4 The application relates to a 5.31ha site (Phase 3) on the southern side of the Abingworth Development Site (now known as Abingworth Meadows). Phase 3 is to south of the site's central greenspace and attenuation feature. The site is bound by established mature trees to the eastern boundary and currently borders open fields to the south. Abingworth Hall Hotel is to the west. The site benefits from two vehicle accesses from Storrington Road. Phase 3 is adjacent to a public right of way to the east of the site.
- 1.5 The surrounding area is semi-rural in character, formed of small hamlets of residential development to the west and north of the site, in addition to the mushroom farm site to the north-west, and sporadic residential farmsteads located within the surrounding open countryside.
- 1.6 The Abingworth Development site initially was granted approval for the development of 146 dwellings, including five workshop units, a village hall, and a shop under permission DC/10/1314. The approval also includes a football pitch with changing rooms, a cricket pitch, cricket pavilion, a LEAP, 10 affordable housing units, 20 local worker units, a nursery and an attenuation pond surrounded by open space in the centre of the site. The approval also included allotments to the south of the site, traffic calming measures for the main road through the village and rights of way improvements. Enabling works for the existing mushroom factory in Thakeham was also part of this application. This helped retain the business for the benefit of the local economy.
- 1.7 Over the years, there have been many amendments to the original approval. Application DC/16/2835 sought material amendments, including the addition of 11 additional units to Phase 2 of the site. Application DC/16/0871 sought the subdivision of one larger unit into to smaller dwellings, resulting in an additional unit on the site. Overall, the site currently has extant planning permission for the development of 209 dwellings (including Phase 3). Phase 1 of the development is now complete and substantively occupied, and Phase 2 is nearing the completion of the construction phase. The football pitch, changing rooms, cricket pitch, cricket pavilion, Village Hall, LEAP, attenuation pond have all been completed and are in use. A village shop / cafe and vets has also been opened on the site adjacent the village hall.
- 1.8 Phase 3 to the southern section of the site is the last remaining residential part of the site to be constructed. Works have commenced on Phase 3 to the western section of the site.

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

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 18 - Retirement Housing and Specialist Care

Policy 24 - Strategic Policy: Environmental Protection

Policy 25 - Strategic Policy: The Natural Environment and Landscape Character

- Policy 26 - Strategic Policy: Countryside Protection
- Policy 27 - Settlement Coalescence
- 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 39 - Strategic Policy: Infrastructure Provision
- Policy 40 - Sustainable Transport
- Policy 41 - Parking
- Policy 42 - Strategic Policy: Inclusive Communities
- Policy 43 - Community Facilities, Leisure and Recreation

Supplementary Planning Guidance:

Planning Obligations and Affordable Housing SPD (September 2017)

Neighbourhood Plan: Thakeham Neighbourhood Plan as made in January 2017. Policy 4 covers the Abingworth site. The policy states that any future proposals for increased development of the Abingworth Nursery site will be supported provided that:

- i. They are contained within the net developable area established in the consented planning application (DC/10//1314 and DC/15/1242).
- ii. Any additional housing includes provision for extra car accommodation and other dwellings suited to occupation by older households;
- iii. They deliver appropriate community benefits, including affordable housing.

Parish Design Statement: Thakeham Parish Design Statement.

PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/19/1707	Revised layout for Phase 3 of the Abingworth Meadows development (Original application ref: DC/10/1314) to provide for 75 dwellings including 26 affordable dwellings and community studio workshops.	Application Permitted on 25.02.2021
DC/22/0293	Non Material Amendment to previously approved application DC/19/1707 (Revised layout for Phase 3 of the Abingworth Meadows development (Original application ref: DC/10/1314) to provide for 75 dwellings including 26 affordable dwellings and community studio workshops) Amendments to Plots 1-41.	Application Permitted on 14.03.2022

The original consent for the Abingworth site dates back to 2013 (ref: DC/10/1314). Since then, there have been numerous applications to amend the approval.

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 Housing:** Support.
- 3.3 **HDC Environmental Health:** No comments.
- 3.4 **HDC Economic Development:** No comments.
- 3.5 **HDC Landscape:** Comment. The landscaping does not appear to match that approved. No objection is raised to the close boarded fencing to the rear of plots 59-69.

OUTSIDE AGENCIES

- 3.6 **WSCC Highways:** Comment. Overall allocated parking provisions are adequate. A query is raised regarding the number of unallocated parking spaces and materials for the shared surface.
- 3.7 **WSCC Fire & Rescue:** Comment. Conditions are recommended requiring the provision of fire hydrants.
- 3.8 **WSCC Waste & Minerals:** No comment.
- 3.9 **WSCC Surface Water Drainage:** No comment.
- 3.10 **Southern Water:** No objection.
- 3.11 **Natural England (standing advice):** 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.

PUBLIC CONSULTATIONS

- 3.12 **Thakeham Parish:** Objection
Following discussions with the applicant, the Parish have maintained their 'Strong Objection' to the proposal on the following grounds:
- After discussions with the applicant, the Parish now have one sole reason for objection which relates to house designs as they affect bedroom numbers. The Parish is concerned that proposal have achieved a matching number of 114 bedrooms to the original permission by removing internal walls in a number of the houses. The Parish is concerned that these rooms would be subdivided at a later stage to create additional rooms for these larger houses. Extra residents place extra demands on already pressurised local infrastructure. Increase in residents also has implications for water neutrality.
- 3.13 The Parish have also commented that, in discussions with the applicant, their initial concerns regarding the following have now been adequately addressed:
- Land levels and visual impact of Plot 70. Bellway have agreed to swap the house types at plots 70 and 71. Bellway have also addressed concerns regarding finished floor levels and drainage for these plots.

- The applicant has amended the buffer strip plans in line with the Parish's comments.
- The applicant has agreed to amend the boundary treatment to the rear of plots 59-69 to 1.8m close boarded fencing. Bellway have also agreed to amend
- The applicant has agreed to the Parish's comments on pathways and include a short section of permissive path.

3.14 12 representations have been received **objecting** to the application on the following grounds:

- Residents support the Parish's strong objection. The larger bedrooms can be easily divided up to create more rooms for the dwellings.
- There is no connection to the footpath 2487/1.
- The amendments to the design and layout are unacceptable and increase the footprint of the proposal.
- Concerns are raised regarding the impact of the proposal on landscaping, boundaries and footpaths.
- Concern is raised regarding plot 70 and its impact on the existing adjacent properties. Concern is also raised regarding drainage for this plot and the phase as a whole.
- Concern is raised over the red line boundary and the position of the footpath.
- The proposal does not demonstrate water neutrality.
- Lack of parking.
- Impact on trees.
- Impact on biodiversity.

3.15 One objection letter received was withdrawn during the process of the application.

4. EQUALITY AND HUMAN RIGHTS:

4.1 Under the Equality Act 2010, the Council has a legal duty to pay 'due regard' to the need to eliminate discrimination and promote equality, fostering good relations in respect of Race, Disability, Gender including gender reassignment, Age, Sexual Orientation, Pregnancy and maternity, Religion or belief. The Equality Act 2010 will form part of the planning assessment below.

4.2 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.

4.3 Consideration of Human Rights and Equalities 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 considerations in this application are as follows:

- The principle of development.
- The design and layout of the proposal.
- Impact on residential amenity.
- Water neutrality.
- Other consideration including highways, housing mix, rights of way, drainage and the management of the site.

Principle of Development:

6.2 Permission is sought under S73 of the Town and Country Planning Act 1990 to make minor material amendments to plots 42-75 to the east side of the Phase 3 site granted planning permission under application DC/19/1790. Given the previously approved extant planning

permission on this site and the site's allocation within the Thakeham Parish Neighbourhood Plan, there is no objection in principle to the development of this phase of the site.

- 6.3 In respect of Criterion (i) of the Neighbourhood Plan, the development site area is located wholly within the boundaries of the previously approved applications. It should also be noted that under the draft Local Plan Review, it is proposed to include the Abingworth Development site with the built-up-area boundary. In this respect, the proposal is considered acceptable in principle.

