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Planning Committee (South)

Tuesday, 24th January, 2023 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 - 12
To approve as correct the minutes of the meeting held on 20 December 2022. <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>	
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** 13 - 14
Applications for determination by Committee:

6. **DC/21/2161 Old Clayton Boarding Kennels, Storrington Road, Washington** 15 - 60
Ward: Storrington and Washington
Applicant: C/O Agent Dr Chris Lyons

7. **DC/22/0695 Woodmans Farm, London Road, Ashington** 61 - 90
Ward: West Chiltington, Thakeham and Ashington
Applicant: Mr Anthony Skeet

8. **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

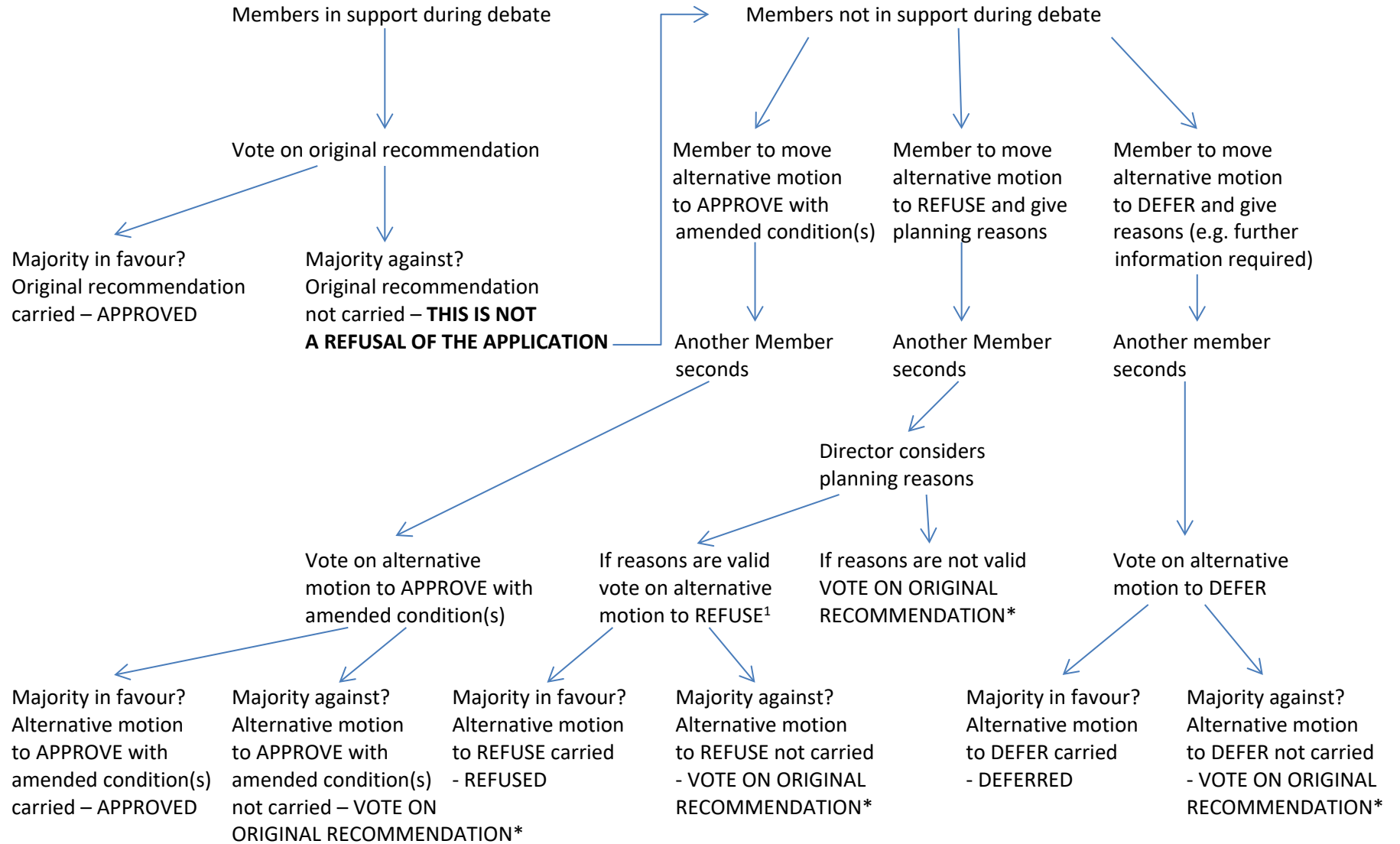
GUIDANCE ON PLANNING COMMITTEE PROCEDURE

(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>

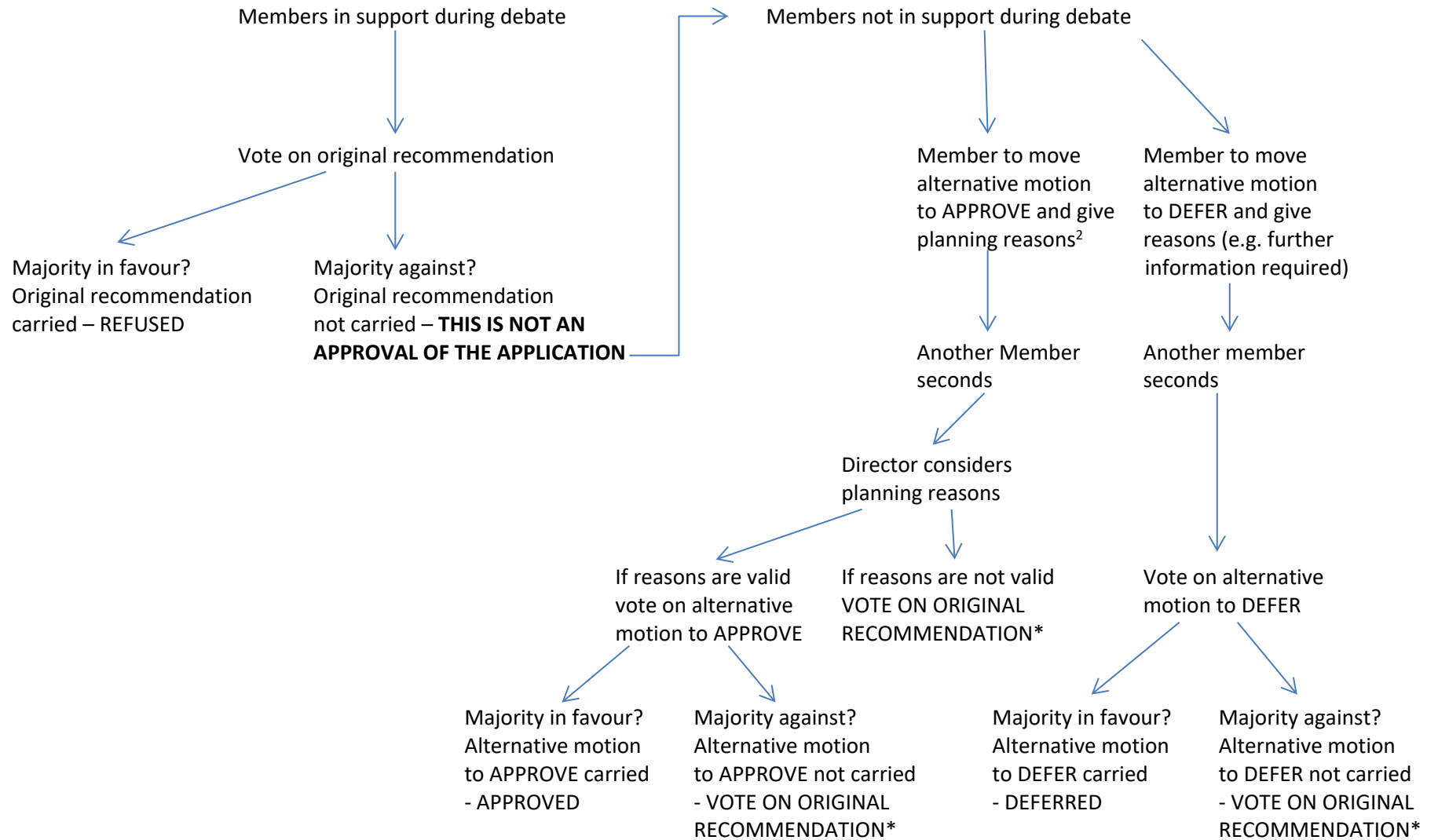
Original recommendation to APPROVE application



*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)
20 DECEMBER 2022

Present: Councillors: Paul Clarke (Vice-Chairman), John Blackall, Jonathan Chowen, Philip Circus, Ray Dawe, Joan Grech, Lynn Lambert, John Milne, Bob Platt, Josh Potts, Kate Rowbottom and Diana van der Klugt

Apologies: Councillors: Tim Lloyd, Michael Croker, Nigel Jupp, Mike Morgan, Roger Noel and James Wright

Absent: Councillors: Chris Brown and Jack Saheid

PCS/24 **MINUTES**

The minutes of the meeting held on 15 November 2022 were approved as a correct record and signed by the Chairman.

PCS/25 **DECLARATIONS OF MEMBERS' INTERESTS**

DC/21/2321 Councillor Paul Clarke declared a pecuniary interest, he left the room for this item and took no part in the discussion or vote.