Design and Layout:

- 6.4 Policy 32 of the HDPF states that good design is a key element in sustainable development, and seeks to ensure that development promotes a high standard of urban design, architecture and landscape. Policy 33 of the HDPF states that development proposals should make efficient use of land, integrate effectively with the character of the surrounding area, use high quality and appropriate materials, retain landscaping where feasible (and mitigate loss if necessary) and ensure no conflict with the character of the surrounding town or landscape.
- 6.5 Permission is sought for amendments to the layout and appearance of 34 dwellings at plots 42 -75. These dwellings are all to the east side of the site. No amendments are proposed in this application to the development approved within Phase 3 to the west side of the site which has now commenced. The proposal would retain the general arrangement of the housing. As approved, a row of houses would front the site's open space and attenuation pond to the north. The remaining housing to the eastern section is positioned to the rear of this housing backing onto a buffer strip and public right of way. As approved, the housing is accessed from a secondary road coming off the southern side of the main open space.
- 6.6 The main amendment in this proposal is to the design of each dwelling. Each dwelling would be altered in some way, when compared to the original approval. In some cases, the size of each dwelling is slightly increased with the addition of studies. The proposal retains the general arrangement of the housing with 22 detached houses, 3 pairs of semi-detached houses (one house divided into two flats) and a row of three terraced houses. The scheme includes minor amendments to the position of detached garages and car parking spaces for the dwellings.
- 6.7 In terms of design, the proposal would retain the traditional appearance of the dwellings which would match the character and appearance of Abingworth Meadows. The design of the houses is proposed with a mix of hipped and pitched roofs, including front bay extensions and chimneys. The scheme also includes an appropriate mix of materials with tile hanging, brick and timber cladding. Each house has visual interest and would match the charm of this estate.
- 6.8 The current scheme includes minor changes to the landscaping approved for this section. This is partly due to changes to the locations of some of the dwellings. No updated landscaping plans which show these changes in detail have been submitted. As such, a condition is recommended under this current application for full details of the proposed landscaping to be resubmitted for approval. In terms wider landscape impact, this Phase was considered appropriate under the previous permission taking into account the extant permission.
- 6.9 Overall, it is felt that the amendments proposed are appropriate in terms of their design and would complement the high standard of design achieved at Abingworth Meadows. The proposal is therefore in accordance with the above policies.

Housing Mix:

- 6.10 In terms of housing mix, the current scheme makes minor changes to the mix approved under DC/19/1707. The below table shows the changes colour codes with the yellow being no

change, green indicating a decrease in property size, and red an increase in property size. These dwelling sizes include consideration of the proposed studies as bedrooms. The below table indicates all bedrooms / studies, all at first floor level. No bedrooms / studies are proposed at ground floor level for these units, although the dwellings do include small rooms referred to as 'snugs' at ground floor level.

Plots	Approved Bedrooms / Studies		Plots	Proposed Bedrooms / Studies
42	4		42	4
43	4		43	4
44	4		44	3
45	4		45	3
46	4		46	3
47	4		47	3
48	3		48	3
49	1		49	1
50	1		50	2
51	2		51	2
52	3		52	3
53	3		53	3
54	3		54	3
55	3		55	3
56	3		56	3
57	2		57	2
58	3		58	3
59	4		59	5
60	4		60	5
61	4		61	5
62	4		62	5
63	4		63	4
64	3		64	3
65	3		65	3
66	4		66	4
67	3		67	4
68	3		68	4
69	3		69	3
70	4		70	4
71	4		71	3
72	4		72	4
73	4		73	4
74	4		74	3
75	4		75	3

114

114

- 6.11 Overall, the number of 3 bed dwellings has increased from 12 to 19, the number of 4 bed dwellings has reduced from 18 to 9, and four 5 bed dwellings are now proposed. The mix retains a total of 114 bedrooms / studies as approved and is considered appropriate, being more reflective of the Council's latest Strategic Housing Market Assessment which identifies a need for more 3 bed dwellings than 4 bed dwellings.
- 6.12 In relation to affordable housing, the overall approved scheme for Phase 3 includes 26 affordable homes, equivalent to the policy requirement of 35%. The eastern section of the site the subject of this application includes 10 of the approved affordable units. This number

of affordable units remains as granted, albeit two of the 1 bed affordable units are now to be 2 bed units. The other affordable housing units remain as approved in relation to housing mix. The legal agreement under the original permission (DC/19/1707) includes obligations for the delivery of the affordable housing provision.

Impact on Residential Amenity:

- 6.13 Policy 33 of the Horsham District Planning Framework states that permission will be granted for development that does not cause unacceptable harm to the amenity of the occupiers/users of nearby properties and land.
- 6.14 For this proposal, the nearest residential properties are to the north east part of Phase 3. These houses at 17 Penne Stone Way, 5 & 6 Strawberry Close are immediately adjacent the boundary with Phase 3. The proposal includes amendments to the houses at plots 70, 71 and 75, which would be adjacent to the boundary to these properties. As originally submitted, concern was raised from the Parish and from adjacent residents that the amendments to the houses at plots 70 and 71 was unacceptable and that the larger houses would detrimentally impact of the adjacent properties. In response, Bellway Homes have amended the proposal to reduce the size of the two houses at plots 70 & 71. The two houses are now similar in scale to the approved dwellings to these plots. In addition, the dwelling at plot 70 has been moved further away from the boundary to the north to reduce its impact on these existing properties. This proposal for the eastern section of Phase 3 does not directly affect the amenity of any other existing properties. In terms of future residents, the layout of the proposed dwellings is considered appropriate with regards to their impact on each other.
- 6.15 Overall, the proposed separation distances between the proposed dwellings and the existing dwellings is considered satisfactory to not warrant concern regarding overlooking or overshadowing in accordance with Policy 33 of the HDPF.
- 6.16 In relation to the construction works, Phase 3 is covered by a Construction Environmental Management Plan, approved under DC/19/1707. The approved CEMP is applicable to this section of Phase 3.

Water Neutrality:

- 6.17 The application site falls within the Sussex North Water Supply Zone as defined by Natural England which draws its water supply from groundwater abstraction at Hardham. Natural England has issued a Position Statement for applications within the Sussex North Water Supply Zone which states that it cannot be concluded with the required degree of certainty that new development in this zone would not have an adverse effect on the integrity of the Arun Valley SAC, SPA and Ramsar sites.
- 6.18 Natural England advises that plans and projects affecting sites where an existing adverse effect is known will be required to demonstrate, with sufficient certainty, that they will not contribute further to an existing adverse effect. The received advice note advises that the matter of water neutrality should be addressed in assessments to agree and ensure that water use is offset for all new developments within the Sussex North Water Supply Zone. The proposal falls within the Sussex North Water Supply Zone.
- 6.19 For this proposal, as works have commenced on site to the western side of the site, the approved development can be taken as a viable fall back that would be built out in the event this application was not to be granted. This scheme does not increase the number of units already approved on this part of the site, however, as proposed the current amendments would increase the size of some of the proposed houses. As approved, plots 42 - 75 have a total of 114 bedrooms / studies leading to an occupancy rate of 87.54 persons based on 2011 census data. In comparison, the number of proposed bedrooms / studies under this proposal would remain at 114 but with a slightly lower occupancy of 86.78 persons. As such, the amendments do not increase the number of units or occupancy rate when compared to the approved scheme.

- 6.20 The Parish Council have raised concern that the applicants have sought to work around the water neutrality issue by including larger bedrooms in 10 units than were shown on the original plans. They consider that these bedrooms could be sub-divided up at a later stage which would result in a greater occupancy rate than approved. The Local Planning Authority has to take the proposals at face value which in this case is for a development with the floor plans and number of bedrooms as submitted. There is no evidence that the developer or future occupiers would sub-divide their bedrooms in the manner suggested and in any case the internal alteration of a dwelling is not classed as development under s.55 of the Town and Country Planning Act. It would therefore be both unreasonable and unwarranted for the Local Planning Authority to impose a restriction on future internal changes to any of these dwellings.
- 6.21 Therefore, given that the scheme does not increase occupancy rates when compared to the original permission, the granting of this permission would not materially alter the quantum of approved development, nor result in any additional use or cause strain on local water resources over and above the existing consent. For this reason, the Local Planning Authority considers the proposal water neutral, and as such does not consider that the proposal would adversely affect the integrity of the Arun Valley SAC, SPA and Ramsar sites, either alone or in combination with other plans and projects. The grant of permission would not therefore run contrary to policy 31 of the HDPF, NPPF paragraph 180 or the Council's obligations under the Conservation of Habitats and Species Regulations 2017.

Other Considerations:

- 6.22 In relation to highways matters, the proposal would not alter the access to the site or the position of the internal roads for Phase 3, as approved. The scheme would though alter the position of some of the garages approved. In general, the proposal would retain the two or three car parking spaces per plot as approved. For this western section covering units (plots 42-75), the approved scheme included 89 parking spaces (including 21 spaces within garages). The current scheme includes 95 car parking spaces (including 30 spaces within garages). As amended, the scheme includes additional visitor spaces in line with WSCC Highways comments. Also in accordance with WSCC comments, an updated layout has been submitted which changes the road surfacing entering this phase of development to tarmac roads with pavement either side and a block paved shared surface. This makes a distinction for drivers and pedestrians. Overall, the scheme is considered appropriate in terms of its highway impact and parking.
- 6.23 In terms of drainage, drainage details were required by condition under DC/19/1707. These details have been submitted and approved under DISC/21/0333. The current proposal does not affect these approved details. In response to foul water drainage capacity, the agents have clarified that, 'the foul water has been designed to adoptable standards, which states a peak discharge of 4000 litre per dwelling, not calculated on the number of bedrooms. The Micro-Drainage calculations match this peak discharge by assuming 222 litres discharge per person x 3 persons per dwelling x 6 factor for peak discharge = 3996 litres per dwelling. This is a standard discharge that is applied irrespective of the number of bedrooms. This is because dwellings with more bedrooms makes up for flat apartments with less bedrooms, across the site. Therefore, Bellway do not consider the addition of the studies or snugs being considered as bedrooms as a reason to increase the peak foul water discharge from the site.' It should also be noted that the HDC Drainage Engineer has also commented that he has no objections to the proposal.
- 6.24 Since the original permission was granted for Phase 3, it has come to light that the permission did not include any details as to how Phase 3 would be managed in relation to Abingworth Meadows as a whole. As such, an additional condition is recommended under this proposal for details of the Management Company for Phase 3 to be submitted for approval prior to the occupation of any units approved under DC/19/1707.

- 6.25 As a S73 application, the conditions imposed under DC/19/1707 are still applicable to this proposal for amendments to the eastern section. It should be noted that some conditions have been amended to reflect details which have approved under formal applications. The obligations under the legal agreement for DC/19/1707 is also applicable to this proposal. This application does not require any amendments to the legal agreement.

Conclusion:

- 6.26 The proposed amendments are considered minor and would not impact the appearance of the proposal and would be appropriate for the overall character of Abingworth Meadows. The proposal is also considered appropriate in relation to its impact on residential amenity, drainage, highways and parking, landscaping and water neutrality. The application is recommended for approval accordingly.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

Horsham District Council has adopted a Community Infrastructure Levy (CIL) Charging Schedule which took effect on 1st October 2017.

It is considered that this development constitutes CIL liable development.

Use Description	Proposed	Existing	Net Gain
Dwellings	8,596.85	0	8,596.85
		Total Gain	8,596.85
		Total Demolition	0

Please note that the above figures will be reviewed by the CIL Team prior to issuing a CIL Liability Notice and may therefore change.

Exemptions and/or reliefs may be applied for up until the commencement of a chargeable development.

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 and the obligations under the legal agreement agreed under DC/19/1707:

Conditions:

- 1 **Standard Plans Condition:** The development hereby permitted shall be undertaken in full accordance with the approved plans.

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

- 2 **Pre-Commencement Slab Level Condition:** No development above ground floor slab in relation to plots 42-75 hereby permitted shall take place until a schedule of materials and finishes and colours to be used for external walls, windows and roofs of the approved building(s) has been submitted to and approved by the Local Planning Authority in writing and all materials used in the construction of the development hereby permitted shall conform to those approved.

Reason: As this matter is fundamental to enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of

visual quality in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 3 **Pre-Occupation Condition:** Prior to the first occupation (or use) of any part of the development hereby permitted, a landscape management and maintenance plan (including long term design objectives, management responsibilities, a description of landscape components, management prescriptions, maintenance schedules and accompanying plan delineating areas of responsibility) for all communal landscape areas shall be submitted to and approved in writing by the Local Planning Authority. The landscape areas shall thereafter be managed and maintained in accordance with the approved details.

Reason: To ensure a satisfactory development and in the interests of visual amenity and nature conservation in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 4 **Pre-Occupation Condition:** Plots 1 and 2 of the development hereby permitted shall not be occupied until the windows at the first floor side elevation shown on Plan AFF D-A.pe Rev E (received 24.02.2020) have been fitted with obscured glazing. The windows shall be fixed shut/non-openable. Once installed the obscured glazing shall be retained permanently and the window fixed shut/non-openable thereafter.

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

- 5 **Pre-Occupation Condition:** No dwelling hereby permitted shall be first occupied unless and until provision for the storage of refuse and recycling has been provided within the garage or side or rear garden for that dwelling. The 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).

- 6 **Pre-Occupation Condition:** No dwelling hereby permitted shall be occupied or use hereby permitted commenced until the car parking spaces (including garages where applicable) necessary to serve it have been constructed and made available for use in accordance with approved plans. The car parking spaces permitted shall thereafter be retained as such for their designated use.

Reason: To provide car-parking space for the use in accordance with Policy 40 of the Horsham District Planning Framework (2015).

- 7 **Pre-Occupation Condition:** No dwelling hereby permitted shall be occupied or use hereby permitted commenced until the cycle parking facilities serving it have been constructed and made available for use in accordance with approved plans. 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).

- 8 **Pre-Occupation Condition:** Prior to the first occupation of each dwelling, the necessary infrastructure to enable connection to high-speed broadband internet (defined as having speeds greater than 24 megabits per second) shall be provided.

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).

- 9 **Pre-Occupation Condition:** Prior to occupation of the development, details of the Management Company for the development shall be submitted to and approved in writing

by the local planning authority. The approved details shall be implemented as such thereafter, unless otherwise agreed in writing.

Reason: To ensure an appropriate development that meets the needs of future occupiers in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 10 **Pre-Occupation Condition:** Notwithstanding the submitted details, no part of the development hereby permitted shall be first occupied until full details of all hard and soft landscaping works shall have been submitted to and approved, in writing, by the Local Planning Authority. The details shall include plans and measures addressing the following:
- Details of all existing trees and planting to be retained
 - Details of all proposed trees and planting, including schedules specifying species, planting size, densities and plant numbers and tree pit details
 - Details of all hard surfacing materials and finishes
 - Details of all boundary treatments

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 or retained 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).

- 11 **Pre-Occupation Condition:** Prior to the occupation of the development, a Biodiversity Enhancement Strategy for Protected and Priority species shall be submitted to and approved in writing by the local planning authority. The content of the Biodiversity Enhancement Strategy shall include the following:
- a) Purpose and conservation objectives for the proposed enhancement measures;
 - b) detailed designs to achieve stated objectives;
 - c) locations of proposed enhancement measures by appropriate maps and plans;
 - d) persons responsible for implementing the enhancement measures;
 - e) details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details and shall be retained in that manner thereafter.

Reason: 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).

- 12 **Regulatory Condition:** The construction of the site shall be undertaken in accordance with approved Construction Environmental Management Plan, as approved under DISC/21/0260, unless otherwise agreed to in writing by the Local Planning Authority.

Reason: As this matter is fundamental in order to consider the potential impacts on the amenity of nearby occupiers and highway safety during construction and in accordance with Policies 33 and 40 of the Horsham District Planning Framework (2015)

- 13 **Regulatory Condition:** The development shall be implemented in accordance with the lighting design scheme approved under DISC/21/0331. Under no circumstances should any external lighting be installed without prior consent from the local planning authority.

Reason: To allow the LPA to discharge its duties under the UK Habitats Regulations 2017, the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species).

- 14 **Regulatory Condition:** The development shall be implemented in accordance with the details of underground services, as approved under DISC/21/0332.

Reason: As this matter is fundamental to the acceptable delivery of this permission, to ensure the underground services do not conflict with satisfactory development in the interests of amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 15 **Regulatory Condition:** The development shall be implemented in accordance with the details of the proposed means of foul and surface water sewerage disposal, as approved under DISC/21/0133. The approved detail shall thereafter be strictly adhered to, unless otherwise agreed to in writing.

Reason: As this matter is fundamental to ensure that the development incorporates appropriate sewage disposal, and that the system will be appropriately maintained, in accordance with Policy 38 of the Horsham District Planning Framework (2015).

- 16 **Regulatory Condition:** The five workshops units hereby approved shall remain in use as Class E business units as defined in the Town and Country Planning (Use Classes) (Amendment) Regulations 2020, unless otherwise agreed to and approved in writing by the Local Planning Authority.

Reason: To ensure that appropriate use classes occupy the units in relation to neighbouring residential occupants, in accordance with Policies 7 and 33 of the Horsham District Planning Framework (2015).

- 17 **Regulatory Condition:** All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Ecological Impact Assessment (ACD Environmental, October 2019) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW), to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

Reason: To conserve and enhance Protected and Priority species and allow the LPA to discharge its duties under the UK Habitats Regulations, the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species).

- 18 **Regulatory Condition:** If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

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).

- 19 **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).

- 20 **Regulatory Condition:** Notwithstanding plots 42-75 hereby approved, the materials for the rest of the development approved under DC/19/1707 shall strictly accord with those approved under DISC/21/0259 & DISC/22/0138, unless detail of alternative materials have been submitted and approved in writing by the Local Planning Authority prior to development above ground floor slab level commencing.

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).

- 21 **Regulatory Condition:** The development hereby permitted shall be implemented in accordance with plans illustrating proposed finished floor levels and external ground levels for plots 3-5 and 70, as approved under DISC/21/0334.