DC/21/2321 Councillor John Milne chaired this item on behalf of Councillor Paul Clarke who had left the room with a pecuniary interest.

DC/21/2321 Councillor Diana van der Klugt gave a general declaration that she is a member of the South Downs National Park Authority however this did not affect her taking part in the discussion or vote.

PCS/26 **ANNOUNCEMENTS**

There were no announcements.

PCS/27 **APPEALS**

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

PCS/28 **DC/21/2321 LAND AT NEW PLACE FARM, PULBOROUGH.**

The Head of Development & Building Control reported that this application sought outline planning permission for the demolition of existing structures and redevelopment of the site. This would include the erection of 170 new homes (35% affordable), 5 hectares of open green space, new play facilities and an

upgrade to the surrounding rights of way network to include a footbridge over the rail crossing.

Outline permission would be subject to appropriate conditions and the completion of a Section 106 Legal Agreement.

The site covers an area of 16.3 hectares located to the north and west of Glebelands and Drovers Lane, Pulborough. The majority of land is currently used as a commercial nursery – New Place Farm with areas of woodland to the north.

Following three public consultations a total of 117 letters of objections were received from 90 separate households and one from Sussex Area Ramblers. One letter was received, part supporting the proposal.

Since the publication of the Committee report a further 18 letters of representation had been received, 16 objected to the proposal and two in support.

Therefore a total of 135 letters of representation had been received of which 132 were in objection and three in support.

Members noted the planning history of the application.

The applicant and one further speaker spoke in support of the proposal and one spoke in objection.

Members were concerned that the Neighbourhood Plan had not been fully approved and a smaller proposal would have less impact on the local landscape.

Members discussed postponing the decision until a referendum had taken place for the Neighbourhood Plan. Officers advised the application needed to be considered under current planning policy, the site had also been selected for housing allocation in the emerging Neighbourhood Plan and this held significant weight in decision making in favour of the proposal.

Members acknowledged the developer and community had worked together on the proposal to provide much needed affordable housing within the village and the site would provide a country park, BMX pump track and biodiversity which was welcomed by residents.

RESOLVED

That DC/21/2321 be approved subject to the completion of a legal agreement and the conditions set out in the report.

PCS/29 **DC/21/0372 CHANCTONBURY NURSERIES, RECTORY LANE, ASHINGTON.**

The Head of Development & Building Control reported that this application sought full planning permission for complete redevelopment of the site, removing existing glasshouses and storage to deliver 74 dwellings, associated space, parking and landscaping. Full permission would be subject to appropriate conditions and the completion of a Section 106 Legal Agreement.

The site comprises an area of land of 2.39 hectares located on the western side of Ashington and is currently occupied in part by a greenhouse complex to the south and open air storage of caravans/mobile homes in the central area with open land to the north.

Following the adoption of the Ashington Neighbourhood Plan the site lies within the built up area boundary of Ashington.

The Parish Council raised no objections to the proposal. 12 letters of objection had been received from separate households including the Sussex Area Ramblers.

Members noted the planning history of the application.

The agent spoke in support of the application and one speaker spoke in objection.

Members were broadly in support of the proposal as the site had been identified for housing development in the approved Neighbourhood Plan. Further information was requested from Officers on upgrading the footpath on the development site. It was reported the Section 106 legal agreement would secure further details between West Sussex County Council and the applicant.

RESOLVED

That application DC/21/0372 be approved subject to the completion of a legal agreement and conditions set out in the report.

PCS/30 **DC/22/0366 WE PAINT, CAPONS HILL FARM UNIT 3, STATION ROAD, COWFOLD.**

The Head of Development & Building Control reported that this application sought permission for a variation to Condition 6 of previously approved application DC/19/1283 to allow an increase in teaching of martial arts from 10 to a maximum of 25 participants.

DC/19/1283 was considered in November 2019 Planning South Committee and retrospective approval was given for the change of use of existing vacant

building to a club for teaching martial arts. A regulatory condition restricted participants to a maximum of 10 individuals and 1 instructor to safeguard the amenities of neighbouring properties.

Application DC/20/0525 considered in June 2020 was refused at Planning South Committee relating to an increase in class numbers. The site has been subject to a compliance investigation regarding a breach of the relevant condition and this investigation found the club was operating in excess of the permitted number of participants. This application was brought to committee to address the breach.

The application site comprises a single unit within a rural industrial/agricultural estate approximately 330m west of the built up area boundary of Cowfold. The site is accessed via a track to the north side of Station Road A272 which shares access with the residential dwelling of Capons Hill Farmhouse.

Since the publication of the Committee report an addendum was issued with corrections and updates summarising objections from the Parish Council and updates to the correct application site address. The applicant also provided further details endorsing the facility benefiting the local community.

Members noted the planning history of the application.

The Parish Council objected to the proposal. 87 letters of support were received from 79 separate households and 13 letters of objection were received from 9 households.

The agent and one further speaker spoke in support of the application and two speakers spoke in objection. A letter of support was read to the Committee from a registered speaker unable to attend.

Members acknowledged the martial arts club was an excellent facility for the area but questioned if the current location was sustainable for the future of its growth.

It was felt that an increase in traffic and activity generated by increasing class sizes would adversely affect the rural character and amenities of local residents. Members were also concerned about potential highway safety issues with an increase in traffic movements using the access track serving the development. Insufficient information had also been provided to demonstrate that the site would be water neutral.

RESOLVED

That DC/22/0366 be refused for the following reasons:

1. The proposed variation of condition 6 to increase the capacity of the premises would result in a significant level of intensification that would adversely affect the rural character of the locality and amenities of adjoining residents by virtue of the significant

increase in the level of traffic and activity generated, contrary to Policies 33 and 40 of the Horsham District Planning Framework (2015).

2. It has not been demonstrated to the satisfaction of the Local Planning Authority that the access track serving the development can operate safely, with the level of intensification and subsequent level of vehicular traffic movement leading to the potential for highway safety issues, contrary to Policy 40 of the Horsham District Planning Framework (2015).

3. 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).

PCS/31 **DC/22/1507 17 LINK LANE, PULBOROUGH.**

The Head of Development & Building Control reported that this application sought permission for the erection of a two storey, single storey rear extension and single storey front extension to the garage. An existing single storey rear conservatory would be removed.

The site occupied a moderately sized plot on Link Lane and comprised a two storey detached house within the built up area boundary of Pulborough. The dwelling was part of a row of detached and semi-detached houses and the surrounding area consisted of a mixture of properties with varying designs and extensions to the side and rear elevations.

The Parish Council objected to the application and spoke in objection to the proposal at the committee meeting.

Members felt the proposal was well designed, in keeping with surrounding properties and there had been no objections to the application.

RESOLVED

That DC/22/1507 be approved in accordance with Officer recommendation as set out in the report.

The meeting closed at 4.45 pm having commenced at 2.30 pm

CHAIRMAN

Planning Committee (SOUTH)

Date: 24th January 2023



**Horsham
District
Council**

Report on Appeals: 08/12/2022 – 11/01/2023

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/22/1433	1 Blackstone Street Blackstone Henfield West Sussex BN5 9TH	14-Dec-22	Application Refused	N/A
DC/22/0811	Bayley Paddock Mill Lane Partridge Green West Sussex RH13 8JU	16-Dec-22	Application Refused	N/A
DC/22/1515	Solva Blackgate Lane Henfield West Sussex BN5 9HA	09-Jan-23	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/19/1783	Meadow House Brighton Road Woodmancote Henfield West Sussex BN5 9SR	Written Representation	04-Jan-23	Application Refused	N/A
DISC/22/0131	Tea Caddy Cottages Worthing Road West Grinstead West Sussex RH13 8LG	Written Representation	06-Jan-23	Split Decision	N/A
DC/21/1756	Woodmans Farm London Road Ashington West Sussex	Written Representation	10-Jan-23	Application Refused	Application Refused

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/20/1212	2 Nutcroft Pulborough West Sussex RH20 2JF	Informal Hearing	Appeal Allowed	Split Decision	N/A
DC/21/1240	Land East of Pemberley Mill Lane Partridge Green West Sussex	Written Representation	Appeal Dismissed	Application Refused	Application Refused
DC/20/2583	Stables On Land South of Mill Lane Mill Lane Littleworth Partridge Green RH13 8JU	Written Representation	Appeal Dismissed	Split Decision	N/A



**Horsham
District
Council**

PLANNING COMMITTEE REPORT

TO: Planning Committee South

BY: Head of Development and Building Control

DATE: 24th January 2023

DEVELOPMENT: Demolition of existing kennels and cattery buildings/structures, and existing dwellings. Erection of a 60-bed care home (Class C2) and 8No. age restricted bungalows (Class C3) with associated access, landscaping and other works (including relocation of existing staddle stone barn).

SITE: Old Clayton Boarding Kennels Storrington Road Washington Pulborough West Sussex RH20 4AG

WARD: Storrington and Washington

APPLICATION: DC/21/2161

APPLICANT: **Name:** c/o agent Dr Chris Lyons **Address:** Tetra Tech The Pavilion Botleigh Grange Office Hedge End Southampton SO30 2AF

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

RECOMMENDATION: To approve planning permission subject to conditions and the completion of a S106 Legal Agreement. In the event that the legal agreement is not completed within three months of the decision of this Committee, the Director of Place be authorised to refuse permission on the grounds of failure to secure the obligations necessary to make the development acceptable in planning terms.