Reason: As this matter is fundamental to control the development in detail in the interests of amenity and visual impact and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

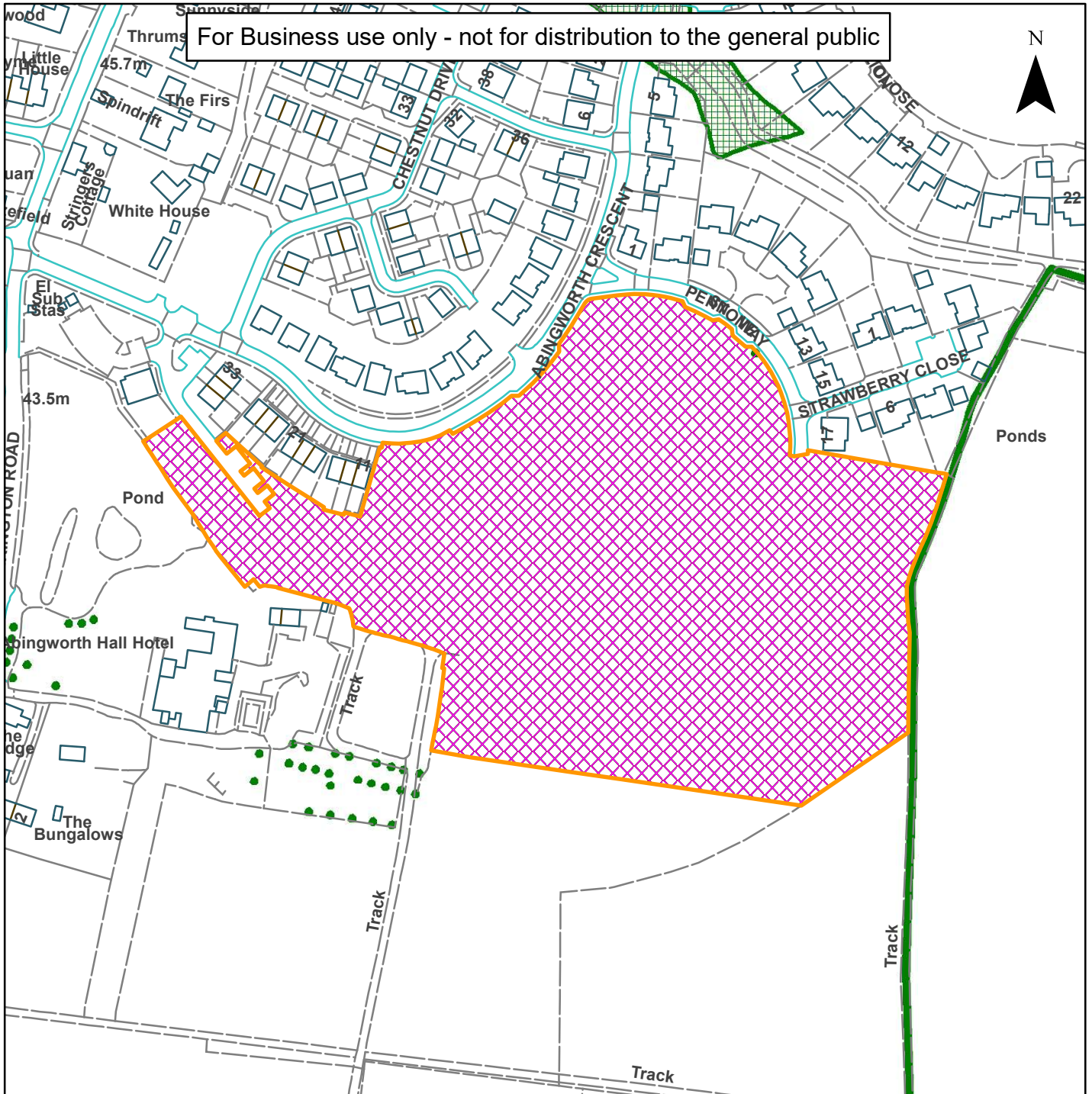
- 22 **Regulatory Condition:** The dwellings hereby permitted shall meet the optional requirement of building regulation G2 to limit the water usage of each dwelling to 110 litres per person per day. The subsequently approved water limiting measures shall thereafter be retained

Reason: As this matter is fundamental 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).



Abingworth Nurseries, Storrington Road, Thakeham, West Sussex

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Organisation	Horsham District Council
Department	
Comments	
Date	09/09/2022
OSA Number	100023865

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**Horsham
District
Council**

PLANNING COMMITTEE REPORT

TO: Planning Committee South

BY: Head of Development and Building Control

DATE: 18 October 2022

DEVELOPMENT: Change of use of barn (Stables/Equestrian) to sui generis to form new game processing workshop.

SITE: Woodmans Farm London Road Ashington West Sussex RH20 3AU

WARD: West Chiltington, Thakeham and Ashington

APPLICATION: DC/22/0695

APPLICANT: **Name:** Mr Anthony Skeet **Address:** Woodmans Farm London Road Ashington West Sussex RH20 3AU

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 refuse planning permission

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 change of use of the 2no. buildings to provide for the processing, packaging and distribution of game meat (a sui generis use) and associated office accommodation.
- 1.3 Chanctonbury Game is an established business currently operating from a site on the Wiston Estate, but following an end to the tenancy, is looking to relocate to Woodmans Farm. The proposal would involve no external alterations to the subject building, albeit that existing windows and doors would likely be replaced, with internal alterations undertaken to provide the necessary areas for the operation, including processing areas for birds and venison, freezer and chiller spaces, and staff mess accommodation.
- 1.4 The access to the site would remain unchanged, with the hardstanding areas to the east and west of the building utilised for loading and distribution purposes.
- 1.5 This application follows a previous refusal for the same development at the same site. The application has sought to address the reasons for refusal through the submission of a

Transport Note, a proposed relocation of the access track between the site and the nearest residential properties, and the submission of additional information to address the water neutrality matter.

DESCRIPTION OF THE SITE

- 1.6 The application building was previously used as a racing stable albeit that this would appear to be excess of the permitted use for private equestrian facilities approved under planning reference WX/4/89. The interior of the building is arranged to provide 22no. stables and managers office. Several of the stables remain in use for the purpose of keeping horses, albeit that the majority are currently unused.
- 1.7 The wider site comprises a number of agricultural buildings used as part of a former dairy farm, with these buildings no longer in use. A cluster of residential dwellings are located to the south-west of the subject building and these comprise converted agricultural barns, with the residential dwelling of Woodmans House located further to the west. These dwellings are located approximately 30m from the western elevation of the subject building, with each benefitting from an off-road parking area and small amenity space.
- 1.8 The wider area is characterised by open countryside and woodland, with the A24 located to the far-west of the site. The surrounding land comprises undulating topography, with the land immediately to the east of the subject building stepped down.

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 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 29 - Equestrian Development
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

RELEVANT NEIGHBOURHOOD PLAN

- 2.5 Wiston Parish voluntarily withdrew the Neighbourhood Plan Area designation on 12 October 2017.

PLANNING HISTORY AND RELEVANT APPLICATIONS

WX/3/86	C/u of 2 bays of existing covered yard from agricultural use to corn merchants mill and retail shop (From old Planning History)	Application 03.06.1986	Refused	on
WX/4/89	C/u of agricultural building to provide stabling for horses (From old Planning History)	Application 11.07.1986	Permitted	on
WX/3/90	Residential holiday complex catering for the physically handicapped - 5 holiday units and 1 farmhouse Site: Woodmans Barn Farm Dial Post	Application 06.09.1993	Permitted	on
WX/6/94	Retention of two mobile homes for domestic purposes Site: Woodmans Farm London Road Ashington	Application 04.07.1994	Refused	on
WX/5/95	Conversion of existing disused barns to form 2 holiday accommodation units, 3 dwellings and parking Site: Woodmans Barn Farm London Road Ashington	Application 08.08.1996	Permitted	on
WX/3/02	Change of use of building to 24 hour security unit Site: Unit 5 Woodmans Barn Farm London Road Ashington	Application 15.04.2002	Permitted	on
WX/9/02	Variation of condition 4 on wx/3/02 to allow sleep over facilities in security unit Site: Woodmans Barn Farm London Road Ashington	Application 30.07.2002	Permitted	on
WX/7/84	Conversion of redundant barn and outbuildings for residential use. one single dwellinghouse (From old Planning History)	Application 18.09.1985	Permitted	on
WX/15/02	Conversion of building into security/sleeping accommodation Site: Small Barn Woodmans Farm Barn London Road Ashington	Application 19.11.2002	Permitted	on
WX/2/03	Conversion of building into security/shepherds & holiday accommodation Site: Woodmans Farmhouse London Road Ashington	Application 15.05.2003	Permitted	on
WX/5/03	Conversion of existing barn to 1 holiday unit for all year round use Site: Unit 2 Woodmans Barn Farm London Road Ashington	Application 29.05.2003	Permitted	on
DC/05/0828	Installation of an underground raw sewage pumping unit to serve the cart shed	Application 25.05.2005	Permitted	on
DC/09/1406	Removal of all occupancy restrictions relating to Unit 1 (owner's farmhouse), Unit 3 (Woodmans Cottage), Unit 6 (The Granary) and removal of Condition 10 of WX/5/95 relating to Unit 7 (The Cartshed) relating to limiting holiday let periods, to enable the letting of all or any of the residential units to others so that the units can continue to be used in conjunction with the stables, gallops and grazing	Withdrawn Application 12.10.2009		on
DC/11/2486	Continued use of former farm buildings as 4 self contained dwellings and 1 to be occupied by owner/farm manager, provision of parking for 10 cars and use of further building as farm office.	Application 07.11.2012	Permitted	on
DC/13/1516	Non-material amendment to previously approved DC/11/2486 (Continued use of former farm buildings as 4 self contained dwellings and 1 to be occupied by owner/farm manager, provision of parking for 10 cars and use of further building as farm office) to include	Application 17.09.2013	Permitted	on

retention of 2 conservation roof lights on Unit 2 Granary Barn and installation of 3 conservation roof lights on south elevation of Unit 6 The Granary in replacement for 3 existing velux roof lights

DC/21/1756 Change of Use from Agricultural Barn Application Refused on (Stables/Equestrian) to Sus Generis to form new game processing workshop 07.02.2022

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:** Given the location of the site and nature of the area, activities at this site are unlikely to have any adverse impact however there are some residential properties in close proximity that may be impacted.

This business will require approval from the Food Standards Agency in order for the business to operate. As part of the initial approval process the operators will be required to demonstrate full details of safe and legal storage & collection of animal by-products waste by a licensed collector. This department would however be responsible for the enforcement of any odour nuisance.

Conditions regarding construction hours, delivery hours, storage, external lighting, and details regarding external plant.

3.3 **HDC Economic Development:** The proposal aligns with several of the key priorities set out in our Economic Strategy. In particular, it supports Priority 2 which highlights the importance of supporting local businesses to start-up, grow and remain within the District. It is important that we facilitate business growth within our District, as it ensures that our existing businesses remain viable in the long-term and contributes towards long-term economic growth. This proposal would enable an established local business to relocate having been given notice on their existing premises. It would allow them to establish a new game processing workshop at the site, providing them with an opportunity for growth. The Department would be in favour of a proposal that supports this existing business in its long-term viability and enables them to continue operating within our District's boundaries.

Moreover, the proposal would also support a local producer, which supplies its meat to local businesses alongside larger wholesalers. The Department is keen to support businesses supplying other businesses and this aligns with the 'Buy Local' approach, which not only supports other local businesses but also contributes towards a more sustainable local economy by maintaining a local supply chain and reducing food miles. As one of the few businesses of its kind within the local area, we would encourage a proposal which enables this business to grow and remain within our District so it can continue to supply its meat to other local businesses.

As well as benefitting the business, the proposal would also continue to support and maintain the jobs that are currently provided by them within the local area. It is also suggested that the creation of this new workshop, could facilitate additional employment opportunities within the local area in the future.

Overall, Economic Development supports this proposal as it enables a local business to grow and remain within the District, supports a local producer supplying other local businesses and has the potential to provide further employment opportunities in the future.

OUTSIDE AGENCIES

3.4 **WSCC Highways:** No Objection

The application site has an existing use of an agricultural barn used as a stable / a livery yard. The development proposals are for the change of use to a game processing workshop for a business being relocated locally. The application site was previously subjected to a similar previous proposal for which no objection was raised from Highway safety or capacity perspective. However, Horsham District Council (HDC) had refused the application because it was not demonstrated that the change of use would not be an intensification of the proposed access arrangements.

The site is accessed off A24 Basing Hill, via an unclassified private road. A24 Basing Hill is a grade separated two-way dual carriageway road, subject to national speed limit of 70mph. There are no changes proposed to the existing access arrangements. An inspection of data supplied by WSCC by Sussex Police over a period of the past five years reveals that there has been a single incident of 'Severe' injury category reported at the site access with A24 Basing Hill. The cause of injury was identified as driver error, which indicates the site access has been operating in a safe manner in its present form.

A detailed trip generation assessment has been carried out within the TN to estimate the likely number of trips and the type of vehicles accessing the previous uses and the proposed uses. Based on a capacity of 18 horses for existing uses and the change of use as a game site, the proposed use is estimated to generate 67 fewer trips throughout the day. Also, the proposed uses will not be using large, articulated vehicles used by the existing uses.

The Local Highway Authority (LHA) does not consider that this proposal would have 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 (NPPF), paragraphs 110 -113, as revised 20th July 2021. Therefore, there are no transport grounds to resist this proposal.

3.5 **WSCC Fire and Rescue:** Having viewed the plans for planning application DC/21/1756, the nearest fire hydrant to the Change of Use from Agricultural Barn (Stables/Equestrian) to Sus Generis to form new game processing workshop is 360 metres away, 270 metres more than the required 90 metres distance for a commercial property. Should an alternative supply of water for firefighting be considered it will need to conform with the details identified in Approved Document – B (ADB) Volume 1 2019 edition: B5 section 16.

3.6 **Natural England - Water Neutrality:** Objection if the development is not water neutral

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.

3.7 **Natural England (received 27.09.2022):** As submitted, the application could have potential significant effects on Arun Valley Special Protection Area (SPA), Special Area of Conservation (SAC) and Ramsar site (together the Habitats Sites). Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation.

The following information is required: a revised water neutrality statement, including an alternative/ additional approach to achieve water neutrality; further evidence of the water consumption at the proposed offsetting mitigation sites, in the form of three years of metered water bills (if still applicable); and evidence of the proposed water usage for the game processing workshop.

Without this information, Natural England may need to object to the proposal.

PUBLIC CONSULTATIONS

3.8 **Wiston Parish Council:** Objection for the following reasons:

- Materially same as previous application
- Access from/to the A24 on a single track bridleway is unacceptable
- Location remains inaccurate regarding the siting of Woodmans Cottages and the nearby pond
- Other residential properties nearby are not referred to
- No mention of whether there would be retail sales which could result in unplanned traffic

3.9 **South Downs National Park Authority:** Deer are an important part of the UK's woodland ecology and can have a vital role to play in balanced woodland and wood-pasture ecosystems. However, recent decades have seen a sharp rise in the UK's deer population. Browsing by deer is now a major threat to the health and resilience of woodlands. Therefore, deer management to achieve sustainable and healthy deer populations is most effective when carried out collaboratively at a landscape scale (due to the free-roaming nature of individual and herds of deer).

Managing deer reduces their browsing and trampling impacts, which is important for biodiversity. By protecting natural regeneration, young trees, growing forests and biodiversity we will be addressing some of the challenges of the climate emergency.

One of the constraints to undertaking deer management is the ability to market the venison, which is processed into high quality and affordable food products. Unfortunately, the number of game dealers has decreased over the last few years and prices have dropped due to cheaper imports. Losing another local game dealer would have a direct negative impact on deer management across the SDNP. This business contributes to SDNP's high quality food sector by providing venison for the local and national markets and helping to sustain jobs in rural communities.

Chanctonbury Game is not only the major processor of game and deer in the region, but it also is a conduit for distribution. It is important to emphasise the significance of Chanctonbury Game to the local and wider community in West Sussex. The employment and supply chain that depends on its continued existence (farms, farm shops, shoots, pet food manufacturers) is something to be taken into consideration.

Deer Management needs an outlet to improve the condition of designated habitats (the condition of many designated sites across the SDNP is declining due to deer pressure/browsing) and to secure the establishment of new woodlands through natural regeneration. It is also worth mentioning that by breaking the food supply chain, deer control might drop, leading to an increase in the population with the subsequent increase in road traffic accidents, crop failures and environmental damage.

This type of business is important for the local economy, its contribution to the provision of jobs, the local food supply chain and the ability of stalkers to source a home for their produce and manage deer numbers in the SDNP. The advantages of local stalkers supplying local game dealers is that the supply chain is short and food miles are greatly reduced. The link to local provenance and traceability of products are increasingly recognised and valued due to the reduced carbon footprint and the importance of knowing the source of those products.

3.10 **Natural England:** West Sussex is one of the most heavily wooded counties in England, with the highest proportion of ancient and semi-natural woodland. Many of these sites are designated as Sites of Species Scientific Interest (SSSIs).

A number of these SSSIs have recently been assessed and found to be in declining condition due to the impact of deer browsing. This includes SSSIs woodlands within Horsham District such as St. Leonard's Forest.

Deer are an important part of the UK's woodland ecology and can have a vital role to play in balanced woodland and wood-pasture ecosystems. However, recent decades have seen a sharp rise in the UK's deer population. Browsing by deer is now a major threat to the health and resilience of many woodlands, and to the favourable condition of woodland SSSIs.

Deer management carried out collaboratively at a landscape scale (due to the free-roaming nature of individual and herds of deer) is therefore essential for the future condition of these SSSIs and other woodland sites.

An essential part of that mechanism is the network of Approved Game Handling Establishments (AGHEs) which take the majority of carcasses resulting from culling operations. Since AGHEs are already scarce, there is concern that if these numbers decrease further, fewer deer will be culled and that may significantly affect current woodland management and the condition of woodland SSSIs.

Understand that the AGHE in the region is undergoing a planning review. This particular AGHE is of critical importance as an outlet for deer carcasses throughout the Wealden area and Western Downs.