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.1 This application seeks full planning permission for the demolition of the existing kennels and cattery buildings/structures and existing dwellinghouse and the erection of a 60 bed care home (Planning Use Class C2) and 8 no. age-restricted bungalows (Planning Use Class C3) with associated access, landscaping and ancillary work. The applicant is Highwood Homes Limited and Barchester Healthcare Limited.
- 1.2 The application has been accompanied by a suite of technical plan drawings and a Design and Access Statement (DAS), revised subsequently during determination, in response to

issues raised by consultees and third parties, and now includes a Water Neutrality Statement, a Transport Assessment, Planning Statement (including draft Head of Terms for the legal agreement), Energy Statement, Arboricultural Assessment, Noise Impact Assessment, and a Drainage Strategy.

- 1.3 The proposal is to demolish all structures on the site (existing kennels and cattery buildings/structures and existing dwellinghouses), to construct a highway access from the A283 Storrington Road, and to build a new 60 bed care home accompanied by 8 no. bungalows age restricted to over 55 year olds. The concept of this redevelopment scheme is to set the care home at the rear of the site in the northwest corner, and for the bungalows on the northeast to be arranged in the form of an agricultural farmstead.
- 1.4 The height and scale of the care home building will be two storey. The materials will be dark tiled roof and dark facing cladding to the walls. The proposed care home will meet BREAM Very Good standard. 23 car parking spaces will be provided for care home visitors and staff, along with ambulance/drop-off areas.
- 1.5 The proposed scheme will accord with Barchester's specific operational requirements and aspirations for its care of residents. The proposed care home will be operated within planning Use Class C2 and is expected to provide 47 jobs on the site. Individual bedrooms will have an accessible ensuite. There will be a variety of day-spaces, café, cinema, hairdressers, with staff serving area. The care home will be designed with all ground floor amenity areas and bedrooms to have direct access to external landscape areas. The terraced areas at first floor provide garden spaces and views of the gardens. There are leisure walkways around the care home and within the site. One of these will incorporate a retained historic 'staddle stone barn', relocated to a southern central point of the site in order to facilitate the widened site access.
- 1.6 The 8 no. bungalow units will be for over-55 retirement occupation, secured by the legal agreement. The bungalows will be within planning Use Class C3 and are to be positioned around a central yard with vehicle access to car ports and 16 car parking spaces (2 per bungalow). The bungalows adopt an agricultural influenced vernacular. It is proposed to offer six weeks of marketing on all of the bungalows exclusively to those residing in the parishes of Storrington and Washington.
- 1.7 Vehicular and pedestrian access to the site to serve the new development will be via a widened site entrance direct onto the A283. The access has been designed in accordance with national design guidance. The vehicle access will be widened and the bellmouth formalised with 5.5m-6m width and 3.5m radius on east side and 6m radius on west side. 1.8m wide footway on east side of access will connect to existing footway network. To facilitate the widened site access, the western section of the existing entrance building will be removed and replaced with a smaller 'gatehouse' to create a new walled garden for the existing property and reflect the original access point from the highway, with provision of a new separate pedestrian footway. A pedestrian path will run through the new development from the existing access road, separate from the vehicular site access. A Travel Plan Statement accompanies the application. Provision of Electric vehicle charging points will be provided in line with WSCC guidance.
- 1.8 Sustainable drainage measures will be implemented to avoid exacerbation of flood risk on or off the site; post development surface water run-off is to be managed through a combination of permeable pavement, open grade sub-base and rain gardens, with underground geo-cellular infiltration crates. A SuDS Management and Maintenance plan is to be implemented.
- 1.9 The submission is accompanied by a package of air quality mitigation measures based on an agreed assessment; the layout has taken account of potential risks from noise and a Noise Assessment submitted. Based on the results of this, acoustic glazing and a 2.5 metre

close-boarded perimeter noise barrier is recommended along the southern boundary of site. An accompanying Light Spillage Assessment has considered sky glow levels in the surrounding dark sky landscape and outlines the site is to be lit using bollards for wayfinding.

- 1.10 The draft Head of Terms relate to provisions of the niche housing offer and financial contributions on recreation and transport improvements not covered by the Community Infrastructure Levy to mitigate the impact of the development, in line with the Horsham District Supplementary Planning Document on Planning Obligations and meet the CIL Regulations test. The detail of the obligations are set out later on in this report.
- 1.11 This planning application has been subject to negotiations between this Council and the applicant (Highwood Homes Limited and Barchester Healthcare Limited), with the engagement of West Sussex County Council and the South Downs National Park Authority. Negotiations between Officers and the applicant have secured changes to the original proposal. These are detailed out in later sections of this report.

DESCRIPTION OF THE SITE

- 1.12 The site, within the Parish of Washington, is located on the north side of the A283 Storrington Road, to the east and south of the residential estate of Milford Grange which comprises 78 dwellings built within a former sand workings and engineering workshops. The site is separated from this estate by a steep retaining wall, topped with trees and acoustic fencing. The housing in this estate is generally set at a lower level than the site. The land immediately north of this is Milford Grange Country Park, a 4 hectare Local Green Space Allocation in the Storrington, Sullington and Washington Neighbourhood Plan (SSWNP).
- 1.13 Milford Grange Country Park separates Milford Grange from an extensive residential area known as Heath Grange Common, which rises up Longbury Hill. This area comprises a network of private roads serving secluded detached dwellings in extensive wooded grounds. Other residential dwellings neighbour the site to the south east at West Clayton, a privately owned bungalow. Both the application site and Milford Grange are separated from the urban fringe of Storrington to the west by Sandgate quarry and an area of former sand workings, now the 46 hectare Sandgate Country Park (Policy AL19 of HDC Site Specific Allocations of Land, Local Green Space Allocation and Allocation Community Aim 1 of the SSWNP). Further west is Sullington Warren, an SSSI and National Trust land. Warren Hill and Washington Common, also National Trust land, is the east.
- 1.14 The site area is approximately 1.36 hectares. The site itself comprises a collection of buildings and structures associated with the existing kennels and cattery business (including Staddle Stone Barn, existing yard, and outdoor dog exercise area), and two existing residential timber clad bungalows specifically built as dwellinghouses of kennel staff, their gardens and other incidental grassed areas and hardstandings. Some of the buildings, including the existing yard fronting the main road, form part of the historic curtilage of the Listed Old Clayton, a Grade II Listed former farmhouse, now the kennel's owner's dwelling, which adjoins the site to the south. Parts of the site are maintained as grassed areas, with a variety of trees and shrubs. The site is relatively well enclosed to the east, west, and south by deciduous and coniferous hedgerows and boundary trees.
- 1.15 Existing vehicular and pedestrian access to the site is from an existing track located to the southwest corner of the site, with bellmouth onto the A283 Storrington Road and onward to the A24. Storrington Road is subject to 40 mph speed restriction in this location. Footways exist on the both sides of the A283 (north side 2 metres wide with dropped kerb tactile paving across the site access and south side 1.7 metres). The nearest eastbound bus stop is 30 metres west of the site located adjacent to Milford Grange, on the same side of Storrington Road as the application site. A central refuge island crossing, with dropped kerbs and tactile paving and served by street lighting, is some 80 metres east of the site, allowing safe access

to a westbound bus stop and footway on southern edge of the carriageway. The site is located approximately 1.5 km west of Washington via the A24 and approximately 2km east of Storrington village centre.

- 1.16 The site itself falls outside of the South Downs National Park (SDNP) boundary but within its setting and Dark Night Sky Zone. The immediately adjacent fields east of the site are within the SDNP, the boundary of which also extends to the south of Storrington Road directly opposite the site. Within the SDNP, the landscape presents a very robust rural setting comprising hedged pasture field, woodland blocks and tree belts, scattered cottages and farm buildings. To the east, the land rises to Washington Common and Warren Hill. Approximately 1.5km to the south, the South Downs escarpment rises to over 200m. The South Downs Way runs along the ridge of the escarpment, affording expansive views, including towards Storrington, Heath Common, Warren Hill, the site and the Milford Grange housing estate.
- 1.17 Apart from the grade II listed Old Clayton, the nearest listed building to the site is the Grade II listed Chanctonbury Lodge which is located south of the A283, to the west of the site. The site falls within the Bat Sustainance Zone, the Habitat Regulations Assessment Buffer for The Mens SAC (HDPF Policy 31). The surrounding PRow network is fairly extensive; bridleway 2623 runs west of the site on the north side of the A283 to Warren Hill; bridleway 2697 is on the south side. Bridleway 2627 is east of the site, routed along Hampers Lane. Footpath 2630 is routed around Warren Hill.
- 1.18 The site is within 250 metres of a safeguarded mineral infrastructure (Sandgate quarry) and within a Soft Sand Consultation zone under West Sussex Minerals and Waste Safeguarding Guidance. The site also falls within the London Road landing strip consultation buffer. A Medium pressure gas main runs to the southern edge of the site. The site is in Flood Zone 1, land considered to have very low probability of tidal and fluvial flooding. Storrington Village to the west is designated an Air Quality Management Area.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.
Section 66 (1) and 72 (1) of the Planning (Listed Buildings and Conservation Areas) 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 7 - Strategic Policy: Economic Growth
- Policy 9 - Employment Development
- Policy 10 – Rural Economic Development
- 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 Landscaper Character
- Policy 26 - Strategic Policy: Countryside Protection
- Policy 27 – Strategic Policy: 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