3.11 **British Association for Shooting and Conservation (BASC):** Support

As one of just two EC Approved game meat handling establishments (AGHE) in Sussex, Chanctonbury Game Limited is a 'business critical' establishment to a significant number of estates, shoots, and individuals across the county who produce game for processing. Game processing is hugely important to the rural economy, with sales of game meat products growing circa 5% year on year.

The absence of a local processor to meet consumer demand for game meat products (venison, pheasant, partridge, rabbit, woodpigeon and more) would have a significant impact on the rural economy in Sussex and more widely across the south east. If Chanctonbury Game Limited were unable to continue to operate, it would leave a significant gap in the market for which there is currently insufficient capacity elsewhere in the county. The other nearest processors of similar scale are Canterbury in Kent and Petersfield in Hampshire, although they will already be operating to meet the demands of their local suppliers.

Chanctonbury Game has a dedicated local workforce, and should it be unable to continue to trade there would be a direct loss of employment within the district. It is worth considering that the estates / shoots and individuals whom are reliant on Chanctonbury Game make up some of the 13,100 full time jobs in the sector across the south east. The loss of a local processor outlet for their products and resultant scaling back or cessation of activities would have wider consequences for employment within the district and further afield.

The potential impacts go beyond those of economy and employment. Game meat is a sustainable food product which not only puts high quality nutritious food into the food chain, but also delivers a significant biodiversity net-gain in the process through habitat and wildlife management. Again, should estates / shoots / individuals scale back their activities due to the absence of a local game processing establishment then the significant contribution they make to the environment within the district and across Sussex would be seriously diminished.

3.12 66 letters of support have been received from 58 separate households, and these can be summarised as follows:

- Important local business
- Contributes to rural economy

- Provides good quality meat to market
- Reuse of redundant barn
- No impact on neighbouring properties
- No odour or noise
- Necessary business
- Local employer
- The Farm has had cattle and sheep with articulated and rigid lorries
- Increase in road traffic collisions caused by deer if service isn't provide
- Control deer population

3.13 24 letters of objection have been received from 17 separate households, and these can be summarised as follows:

- Likely non-compliance with suggested conditions
- Currently operating from the site without permission
- Increased traffic along the access
- Impact of traffic on neighbouring properties
- Hours of operation
- Dust pollution
- Noise from refrigeration and air conditioning units
- Danger to pedestrians
- Unacceptable access
- Inaccuracies of Water Neutrality Statement
- Identical to previous application
- Inaccuracies of traffic data
- Inappropriate location for business
- Building not used as livery
- Inaccuracy of Statutory Declaration

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 change of use of the 2no. building to provide for the processing, packaging and distribution of game meat (a sui generis use) and associated office accommodation.

6.2 Policy 10 of the Horsham District Planning Framework (HDPF) states, in part, that sustainable rural economic development and enterprise within the District will be encouraged in order to generate local employment opportunities and economic, social and environmental benefits for local communities. In the countryside, development which maintains the quality and character of the area, whilst sustaining its varied and productive social and economic activity will be supported in principle.

- 6.3 In addition, Policy 26 of the HDPF states that outside built-up area boundaries, the rural character and undeveloped nature of the countryside will be protected against inappropriate development. Any proposal must be essential to its countryside location, and in addition meet one of the following criteria: support the needs of agriculture or forestry; enable the extraction of minerals or the disposal of waste; provide for quiet informal recreational use; or enable the sustainable development of rural areas. In addition, proposals must be of a scale appropriate to its countryside character and location. Development will be considered acceptable where it does not lead, either individually or cumulatively, to a significant increase in the overall level of activity in the countryside, and protects, and/or conserves, and/or enhances, the key features and characteristics of the landscape character area in which it is located.
- 6.4 The Planning Statement outlines that Chanctonbury Game has operated for over 20 years and is one of only two licensed approved dealers in West Sussex. The business initially processed game on an individual level, but in later years has grown to processing game for many of the local shoots within the South Downs area. As surplus from shoots became available, the Applicant began purchasing this meat and selling it to local markets. The business now primarily acts as a fully licensed processing establishment, focusing on the processing and sale of fowl and venison to local wholesalers, restaurants and pubs, as well as internationally. It is outlined that the business now processes in excess of 40,000 birds and 1,000 venison carcasses a year.
- 6.5 The proposal seeks to relocate the established rural business to a new site within Horsham District, where it would continue to provide local employment and generate economic benefits for local communities. The proposal would be contained within a building suitable of conversion and would contribute to the rural economy; and would consequently sustain the varied and productive economic activity in the locality. The proposal is therefore considered to result in social and economic benefits that would weigh in favour of the proposal.
- 6.6 While the proposal has the potential to increase the level of activity in the countryside, it is recognised that the proposal relates to a countryside-based enterprise that supports the needs of the rural community. The proposed use would take place within the confines of an existing building, with the nature of such use likely comparable to the former agricultural activity taking place on the wider site. On the balance of these considerations, it is not therefore considered that the proposal would result in a significant increase in the overall level of activity in the countryside.
- 6.7 The proposal would result in social and economic benefits and would support and contribute to the wider rural economy. The proposal would be located within an established building suitable for conversion, and would sustain the countryside-based enterprise. For these reasons, the proposed development is considered acceptable in principle, subject to the detailed consideration of all other planning matters, including the amenity of nearby residential properties.

Design and Appearance

- 6.8 Policies 25, 32, and 33 of the HDPF promote development that protects, conserves and enhances the landscape character from inappropriate development. Proposal should take into account landscape characteristics, with development seeking to provide an attractive, functional and accessible environment that complements the locally distinctive character of the district. Buildings should contribute to a sense of place, and should be of a scale, massing, and appearance that is of a high standard or design and layout which relates sympathetically to the landscape and built surroundings.
- 6.9 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.

- 6.10 The proposed development seeks to convert the existing buildings, with internal alterations to re-configure the floor layout to accommodate the various processing spaces required. External alterations to repair and replace the existing cladding, windows and doors are proposed. This would include the addition of 2no. roller doors on the northern elevation.
- 6.11 The proposed alterations would retain the utilitarian character of the existing building, with no alterations to the form or massing. As such, the proposal is considered to maintain the character of the rural building and result in no further harm to the landscape character and visual amenity of the site and wider surroundings. The proposal is therefore considered to accord with Policies 25, 32, and 33 of the Horsham District Planning Framework (2015).

Amenity Impacts

- 6.12 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.
- 6.13 Paragraph 130 of the NPPF states that planning decisions should ensure that developments will function well and add to the overall quality of the area; establish or maintain a strong sense of place to create attractive and welcoming places; and create places that are safe, inclusive and accessible, with a high standard of amenity of existing and future users. Paragraph 174 of the NPPF states that planning decisions should contribute to and enhance the natural and local environment by "...preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability..." Paragraph 187 furthers that planning decisions should ensure that new development can be integrated effectively with existing businesses and community facilities. Where the operation of an existing business or community facility could have a significant adverse effect on new development in its vicinity, the Applicant should be required to provide suitable mitigation. Paragraph 188 of the NPPF continues that "the focus of planning policies and decisions should be on whether proposed development is an acceptable use of land, rather than the control of processes or emissions."
- 6.14 Residential amenity for the purposes of planning does not focus solely on whether a statutory noise nuisance would occur as a result of the proposed development, but rather gives consideration to other forms of disturbance. Significant loss of amenity will often occur at lower levels of emission than would constitute a statutory nuisance. It is therefore important for planning authorities to consider properly, loss of amenity from noise in the planning process in a wider context and not just from the limited perspective of statutory nuisance.
- 6.15 The Design and Access Statement outlines that game birds and some venison are dropped off at the site, with most venison picked up from site by the Applicant. As a seasonally based business, the number and frequency of vehicle movements and deliveries fluctuates throughout the year. On average, there are approximately 5/6 vehicle movements a week, and an additional 2/3 vehicles a week carried out by the Applicant. The Applicant transports the finished products to local farmers markets, and this is transferred by van, with the deliveries to wholesalers carried out by van or arctic lorry (subject to export) between the hours of 8am and 7pm, but not continuously. From August to December, a loaded van would leave the site on Tuesday at approximately 10am and would return at approximately 3am

the next day, and this would become more frequent (possibly 3/5 times a week) as it gets closer to Christmas.