West Sussex Joint Minerals Local Plan (WSCC 2018, Revised 2021)
West Sussex Waste Local Plan (WSCC 2014, Reviewed 2019)

South Downs Local Plan (Adopted 2 July 2019 (2014-33))

Strategic Policy SD4: Landscape Character
Strategic Policy SD6: Safeguarding Views
Strategic Policy SD8: Dark Night Skies

Supplementary Planning Guidance:

Site Specific Allocations of Land document (HDC, 2007) Policy AL19 Sandgate Park, Sullington
Planning Obligations and Affordable Housing SPD (HDC, 2017)
Community Infrastructure Levy (CIL) Charging Schedule (HDC, 2017)
Revised county parking standards and transport contributions methodology (September 2020)

Other Guidance:

Facilitating Appropriate Development document(HDC, Oct 2022)
Biodiversity and Green Infrastructure Planning Advisory Note (HDC, Oct 2022)
Storrington-Sullington Parish Design Statement (July 2010)
Air Quality and emission mitigation guidance for Sussex (Sussex-air, 2021)
The South Downs National Park: View Characterisation and Analysis (LUC, November 2015)

RELEVANT NEIGHBOURHOOD PLAN

Storrington Sullington and Washington Neighbourhood Development Plan (2018-2031) Adopted September 2019

Policy 1 A Spatial Plan for the Parishes
Policy 3 Employment Uses
Policy 8 Countryside Protection
Policy 14 Design
Policy 15 Green Infrastructure and Biodiversity
Policy 16 Local Green Spaces
Policy 17 Traffic and Transport

PLANNING HISTORY AND RELEVANT APPLICATIONS

Past applications on the site include two most relevant outline proposals for 41 new dwellings - DC/14/0921 and DC/15/1737. These applications and subsequent appeal were refused/dismissed on grounds that included overdevelopment, impact upon the setting of the Listed Old Clayton, loss of employment, and harm to the rural setting and South Downs National Park:

DC/14/0921

Demolition of existing kennels and cattery, associated buildings and structures, and West Clayton, the retention of Old Clayton and the redevelopment of the site to provide up to 41 residential dwellings including provision of 40% affordable housing and new vehicular access. All matters reserved except for access

Refused 20 February 2015

Appeal Dismissed 01 August 2016

DC/15/1737

Outline planning permission for demolition of the existing kennels and cattery, associated buildings and structures including three of the four existing residential dwellings with Old Clayton retained and redevelopment of the site to provide up to 41 dwellings with new vehicular access (All matters other than access to be reserved).

Refused 17 September 2015

Also relevant is the outline permission for the adjacent Milford Grange housing estate, allowed at appeal in 2012:

DC/10/1457

Outline planning permission for up to 78 residential units, associated ground preparation works, associated highway and access works, and the first phase of the Sandgate County Plan

Refused 16 May 2012

Appeal ALLOWED 19 November 2012

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

HDC Conservation Officer: No Objection

[summary] Do not disagree with conclusions in heritage statement with regard to impact on listed building through change to its curtilage structures. Satisfied no harm will result from demolition of part of the nineteenth century farm buildings and re-siting of granary.

From a heritage perspective any new development on the site should reinforce a historic rural and agricultural context to mitigate a sense of suburban sprawl. It is important that the site continues to appear as a historic farmstead from the south when viewed from the A283. Although the design of the principal block seeks to reinforce a traditional agricultural character, the scale of the building means this will not be so convincing. However, the detailing and use of traditional materials will give the building an attractive appearance even if its form, scale and proportions remain reminiscent of suburban sheltered accommodation.

The proposed bungalows will be more successful in terms of their architectural interest. The Conservation officer is satisfied that although the proposed development will have an impact on the setting of the adjacent listed building this setting has already been affected by substantial change in the recent past. The proposed development can be considered not to harm the setting where this has already been diluted and effectively reduced in its perceived extent. The listed building will continue to be experienced positively in its immediate setting and with visual connection to its historic farm buildings without significant visual intrusion or intervisibility with the proposed development. It is important that the construction and

detailing is well executed to ensure the quality of the development and conditions are suggested to facilitate this.

HDC Environmental Health: No Objection

Contamination: Reviewed the Omnia Letter Report dated 17 May 2022 and now satisfied that the risks from ground gases has been adequately assessed. However, as detailed in our previous comments, in order to fully quantify the risks to future site users further investigation and chemical testing of soils is required, in particular in areas of the site currently covered by buildings and areas of hardstanding. However happy to request this information through conditions; scheme of investigation; remediation scheme; chemical testing.

Noise: From reviewing the additional information now of the view that noise levels, both internally and in proposed amenity spaces, are capable of being achieved through conditions and we therefore recommend; scheme for protection noise, scheme be completed, completed noise survey.

Construction Phase: During site clearance, preparation, and construction there is the potential for local residents to experience adverse impacts from noise, dust and construction traffic movements. These should be minimised and controlled by the developer and a construction environmental management (CEMP) plan is recommended as a condition:

Air Quality: The clarification note (01/11/2022) still does not provide full details of the model. Having said that, after correction, the model performs well for the worst-case area at the mini-roundabout of Manley's Hill and School Hill. Also, the proposed financial contribution (£5,000) through a S106 agreement towards the provision/maintenance of EV chargers and cycling facilities for the Storrington public car parks and Glebe GP Surgery is very welcome as the funding will allow us to augment local opportunities for EV charging and thus help the transition to EV vehicles by the local community. Therefore, overall find the development acceptable in terms of its predicted impacts on air quality.

HDC Drainage Engineer: No Objection

No overall objection to surface water drainage strategy. Suitable drainage conditions should be applied that show full details of the measures to dispose of both foul and surface water. Plus evident to show agreement in place for ongoing maintenance of SuDs and SuDs will be adopted by third party.

HDC Building Control: Advice

The structural engineer says no extra loads will be applied to the retaining wall so nothing to add at this time other than to say that the buildings are well away from that boundary implication.

OUTSIDE AGENCIES

Natural England: No Objection subject to appropriate mitigation being secured.

We consider that without appropriate mitigation the application would have an adverse effect on the integrity of Arun Valley Special Protection Area (SPA), Special Area of Conservation (SAC) and Ramsar site. In order to mitigate these adverse effects and make the development acceptable, the following mitigation options should be secured:

- The development should achieve lower than Southern Water's 100 litres per person per day target using efficient fittings and rainwater harvesting.
- Implementation of water saving measures in Red Oaks care home to off-set remaining demand.

We advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures.

Reading Agricultural Consultants: Comment

There is no industry standard data for the water required for the kennels and the requirements can change depending on breed and size of dog, weather and exercise but from what we have seen they seem reasonably accurate.

South Downs National Park Authority: Comment

Latest comments 6 October 2022: The SDNPA has previously provided consultation responses on 25th October 2021 and 21st July 2022. Whilst the SDNPA maintains a general concern with regard to the bulk/massing of the proposed care home building on the west side of the site, the recently submitted landscaping and planting details (including additional tree planting within and along the southern edge of the site) are welcomed and would help to reduce the impacts upon views from the higher ground within the SDNP.

21 July 2022: The SDNPA provided comments (as a neighbouring authority) on the above application in October 2021. No formal objection was raised, but concerns were expressed with particular regard to the bulk/massing of the proposed care home building on the west side of the site when viewed from higher ground (scarp slope and ridge) within the SDNP. We recommended that a development in this location should be broken down into smaller scale elements and, in particular, there should be more articulation in roof form. We also stated a preference for flat-roof elements to be avoided.

25 Oct 2021: Whilst no concern at the general principle of redevelopment of this site, the mass of the western care home block does raise concerns in terms of distant views from the higher ground to the south. In order to sit better into its context, a development in this location should be broken down into smaller scale elements and, in particular, there should be more articulation in roof form. It would also be preferable if the inclusion of flat roof elements can be avoided. It may therefore be that a care home is not the best use for this site if such design considerations cannot be accommodated.

If the LPA is minded to grant permission for the scheme, this should be subject to a landscaping scheme ensuring that trees are provided throughout the site to maintain the existing character of filtered views. Such tree planting must be of an appropriate species, both in terms of landscape character and biodiversity value, of a suitable size/maturity, and a scheme to ensure the long-term care and replacement of any dead/dying specimens should be agreed.

Landscape Architect Consultant: No Objection subject to recommendations and/or conditions.

[summary] Deem the proposals are appropriate in landscape terms and will not significantly impact on visual amenity, nor the special qualities of the SDNP landscape and its setting. If minded for approval, soft landscape, hard landscape and management plan conditions should be considered.