- 6.16 The Statement outlines that waste is picked up and disposed of by registered waste companies (Gibbs Waste Ltd and Harry Hawkins). Bird and bone waste is stored in 240 litre bins and kept in the fridge until collection where it is moved outside for pick-up. Collection is usually on a Monday morning, and dependent on weather, the bins may be left outside from September onwards, but they are sprayed down to prevent blow flies and odour. This waste is generally picked up by lorry at approximately 6am. Fur and guts are stored in 1100 litre bins and picked up twice a week, usually on a Tuesday and Friday, and sometime during the day (not usually after 5pm).
- 6.17 The site has been subject of a previous planning application under reference DC/21/1756 which was refused on the grounds that the proposal would result in significant adverse impact on the amenities of adjacent residential properties.
- 6.18 The Applicant has sought to address the previous reason for refusal by relocating the proposed access to the building further away from the nearest residential properties (currently this runs directly adjacent to the boundary of the residential properties). No other measures are proposed to address potential noise disturbance.
- 6.19 Since the previous application was considered, the business has moved to the site and is currently operating without the benefit of planning permission. A number of objections have been received regarding potential noise and disturbance arising from the development, particularly given the proximity to the neighbouring residential properties and the potential vehicle movements arising from deliveries and dispatch. Concerns have also been raised with regard to the noise emanating from the refrigeration plant installed at the premises.
- 6.20 The Applicant states that the site has most recently been used as a racing stable for up to 22no. horses. However, from the site visit and representations received, it would seem that this has operated at a far reduced capacity in recent years; with the building currently being used for DIY livery for 2/3 horses. The Statutory Declaration of the former stable manager states that the racing stable closed in 2004, at which point the land was let for livery. The Declaration does however suggest that the wider land ownership is used for agricultural purposes. On this basis, it would appear that the site has been used modestly in recent years, albeit that the wider agricultural activities are not known.
- 6.21 The proposed use has the potential to result in a number of vehicle movements and level of general activity that could adversely impact on the amenity of nearby residential properties, particularly given the proximity of the site to these residential receptors. While it is noted that the application seeks to relocate the access further away, this would be a minimal increase in distance which is not considered to make a considerable difference to the perception or experience of movements and noise resulting from the development.
- 6.22 It is likely that the proposal would involve a high frequency of vehicle movements, of a variety of sizes, to accommodate delivery, dispatch, and waste removal. While it is recognised that the former use for agriculture and as a racing stable would likely have produced a relatively high frequency of vehicle movements, no comparative information has been provided and this does not appear to have operated in recent years. Notwithstanding this, it is likely that the vehicle traffic associated with the equestrian use would primarily have comprised horse trailers and horse boxes. In contrast, the supporting documents outline that the dispatch, delivery and waste vehicles associated with the proposed use would be of a range of sizes, albeit that the Applicant has confirmed that this would primarily comprise cars and vans. From the information submitted, movements associated with the development would occur throughout the day and week, and would take place in the early hours and early evenings.

- 6.23 Following consultation with the Environmental Health Officer, it is recognised that the proposed activities have the potential to impact upon the adjacent residential properties. A number of conditions have been recommended to mitigate potential harm to neighbouring occupiers, including restrictions on hours of use and hours of deliveries. While it is recognised that restrictions on the hours of operation and deliveries would impact the operation of the business, which has sought permission for deliveries in the early hours of the morning (3am to 6am), it is recognised that the proposal would be located in immediate proximity to a number of residential properties. This is a material consideration of significant weight, particularly as all vehicle movements would pass in close proximity to these residential properties. Given the low ambient noise level in this location, and coupled with the early hours as proposed, it is likely that the associated vehicle movements would be recognisable from the residential dwellings, and this has the potential to result in harm. For these reasons, it is considered reasonable and necessary to impose conditions to limit operations and delivery movements to more reasonable hours to reflect the constraints of the site.
- 6.24 It is however noted that neighbours have raised concern with respect of the plant installed to the site, and particularly the refrigeration units. The refrigeration area is located to the western section of the building, which is closest to the neighbouring properties. No detailed information has been received regarding these refrigeration units and any other plant installed at the premises. Given the proximity of the site to residential properties, and following comments from the Environmental Health Officer, it would be anticipated that a Noise Assessment be submitted to provide further information with respect the noise resulting from the plant and any mitigation measures necessary to address this. Without such detail, it has not been demonstrated that the plant installed and required by the operation, would not result in adverse harm to the amenities and sensitivities of the nearby residential properties.
- 6.25 The previous application was refused on the grounds that the development would result in adverse impact on the neighbouring residential properties. Since this decision, the Applicant has moved to the site, with the business operating from the premises. As indicated within the representations received, there is evidence to suggest that the plant installed is noisy, with the site visit undertaken by the Environmental Health Officer confirming this to be the case. While this may not equate to a statutory noise nuisance, limited information has been provided to conclude that the plant in its current form would not result in noise and disturbance in amenity terms. A Noise Assessment would be necessary to fully understand potential impact and offer proportionate mitigation where necessary. On this basis, it has not therefore been demonstrated that the proposal would result in no adverse harm to the amenities and sensitivities of neighbouring properties, contrary to Policies 32 and 33 of the Horsham District Planning Framework (2015).

Highways Impacts

- 6.26 Policies 40 and 41 of the HDPF promote development that provides safe and adequate access, suitable for all users.
- 6.27 Paragraph 111 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Paragraph 110 continues that within this context, development should allow for the efficient delivery of goods, and access by service and emergency vehicles.
- 6.28 The site has been subject of a previous application under reference DC/21/1756 which was refused as it had not been demonstrated that there would not be an intensification of the proposed access arrangements and it had not been demonstrated that the proposal would not have an unacceptable impact on highway safety.

- 6.29 The Applicant has sought to address the reason for refusal through the submission of a Transport Note which contains a detailed trip generation assessment to estimate the likely number of trips and the type of vehicles accessing the previous/proposed uses. This Note does however treat the previous use at full capacity (18 horses). Notwithstanding this, , the Transport Note outlines that the proposed use is estimated to generate 67 fewer trips throughout the day than the previous use. The Technical Note outlines that the proposed business does not use articulated vehicles or fixed bed GHVs, with the majority of movements undertaken by small vehicles and vans.
- 6.30 The Transport Notes as submitted concludes that the proposed development would result in no further intensification of the proposed access arrangements, While it is recognised that the assessment is based upon the stables being occupied at full capacity, which has not been the case in recent years, there are no apparent restrictions that would deter the use from being brought back to full capacity. This is considered of weight in the planning assessment.
- 6.31 No alterations are proposed to the existing access arrangements, with the site currently requiring direct access from the A24. West Sussex County Council Highways have raised no objection to the proposed development. It outlines that an inspection of data supplied by WSCC by Sussex Police over a period of the past five years reveals that there has been a single incident of 'Severe' injury category reported at the site access with A24 Basing Hill. The cause of injury was identified as driver error, which indicates the site access has been operating in a safe manner in its present form. The Local Highways Authority does not consider that the proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impact on the operation of the highway network.
- 6.32 Based on the information submitted, and particularly given that no objection has been raised by WSCC, it is considered that the proposed development would result in no intensification in use of the access nor harm to the function and safety of the public highway network. It is therefore considered that the reason for refusal has been overcome, with the development in accordance with Policy 40 of the Horsham District Planning Framework (2015).

Water Neutrality

- 6.33 The application site falls within the Sussex North Water Supply Zone as defined by Natural England which draws its water supply from groundwater abstraction at Hardham. Natural England has issued a Position Statement for applications within the Sussex North Water Supply Zone which states that it cannot be concluded with the required degree of certainty that new development in this zone would not have an adverse effect on the integrity of the Arun Valley SAC, SPA and Ramsar sites.
- 6.34 Natural England advises that plans and projects affecting sites where an existing adverse effect is known will be required to demonstrate, with sufficient certainty, that they will not contribute further to an existing adverse effect. The received advice note advises that the matter of water neutrality should be addressed in assessments to agree and ensure that water use is offset for all new developments within the Sussex North Water Supply Zone.
- 6.35 The Applicant has submitted a Statutory Declaration from the former manager of Woodmans Farm. This outlined that the site was previously used for the keeping and training of thoroughbred racehorses as a separate business from the agricultural business which was also undertaken on the wider site. The business had over 25 racehorses and employed both a Trainer and 2no. Jockey Lads. During its operation, the site included 20 stables along with other associated equestrian paraphernalia. The racing yard was closed in 2004, at which point the stables and party of the land were let to self-livery clients. No information about the self-livery has been provided, with evidence during the initial site visit indicating that only 2 of the stables were being used for horses. On this basis, and the lack of evidence provided

to demonstrate any water consumption, the existing site is considered to have a nil water consumption.