Previously raised concerns regarding the bulk/massing of the proposed built form and how this will be viewed from higher ground (scarp slope and ridge). Though the massing has not been altered, welcome the landscape amendments proposed, including additional tree planting with the residential development to reduce visual impacts and to reflect the guidelines set out in the Landscape Character Assessment.

On this basis, deem the proposals are appropriate in landscape terms and will not significantly impact on visual amenity, nor the special qualities of the SDNP landscape and its setting.

If minded for approval, we would recommend the following conditions are considered: Prior to commencement of development: soft landscaping scheme; prior to commencement of development: hard landscape scheme; prior to commencement: landscape management plan.

Environment Agency: No Objection provided conditions are attached.

21 Oct 2021: Without conditions, object because it cannot be guaranteed development will not be put at unacceptable risk from unacceptable levels of water pollution. Conditions – Development on land affected by contamination; Verification Report; Previously unidentified contamination.

28 Feb 2022: I note that in our response letter (dated 21 October 2021) to this application we requested a number of planning conditions, and did not raise any points that need addressing as such. Would just say that our response still stands as it is.

Southern Water: No Objection

Can provide for foul sewage disposal to serve this development. Applicant confirms SuDs to be maintained in private ownership and maintenance.

Archaeology Consultant: No Objection subject to conditions.

It is evident the site has archaeological potential. Archaeological deposits are fragile and finite.

Ecology Consultant: No Objection subject to attached conditions.

[summary] Reviewed the Ecological Appraisal (Tetrastich, Sept 2021) and the Badger and Bat Report (Tetrastich, Nov 2021) supplied by the applicant, relating to the likely impacts of development on Protected & Priority habitats and species - particularly Badger and bats – and the identification of proportionate mitigation.

Satisfied that there is sufficient ecological information available for determination. This provides certainty for the LPA of the likely impacts on Protected and Priority species and, with appropriate mitigation measures secured, the development can be made acceptable.

Impacts will be minimised such that the proposal is acceptable subject to the conditions below. In terms of biodiversity net gain, the enhancements proposed will contribute to this aim.

Submission for approval and implementation of the details below should be a condition of any planning consent: Action required in accordance with Ecological Appraisal Recommendations; Prior to Commencement: CEMP for Biodiversity; Prior to any works above slab level: Biodiversity Enhancement Strategy; Prior to occupation: wildlife sensitive lighting design scheme.

WSCC Highways: No Objection

[summary] The Local Highway Authority does not consider that the 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 (paragraph 111), and that there are no transport grounds to resist the proposal. If the Local Planning Authority is minded to grant planning consent the following conditions and informative notes would be advised:

No development until vehicle access constructed; No occupation until vehicle parking and turning spaces constructed; No occupation until Electric Vehicle Charging spaces provided; No occupation until cycle parking spaces provided; No development until Construction Management Plan.

We can accept the Travel Plan Statement provided on this occasion. Suggest the 10k for PROW stays as advised. The 15k towards highway matters is included to facilitate a sign and any left over money could be allocated towards footway surfacing improvements along the A283 towards Storrington. This would ensure an improved access to PROW network, along the immediate stretch of A283 outside of the site and to immediate PROW. This is site specific to the development.

WSSC Minerals and Waste: No Objection.

For the determining authority to determine the level of weight to give the safeguarding of the mineral resource. Would suggest that a condition to secure incidental extraction be considered should the LPA deem this necessary when considering the application with regard to the planning balance.

WSSC Public Right of Way: Comment

Bridleway 2627 follows Hamper Lane so this wouldn't need any work as imagine its already fit for road traffic so suitable for PRow users. Most of the PRow routes off Washington Road along this section seem to be metaled roads so wouldn't benefit from any funding. Elsewhere, sought contributions for local PRow improvements (e.g. within 5km of site) and this may benefit surface conditions or access (new gates etc) within a reasonable distance of the proposal.

WSSC Fire Services: Advice

If a requirement for additional water supply is identified by the Fire and Rescue Service and is subsequently not supplied, there is an increased risk for the Service to control a potential fire. It is therefore recommended that the hydrant condition securing 1 Hydrant is implemented

PUBLIC CONSULTATIONS

- 3.2 13 representations of Objection received from 13 separate addresses, including Milford Grange (Storrington) Management Company Ltd, raising the following matters:

Unsustainable location.

Care homes normally located within, or close to, town and village centres, for access to local amenities and services. This increases wellbeing of residents. The site is far from local amenities, and only practical means of accessing these would be by car or infrequent public transport. Lacks safe and effective walking routes to amenities. Employees likely to drive. Opens door to more private housing.

Loss of Kennels

Kennels been fully booked so still doing well. Family and friends all use the kennels as do many others on the estate and very little noise.

Visual and Environmental Impact, including South Downs National Park

Incongruous and unsympathetic visual impact of efficiently a four storey height and scale of building when viewed from Milford Grange and Milford Grange Country Park and South Downs National Park, given its elevated position. Ridge lines of properties in Milford Grange coincide with footings of care home. Size, density and prominence not suitable in proximity to National Park.

Impact to Listed Building

Unacceptable harm to significance of Grade II Listed Building Old Clayton. Contrary to Listed Buildings and Conservation Areas Act, local and national policies. Heritage assessment poor. Would radically transform setting and character. Legibility of historic farmstead harmed by needless demolition of substantial portion of historic courtyard. Harm at upper end of "less than substantial", with loss of context, appreciation, historic fabric and form.

Procedure

Application is missing elevations and technical details. Three-week public consultation during the August holiday period insufficient. Guidance a minimum of 12 weeks. Notification not sent to all 78 properties of Milford Grange, only homes sharing site boundary. Management Company received no formal notification. Only minor corrections as result of consultation.

Loss of local ownership and control to an offshore Private Equity Group. Fails to acknowledge significant interest by Milford Grange Management Company and its membership (all freehold property owners at Milford Grange). Highwood verbally refused indemnifying Milford Grange. Management Company will look to Horsham District Council to secure appropriate bonds and indemnities from the developer.

Residential Amenity

Loss of Privacy, including from north facing windows of care home into neighbour's bedrooms. Exacerbated by removal of trees on the site. Overshadowing. Construction, vehicle and traffic noise. Adverse effect on our view of the countryside. Affects value of our property. Noise and vibration disturbance at random times of the day and night from medical back up power generator.

Retaining embankment and retaining walls on estate

Risk to stability and integrity of embankment and retaining walls from removal of trees on site, water seepage and possible soil piping from underground concentrations of captured surface water in gravel infiltration trenches and the sub-base from hard surfaces. No survey undertaken. Not built to withstand the construction, weight and vibration of redevelopment. No indemnity offered.

Milford Grange Country Park

Country Park is privately owned and requires levy on annual maintenance fees. Potential increase in maintenance costs from increased footfall. Paths are not suitable for elderly, disabled or infirm.

Insufficient infrastructure

Existing utility problems- gas and electric supply is sparse, effluent system not designated to accommodate additional development. Increased pressure on existing Milford Grange SUDS infrastructure and contamination.

Harm to Ecology (including Water Neutrality)

Ecosystem would suffer dramatically. No assessment of possible ecological impacts (contamination) on balancing ponds on estate from increased surface water runoff. Loss of trees. Contravenes Natural England statement for Sussex North Water Supply Zone.

Highway Safety and Capacity

Exacerbation of existing traffic congestions on A283 and difficulty turning tight from estate, and the risk of accidents. Four recent traffic accidents at this location. Needless risk of elderly crossing busy road to ride a bus to Storrington. Road does not allow safe crossing, nor are measures proposed. Most direct route (1.5 miles) alongside A283 on very narrow, unmaintained footpath, which switches sides of the road (no pedestrian crossing). Alternative (and longer) routes to Storrington mean using narrow roads with no footpath. Bin and Fire truck tracking in practice impossible.

Parking

25 spaces is not sufficient to service the care home (minimum 16 staff would leave 9 spaces for peripatetic services, deliveries, visitors). Will be overflow parking in Milford Grange. Milford Grange has limited parking. Not permitted to park on the roadway, but difficult (and expensive) to prevent outsiders doing so. Kerbside parking causes damage and threatens services and danger to visually impaired and children.

- 3.3 2 representations of Support received from 2 separate address, raising the following:

Great idea to accommodate elderly. Kennels are object of complaints by residents of Milford Grange. Friends have moved from estate because of the noise. To remove them seems perfect answer. Traffic will less than the kennels.

3.5 **Washington Parish Council: Strong Objection (October 2021)**

Two applications to develop this site had been rejected (DC/14/0921 and DC/15/1737) and a further application for bungalows at West Clayton Farm refused.

Raise following concerns:

- Located in countryside, outside of Built-up Area Boundary. Not allocated. Contrary to Horsham District Planning Framework and Storrington & Sullington and Washington Neighbourhood Plan.
- Overdevelopment and inappropriate location for a rest home. Results in overlooking and loss of privacy for neighbours at Milford Grange. Risk of 'ribbon development' along A283, diminishing countryside between Storrington and Washington. Important green space.
- Separate isolated development.
- Grade II Listed Old Clayton House must be protected and under no circumstances moved. Re-location would result in substantial harm, and would not outweigh great weight assigned to a heritage asset.
- Access onto major arterial road will increase traffic congestion and compromise safety. Further compromise air quality.
- Adverse impact on rural environment, ecology, and views. Visible from South Downs National Park and obtrusive to neighbours at Milford Grange.
- No provisions for facilities within the site to mitigate impact on health, leisure and education infrastructure. Significant impact on drainage system at Milford Grange, already at capacity.
- Light pollution will be increased in area which is designated as an Unlit Parish and SDNPA Dark skies policy.

Washington Parish Council Re-consultation (Sept 2022)

Changes make no difference to the Parish Council's objection of October 2021

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

4.1 Under the Equalities Act 2010, the Council must, in the exercise of its functions, have due regard to the need to:

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic [Age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation] and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The Committee must be mindful of this duty when determining all applications. The Equality Act 2010 has formed part of the planning assessment below and Officers have had full regard to this duty in the assessment of this application.

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. 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 ASSESSMENT

- 6.1 The principle issues to consider in the determination of this application are; the acceptability of the site redevelopment having regard to national and local planning policies relating to development in the countryside and housing need; the effect of the proposed development on landscape character and appearance, including the setting of the South Downs National Park; the harm to the Grade II Listed 'Old Clayton' balanced against public benefit; the impact on the amenity of existing and future occupiers; whether adequate drainage and safe vehicular and pedestrian access can be provided to the site; the impact of the development on highway and pedestrian safety; and whether the proposals will impact on protected species and habitats.

Principle of redevelopment

- 6.2 The overall strategy of the Horsham Development Planning Framework (HDPF) is to direct development to the most sustainable locations (Policies 1 and 2) and, to that end, identifies a hierarchy of settlements (Policy 3). Storrington is a tier two 'small town and larger village' in this settlement hierarchy. Policy 4 explains settlement expansion outside Built-Up Area Boundaries can be supported where a proposal meets a number of provisos. This includes where new development adjoining an existing settlement edge (such as the case here, with the site abutting Milford Grange housing estate, albeit Milford Grange does not fall within the defined Built up Area Boundary). Nonetheless, the application site is located outside of any Built-Up Area Boundary and is not allocated for residential development in either the HDPF or the Storrington Sullington and Washington Neighbourhood Plan (SSWNP), therefore the proposal conflicts with Policy 4 of the HDPF.
- 6.3 As the site is within the countryside, HDPF Policy 26 (Countryside Protection) requires development be essential to its countryside location and be of a scale appropriate to its character and location which does not lead to a significant increase in activity, with key landscape features and characteristics protected. This is generally consistent with National Plan Policy which sets out the need to recognise the intrinsic character and beauty of the countryside when considering new development. The proposal is not in itself essential to this countryside location.
- 6.4 Within the neighbourhood plan, SSWNP Policy 1: A Spatial Plan for the Parishes expressly supports development proposals outside the Built Up Area of Washington if '*it results in the reuse of previously developed land outside the South Downs National Park, provided the proposals accords with other policies in the development plan*', such as in respect of the management of development in countryside. In this instance, the site comprises a kennels and cattery which is considered to be previously developed land, therefore Policy SSWNP 1 supports the development proposals in principle.
- 6.5 HDPF Policy 18 (Retirement Housing and Specialist Care) specifically addresses how applications for retirement housing and specialist care housing, such as the application proposals, are to be considered. This policy provides that:
- Proposals for development which provide retirement housing and specialist care housing will be encouraged and supported where it is accessible by foot or public transport to local shops, services, community facilities and the wider public transport network. The Council will particularly encourage schemes that meet identified local needs for those on lower incomes and provide affordable accommodation for rent or shared ownership / equity.*
- 6.6 This policy does not restrict such sites to being within Built-Up Area Boundaries. The supporting text of the policy goes on to state that consideration be given to any site-specific constraints and the detail of the scheme. As such, the HDPF and SSWNP Policy framework provides that the principle of redevelopment of the site with retirement and specialist care

housing with more efficient use of previously developed land can be considered acceptable, subject to the detailed considerations as set out below.

Need

- 6.7 National Planning Policy instructs Local Planning Authorities to ensure a sufficient amount and variety of land comes forward where needed, and that the needs of groups with specific housing requirements are addressed. The size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies, including, but not limited to, older people. The NPPF glossary defines “Older people” as “People over or approaching retirement age, including the active, newly retired through to the very frail elderly; and whose housing needs can encompass accessible, adaptable general needs housing through to the full range of retirement and specialised housing for those with support or care needs.”
- 6.8 The number of Horsham District elderly residents is forecast to rise. Evidence of identifiable need for specialist older people housing in Horsham District for the elderly has, mostly recently, been established by the evidence gathered in the ICENI Northern West Sussex Strategic Housing Market Assessment (Nov 2019). This is a rigorous assessment of future demand, and clearly demonstrates unmet need for elderly accommodation within Horsham District, and a need for places in the market catchment area for Horsham.
- 6.9 The ICENI report analysis concludes there will be a notable increase in the older person population, with the total number of people aged 65 and over projected to increase by 61% to 2039. This compares with overall population growth of 24%. The findings confirm that aged related illnesses/disabilities (dementia and mobility problems) are expected to increase significantly in the future as the population grows. The proportion of older people expected to change is tabled below-

Table 57: Projected Change in Population of Older Persons (2019 to 2039) – Horsham

	2019	2039	Change in population	% change
Under 65	109,628	124,366	14,739	13.4%
65-74	17,125	23,432	6,306	36.8%
75-84	10,851	18,886	8,035	74.0%
85+	4,739	10,358	5,619	118.6%
Total	142,343	177,042	34,699	24.4%
Total 65+	32,716	52,676	19,960	61.0%

Source: Demographic Projections

- 6.10 Given the ageing population and higher levels of disability and health problems amongst older people there is likely to be an increased requirement for specialist housing options moving forward. The prevalence rates used in analysis are based on the Housing LIN Strategic Housing for Older People Analysis Tool (SHOP@). This sets out a series of baseline rates that form a starting point for assessing appropriate prevalence rates to apply. This analysis suggests a need for 140 units of accommodation per 1,000 population aged 75 and over in Horsham.
- 6.11 The table below shows estimated needs for different types of specialist housing for Horsham linked to the Standard Method projections. The analysis shows a potentially high need for leasehold (market) accommodation in Horsham as well as a need for rented accommodation. Overall, the analysis in Horsham suggests a need for 2,087 additional units by 2039 (equivalent to 104 per annum)

Table 63: Older Persons' Dwelling Requirements 2019 to 2039 - Horsham

		Housing demand per 1,000 75+	Current supply	2019 demand	Current shortfall/ (surplus)	Additional demand to 2039	Shortfall/ (surplus) by 2039
Housing with support ³⁷	Rented	36	912	556	-356 ³⁸	487	131
	Leasehold	67	968	1,050	82	919	1,001
Housing with care	Rented	16	97	244	147	213	360
	Leasehold	21	32	334	302	293	595
Total		140	2,009	2,183	174	1,912	2,087

Source: Derived from demographic projections and Housing LIN/HOPSR/EAC

- 6.12 The ICENI analysis demonstrates that high levels of care accommodation are likely to be needed. Given this, there is a clear need for accommodation of this kind, and that such a need is becoming more acute which helps demonstrate an exceptional need and a public interest associated with providing this type of specialised housing for the elderly. The applicant has also submitted their own research evidence, which concludes a demonstration of local demand and need given a significant shortfall of specialist accommodation for older people in and around Storrington.
- 6.13 In addition to its purpose to enhance landscape, the Local Planning Authority also has a duty to seek to foster the social and economic well-being of the community. This development would help to meet the need for specialist accommodation within the district, and allow older people a greater degree of independence and flexibility in the way they live and chose to receive the care they need. It is also recognised that the development may have the potential for a contribution to the local economy by providing employment opportunities.

Housing Land Supply

- 6.14 On the figures in the Council's own Annual Monitoring Report 2021-2022, the Council can demonstrate only 60% (3.0 years) Five Year Housing Land Supply. The HDPF was five years old in November 2020. National Policy instructs that relevant policies for the supply of housing should not be considered up-to-date if a five year supply of housing land cannot be demonstrated, as is the case for Horsham District. This has consequences on the reliance that can be placed on those policies in reaching a decision. The previous appeal decision to dismiss the 41 dwelling housing estate in 2016 was at a time when the HDPF was one year old and the Council could demonstrate a five-year-housing land supply. The impact of the Council's housing land supply position on the balance of considerations is addressed in the conclusion.

Appropriate Location

- 6.15 HDPF Policy 18 sets out a number of provisions whereby a need for accommodation for the elderly can be met outside settlement boundaries; Policy 18 seeks to apply locational criteria requiring that such sites be accessible by foot or public transport to local shops, services, community facilities and the wider public transport network.
- 6.16 The nearest settlement is Storrington which has a number of services and facilities that are reflective of its second tier designation as a small town/larger village – this is defined as a settlement with a good range of services and facilities, strong community networks, and also benefits from a reasonable public transport network. Storrington in this regard has a large range of shops and a doctor's surgery amongst other services and facilities. The centre of Storrington is 2km from the application site.
- 6.17 As concluded by the Inspector in the previous appeal on this site (DC/14/0921 refers) for a new residential estate of general market housing, the site is some distance from these services and the pedestrian route via the A283 disadvantageous (narrow, in places unlit and

very close to the carriageway edge). As he also noted, the alternative, slightly longer pedestrian route along Hamper's Lane and through Heath Common would be unlikely to be used (distances involved, unattractiveness and safety issues).