- 6.36 The Water Neutrality Statement states that the business (Chanctonbury Game) has a water demand of 58.35 litres per person per day. This is based on the installation of dual flush toilets, kitchen/utility taps, and wash down resulting from the nature of the business. A figure has also been included for washing up by employees. The Water Neutrality Statement outlines that an average of 5no. full-time employees work from the premises, with the overall water demand resulting from the number of employees equating to 291.75 litres per day.
- 6.37 The water strategy provided within the Statement outlines that 5no. dwellings would be retrofitted to off-set the demand from the proposed business. This would be achieved through the installation of low flow rate taps (flow restrictors). The water calculator would however seem to suggest that dual flush toilets may also be installed (and this is stated within the notes section), but this is unclear due to the omission of a calculation within the “existing” calculator to compare. Notwithstanding this, the retrofitting calculations provided indicate a total reduction across the dwellings of 339.02 litres per day, which it is stated, would result in neutrality.
- 6.38 The Statement outlines that the existing dwellings (known as The Cart Shed, Stable Cottage, The Granary, The Barn, and South Barn) would be retrofitted with dual flush toilets, along with flow restrictors fitted to the taps. No schedule of the proposed fixtures and fittings has been provided so it is uncertain whether these measures would meet the defined calculations as relied upon to achieve the stated reduction. The Applicant has submitted a schedule of existing fixtures and fittings to confirm the existing situation. The photographic evidence provided does however seem to suggest that the dwellings proposed to be retrofit already benefit from some water efficient fixtures and fittings, including flow restrictors to taps and dual flush toilets. Given these findings, it is considered that the improvement as suggested within the Statement would not be achievable. It is not therefore considered that there is the required certainty to confirm that the proposed off-setting would address the water demand arising from the proposed development. Furthermore, no schedule of proposed fixtures and fittings has been provided to confirm that the suggested retrofits would achieve the reductions as indicated.
- 6.39 On the basis of the above, it is not considered that the water strategy proposed would address the water demand arising from the development, with the proposal not therefore resulting in water neutrality. Furthermore, there is uncertainty that the measures as suggested would achieve and result in the required reduction. An Appropriate Assessment has been undertaken, where it has been concluded that due to the deficiencies as outlined above, insufficient information has been provided to demonstrate with certainty that these measures are achievable and would result in the required reduction to make the development water neutral. It is not therefore possible for Horsham District Council to conclude that, with mitigation, the project will not have an Adverse Effect on the Integrity of the Arun Valley SAC/ SPA /Ramsar site, either alone or in combination with other plan and projects. As such, there is no certainty that the proposal will not contribute further to the existing adverse effect on the integrity of the Arun Valley SAC, SPA and Ramsar sites. In such circumstances the grant of permission would be contrary to Policy 31 of the HDPF, NPPF paragraph 180 and the Council’s obligations under the Conservation of Habitats and Species Regulations 2017.

Conclusion

- 6.40 The proposed development would result in social and economic benefits and would support and contribute to the wider rural economy. The proposal would be located within an established building suitable for conversion, and would sustain the countryside-based enterprise. For these reasons, the proposed development is considered acceptable in principle.

- 6.41 It is considered that sufficient information has been submitted to address previous refusal reason relating to the intensification of the proposed access arrangements and impact on the highway network. However, insufficient information has been provided to demonstrate that the proposed development, particularly given its proximity to residential properties, would not result in adverse harm to the amenities and sensitivities of neighbouring properties through noise and disturbance. Further information, through the submission of a Noise Assessment and appropriate mitigation measures where relevant, would be required.
- 6.42 Furthermore, insufficient information has been provided to demonstrate with a sufficient degree of certainty that the proposed development would not contribute to an existing adverse effect upon the integrity of the internationally designated Arun Valley Special Area of Conservation, Special Protection Area and Ramsar sites by way of increased water abstraction, contrary to Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 179 and 180 of the National Planning Policy Framework (2021), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority Habitats and Species).
- 6.43 It is recognised that Chanctonbury Game offers an important service for the rural community, with associated economic and public benefits. This is considered to be a material consideration of significant weight. However, the proposed location of the business would result in adverse impacts on the amenity and quality of living environment of the nearby residential properties. Further information is necessary to properly understand the impacts in this regard. Furthermore, insufficient information has been provided to demonstrate with a sufficient degree of certainty that the proposed development would not contribute to an existing adverse effect upon the integrity of the internationally designated Arun Valley Special Area of Conservation, Special Protection Area and Ramsar sites. The significant adverse harm arising to the neighbouring residential properties and protected sites is not considered to be outweighed by the economic and public benefits arising from the proposed business, and it is not considered that the imposition of conditions (including a temporary permission) could overcome the concerns raised. For this reason, the proposed development is considered to be contrary to Policies 30, 32, and 33 of the Horsham District Planning Framework (2015).

7. RECOMMENDATIONS

- 7.1 To recommend the application for refusal for the following reasons:

Reason(s) for Refusal:

- 1 Insufficient information has been provided to demonstrate to the satisfaction of the Local Planning Authority that the development would not result in significant adverse harm to the amenities and sensitivities of neighbouring properties through noise and disturbance emanating from plant associated with the operation of the business, contrary to Policies 32 and 33 of the Horsham District Planning Framework (2015).
- 2 Insufficient information has been provided to demonstrate with a sufficient degree of certainty that the proposed development would not contribute to an existing adverse effect upon the integrity of the internationally designated Arun Valley Special Area of Conservation, Special Protection Area and Ramsar sites by way of increased water abstraction, contrary to Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 179 and 180 of the National Planning Policy Framework (2021), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority Habitats & Species).

Background Papers: DC/22/0695
DC/21/1756

08) DC/22/0695

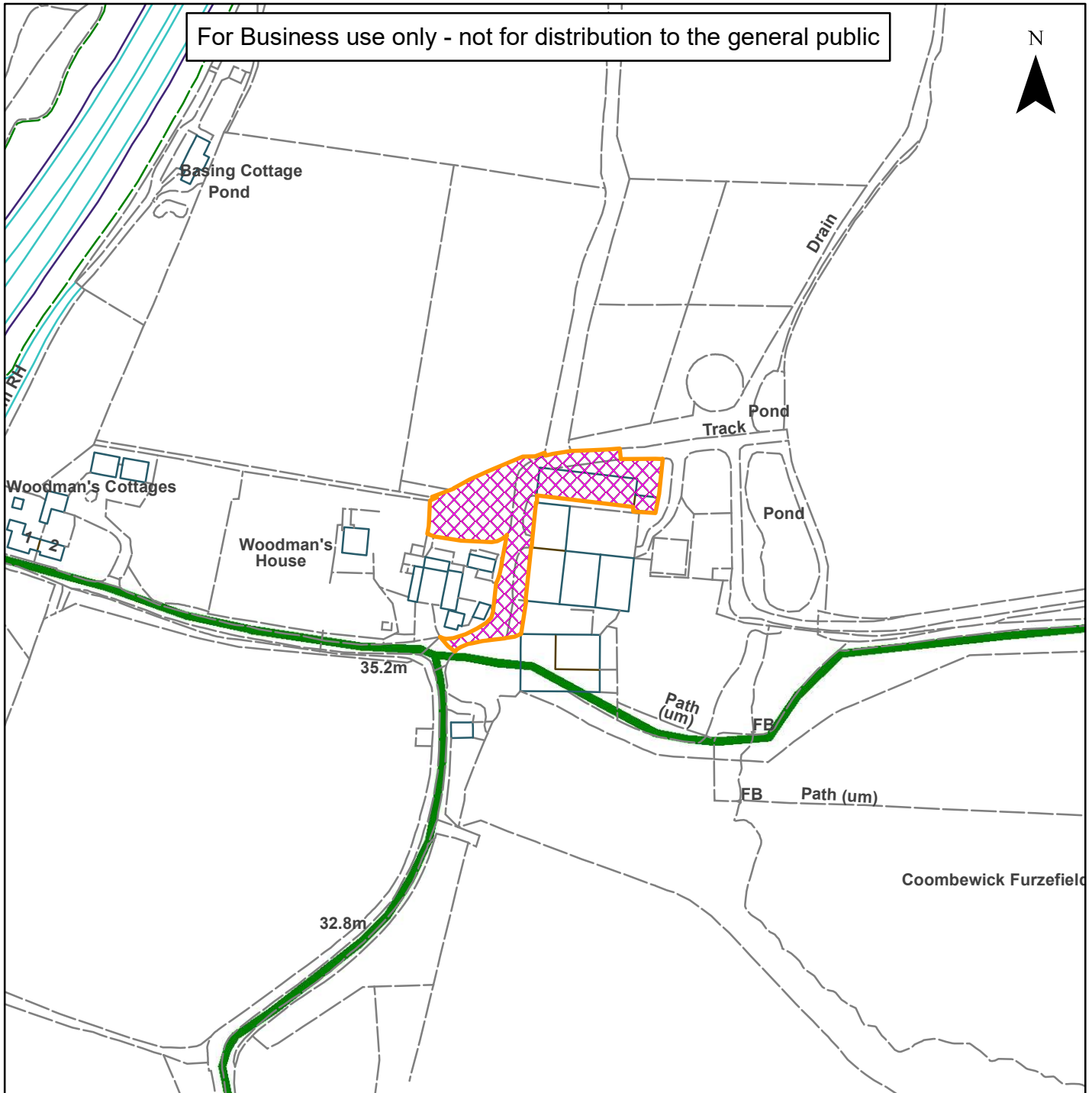


Horsham District Council

Woodmans Farm, London Road, Ashington, West Sussex, RH20 3AU

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Scale: 1:2,500

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Organisation	Horsham District Council
Department	
Comments	
Date	06/10/2022
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