- 6.18 The type of accommodation now proposed and consequently, the accessibility requirements of future residents, is of very different nature when compared to that of the appeal scheme. The Inspector's findings on the site location for a general market housing scheme has reduced significance for a care home and age restricted housing, as day-to-day services would be provided on site and the residents, being aged people, would have less need to be close to schools and employment sites, for instance. The proposed care home would provide a number of onsite facilities for residents (day-spaces, café, cinema, hairdressers, with staff serving area), further reducing the amount of travel. The care element of the proposal will also provide mainly for the frail not expected to leave a home unaccompanied. However, accessibility by means of travel other than private car remains relevant when considering the impact of trips by staff and visitor on sustainable development policy.
- 6.19 Convenient and safe access to the bus stop shelters provided on the A283 just outside the Milford Grange would allow an appropriate level of transportation mode choice for future residents if they need or desire access to services outside of those planned for within the development. There are reasonably frequent daytime bus services to Storrington village and other local centres. The bus service to Horsham runs every hour Monday – Saturday. The bus service to Worthing runs every hour Monday-Saturday and every 2 hours on a Sunday. Services were improved as required by the Inspector when approving the adjacent Milford Grange housing estate at appeal in 2012 (DC/10/1457 refers).
- 6.20 Additionally, improvements to existing pedestrian connectivity (footway surfacing improvements along the A283, a warning sign in the vicinity of the crossing outside of the site, and improvements to the Public Right of Way network) for future residents and their visitors to local services in Storrington village centre, and to enjoy and learn the special qualities of the National Park have been secured from the applicant (as supported by SSWNP Policy 12). These, as well as a 20k contribution toward Milford Grange County Park, will assist in also reducing the acknowledged future use pressures on designated Local Green Spaces and other amenities open to the public and widely used for recreation near to the site. As such, this development proposal would not prejudice fulfilment of Community Aim 1 *Creation of the Sandgate County Park*, in accordance with HDPF Policy 4 iv and Site Specific Allocations of Land document (HDC, 2007) Policy AL19.

Loss of Employment land

- 6.21 HDPF Policy 9 seeks to protect employment sites to ensure there are sufficient local employment opportunities to meet the needs of the District. Outside key employment areas, the Policy requires proposals for the redevelopment of employment sites to demonstrate that the site/premises are no longer needed and/or viable for employment use. The site is currently in use as a kennels/cattery (sui generis use). Employment sites are generally considered B1 (now E.g.(iii))/B2/B8) which this is not but nevertheless the site as existing offers some employment more generally. The evidence submitted with the application of the non-viability of the site for the current commercial purposes is though somewhat lacking.
- 6.22 The applicant has presented that the existing kennels and cattery business became unviable during the COVID Pandemic and is planning to close. At the time of writing of this committee report, the kennels business remains in operation. Nonetheless, the proposal is expected to provide 47 jobs on the site and will employ people into various different types of jobs including management, administration, carers, and support staff. It is likely that many of these jobs will be filled locally and therefore provide increased employment opportunities. As a result, while the previous housing estate applications on the site were refused for the loss of jobs, this proposal will increase the number of jobs located on the site from around the current 18 to an expected 47. Your Officers therefore consider the proposal would not conflict with HDPF

employment policies, in particular Policy 9, as it provides a substitute viable employment use, for a quantity and quality of jobs in the care sector, which is a growth industry currently in demand.

Elderly Accommodation, Affordable Housing and Mix

- 6.23 The scheme would provide important niche market care / age-restricted accommodation within the district. The proposed mix of homes would cater for older residents enabling them to continue to live locally, which could potentially free up existing family size homes within the district. This in turn has the potential to alleviate the pressure elsewhere within rural locations to deliver general housing. There would also be benefits for elderly people currently living in unsuitable accommodation achieved through increased housing choice within the district.
- 6.24 The care home element of the proposal would operate as a traditional form of care accommodation, and therefore falls within Use Class C2 (Residential Institution). As such, this element would not be required to generate an affordable housing contribution and is £0 rated development for the purposes of the Authority's Community Infrastructure Levy (CIL) charging schedule.
- 6.25 Apart from an age restriction, there is no details of the minimum eligibility criteria and supporting care provisions in relation to future occupiers of the bungalows, so the Council considers 8 bungalows would fall within Use Class C3 (dwellinghouse) and, as such, would attract a CIL charge.
- 6.26 Having drawn that distinction, your Officers are of the opinion that the proposed care element cannot be considered as providing dwellings and thus HDPF Policy 16 (which seeks 35% affordable housing contributions to be secured on all proposals for residential developments above a certain scale) cannot apply. However, Policy 18 requires supported schemes to meet identified needs for those on lower incomes.
- 6.27 In terms of the care home, it has been secured that 10% of care home beds, equivalent to 6 units, will have local authority rates for occupation, and the appropriate local government adult care body will have nomination rights subject to agreement with Horsham District Council.
- 6.28 All 8 bungalows will be prioritised in marketing for those with a local connection. This means a person with a connection with the administrative area of Horsham District Council by means of residence, employment or family connection. Regards will be paid to the residents of Parishes of Storrington, Sullington and Washington in a cascade system before moving onto residents of Horsham District Council and then the wider area. The bungalows will be restricted to over-55's occupancy by the legal agreement.
- 6.29 It is likely that many people seeking to move into this type of accommodation in later life will choose a location where they have previously lived or where family connections exist rather than moving somewhere completely new. In your Officer's opinion, the significant and growing need within the District makes it likely that residents of the district would occupy most of the units.
- 6.30 It is noted that Policy 18 does not provide further information on the percentage and type of affordable housing such development should provide. Likewise, the Council's Planning Obligations and Affordable Housing SPD provides no further relevant detail. In the absence of such information, officers are of the view that the affordable housing offer is acceptable to meet the requirements of Policy 18.

Heritage

- 6.31 Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 require special regard to be had to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses. National Planning Policy at Chapter 16 of the NPPF follows these statutory provisions and seeks to positively manage changes to the historic environment to ensure sufficient flexibility whilst conserving the important and irreplaceable nature of the designated asset. These duties are reflected in HDPF Policy 34.

Archaeology

- 6.32 It is evident from archaeological deposits in the area, particularly prehistoric burial activity, that the site has archaeological potential. Archaeological works following the grant of planning consent can be secured by planning condition (Written Scheme of Investigation and post investigation assessment).

Built Heritage

- 6.33 The wider site beyond the red line (application) boundary includes Grade II Listed Building Old Clayton, a former farmhouse, said to date back to the C16th but with subsequent mainly C19th and C20th extensions and alterations. A group of brick built, traditional outbuildings arranged around a courtyard are within the curtilage of the Listed Building, and together with the house, for a historic farmstead. The farm buildings are prominently positioned close to Storrington Road. The former farmhouse is set further back and, apart from the upper parts of the roof and the chimneys, is not conspicuously visible from Storrington Road.
- 6.34 The Council's Conservation Officer considers the historic buildings in use by the kennel business do form part of the historic farmstead (Phase 1 (pre-dating 1839): the timber framed granary; Phase 2 (1839 to c.1875) The main courtyard; and Phase 3 (1960 to c.2009) The kennels/cattery buildings). These historic farm buildings are nineteenth century constructions that replaced older farm buildings based on the age of the farmhouse, Old Clayton. Despite low level of historic or architectural interest they do reinforce the special interest of the listed farmhouse albeit in a limited way. Implementation of the development proposals would require the demolition and clearance of all the existing built structures within the red line (application) boundary, although it is intended that the timber-framed granary would be retained and re-sited at the southern entrance to the development. The Council's Conservation Officer does not disagree with the conclusions reached in the applicant's submitted heritage statement with regard to the impact on the special interest of the listed building through change to its curtilage structures. The historic farmstead of Old Clayton has undergone substantial change in the more recent past particularly in the mid to late twentieth century. In the case of the granary, its re-siting and rebuilding will mitigate this impact. The Council's Conservation officer is therefore satisfied no harm will result from the proposed demolition of part of the nineteenth century farm buildings and the re-siting of the granary.
- 6.35 Nonetheless, it is important the historic context of Old Clayton is not diluted through needless demolition or a suburbanisation of the site. From a heritage perspective, any new development on the site should reinforce a historic rural and agricultural context to mitigate a sense of suburban sprawl. It is important that the site continues to appear as a historic farmstead from the south when viewed from the A283. Replacement buildings at the front of the site present a strong boundary with the A283. This area of the site should remain appreciable as a historic farmstead even if the existing buildings are altered or demolished. The Conservation Officer appreciates the work to ensure the proposed access and redesign of the southern boundary of the site does not advertise a relatively high density residential development. This work comprising; a new agricultural style building close to site entrance; making good the west end of retained east-west range; reopening the historic entrance to the stables courtyard to access the retained outbuildings and provision of a new walled

enclosure). Although the design of the care home building seeks to reinforce a traditional agricultural character, the scale of the building means this will not be so convincing. However, the detailing and use of traditional materials will give the building an attractive appearance even if its form, scale and proportions remain reminiscent of suburban sheltered accommodation. The proposed bungalows will be more successful in the Conservation Officer's view in terms of their architectural interest. The proposed bungalows are arranged and designed to reinforce a narrative of agricultural activity and character. Separation of the historic farm buildings and the proposed development is avoided, so preserving the setting of the listed building.

- 6.36 The Council's Conservation Officer is content the impact to the setting of the Listed Building can be managed with this approach. The historic farm granary building (late nineteenth century O.S. maps and may be older than the brick built nineteenth century ranges) has been moved and repurposed as a recreational building in communal gardens. A specific request is that any plant or other hardware to be placed on the roofs should be designed in from the outset so it can be well concealed and integrated into an attractive roof form. Other requested conditions relate to architectural detailing such as roof detailing/junctions and windows but are not considered necessary to impose by planning officers as the bungalows are within the setting of Old Clayton and the plan drawings already submitted demonstrate the quality of development would be sufficiently well executed.
- 6.37 In summary, the Council's Conservation Officer is satisfied that although the proposed development will have an impact on the setting of the adjacent listed building this setting has already been affected by substantial change in the recent past. The proposed development can be considered not to harm the setting where this has already been diluted and effectively reduced in its perceived extent. The listed building will continue to be experienced positively in its immediate setting and with visual connection to its historic farm buildings without significant visual intrusion or inter-visibility with the proposed development.
- 6.38 The proposal is not therefore considered contrary to HDPF Policy 34, or the requirements National Planning Policy with regard to the protection of designated heritage assets. The proposal would satisfy the statutory tests in the 1990 Act.

Landscape Character and Design

South Downs National Park

- 6.39 National Planning Policy at paragraph 176 of the NPPF advises that development within the setting of a National Park should be sensitively located and designed to avoid or minimise adverse impacts on the designated area. This includes its purpose for designation, its special qualities, and South Downs National Park Partnership Management Plan (2020-25). The Council has heeded the advice of the South Downs National Park Authority to refine the proposal in consultation (Oct 2021, July 2022, and Oct 2022) and given consideration to National Planning Policy and relevant local policies SD4 and SD6 of the South Downs Local Plan (2014-33). The outcome being that both planning authorities conclude the proposal as amended would not conflict with the statutory duties and National and Local Policy with regard to the setting of the National Park for reasons discussed in detail later on in this report.
- 6.40 HDPF Policies 25 and 26 seek to safeguard the natural environment and landscape and countryside character, and HDPF Policy 33 sets out development principles in order to conserve and enhance the natural and built environment. Likewise SWWNP Policy 15 Green Infrastructure & Biodiversity lays out criterion principles for the layout and landscape schemes of development proposals, to protect and maintain and enhance green infrastructure. SSWNP Policy 14 requires the scheme design to reflect its surroundings. SSWNP Policy 8 protects certain views in surrounding countryside.

- 6.41 In the Horsham District Landscape Character Assessment (Oct 2003) the site is within the Parham and Storrington Wooded Farmlands and Heaths landscape character area; rolling sandy ridges with oak-birch woodland, conifer plantations, heathlands and rough pasture. The area is characterised by mostly well hedged pasture fields. Given the relatively low-rise building form of the existing development, and the tree belt on the west boundary, the site is a transition between the prominent development of Milford Grange and the rural landscape of the National Park abutting the eastern and southern site boundaries.
- 6.42 In the most recent Landscape Capacity Study (2020) the site lies within Local Landscape Character Area (LLCA) 61: Sandgate Park. Overall, the LLCAs landscape capacity is deemed 'moderate' and therefore some areas have the ability to accommodate development, though each proposal needs to be considered on its individual merit to ensure there are no unacceptable adverse impacts. The site falls within the 'Views from the scarp looking north across the Low Weald outside the NP' view type of the South Downs National Park: View Characterisation and Analysis (LUC, November 2015). To prevent harm occurring, this report states that built development needs to be integrated into its rural landscape context using native vegetation and visibility from the SDNP minimised.
- 6.43 Concerns on landscape grounds were upheld at the previous housing estate appeal on the site, in particular how that scheme addressed the portion of the site to the east, which is directly adjacent to the South Downs National Park and how that affected its setting. There was also the issue of harm to National Park setting from views from the National Park south of the A283 looking north towards the site. Subsequent to that appeal, the adoption of SSWNP Policy 8 protects some views from the National Park looking south towards the site and onwards to fields adjacent to Sullington Lane and A283. The proposal would impact on these protected views.
- 6.44 The present scheme is accompanied by a Landscape and Visual Appraisal. This includes identification of the impacts (positive and negative) on landscape character, views and perceptual qualities to the landscape setting of the National Park. The proposal is accompanied with representative viewpoints, which demonstrate the site being visible in the wider landscape to the south. These include from the National Park (The South Downs Way; Sullington Hill; and Chanctonbury Ring) and other publicly accessible areas to the south and on higher ground.

Views

- 6.45 The new proposal has been considered in respect of these views and how views towards the escarpment are maintained from within the site. The effects the proposal will have on the landscape has been assessed; the site seems prominent to public views from a number of vantage points including looking south at high ground level within the National Park. Nonetheless, The Council's consultant Landscape Architect has concluded that the present scheme does not appear as a formulaic and suburban development from these distances as the previous housing estate appeal scheme. The advice of the South Downs National Park Authority and the Council's own consultant Landscape Architect is that the current proposals are more suitable than the previous housing scheme, and their initial concerns have been overcome with the submission of the Landscape and Visual Appraisal and mitigation measures.
- 6.46 Their professional advice is that key to mitigating the views and quality of the view from the National Park towards the site, and visual and character impacts more generally, is the treatment of roofs and building materials as well as the public realm (including plenty of soft landscape including trees for a tree cover/wooded appearance from above). In respect of this, the new scheme has adopted a different approach to the sensitive northeast corner of the site; the plan form and elevation detail of the bungalows, by virtue of being more reflective of agricultural courtyards expected to be found in the countryside, addresses some of the criticism on character points in the previous appeal scheme.

6.47 On the care home building itself, including views of it from Milford Grange and the obvious level difference between the site and Milford Grange Estate, and in particular its large scale and bulk and the extensive roof, it is judged that its plan form and elevation detail help break up the expanse of building form and its large roof. Following commentary from the Council, revised plans show the addition of a barn hoist feature and some of the flat roofed elements being lowered, to create wells behind false ridges. The barn hoist feature, although raising the overall height, brings a feature of interest into an otherwise plain roof slope (albeit somewhat contrived). Whilst there has not been substantial change to break down and articulate the roofs otherwise, the care home building is located on the less sensitive west side of the site and its overall design approach is deliberately subdued, with pared down detailing and use of dark cladding and brown brick. It is recommended by the Council's consultant Landscape Architect that an Environmental Colour Assessment be applied to ensure appropriate tones and colours are used, and this can be secured by condition. In marked contrast, the development next door, Milford Grange, is readily identifiable from the Downs as the red roofs and white render stands out.

Mitigation

- 6.48 As advised by the National Park Authority and the Council's consultant Landscape Architect, it is necessary for the proposed landscape mitigation to be realised to overcome or reduce harm. The harmful effects of the loss of part of the green corridor to the east as result of the adjacent Milford Grange development, can already be experienced.
- 6.49 Following revisions to the scheme layout, appropriate space is now allowed for meaningful landscape buffers to be retained and planted or to be able to provide important planting to mitigate views from the SDNP and retain the wooded character of the area and as appreciated from the vantage points. This includes the buffer to the sensitive east boundary which abuts the SDNP. This will be now be outside the bungalow plots reducing future pressure for felling or canopy reduction, ensuring retention and protection of planting longer term. Similarly along the north boundary, where there is already planting in place and this will be substituted with additional planting. The concern is not so much about the arboricultural quality of the tree stock along these boundaries (the removal of the existing conifers along the north is accepted for instance), but rather their contribution to the green infrastructure and as a structuring element in the landscape.
- 6.50 Whilst the National Park Authority maintains a general concern with regard to the bulk/massing of the proposed care home building (Oct 2022), the recently submitted landscaping and planting details (including additional tree planting within and along the southern edge of the site) are welcomed. In that authority's view would help to reduce the impacts upon views from the higher ground (scarp slope and ridge) within the National Park.
- 6.51 Likewise, whilst the Council's consultant Landscape Architect had previously raised concerns regarding the bulk/massing of the proposed built form, and it is noted that the massing has not been altered, the landscape amendments proposed, including additional tree planting, reduce visual impacts and reflect the guidance set out in the Landscape Character Assessment. On this basis, the proposals are deemed appropriate in landscape terms and will not significantly impact on visual amenity.
- 6.52 The mitigation proposed would ensure the viewpoints of the new development would be for the most part visually contained with boundary vegetation, which would provide a robust edge to the new development. In particular, a strong defensible boundary on the sensitive east side of the site would remain and the adjoining fields would continue to contribute to the rural environment and qualities of the National Park.
- 6.53 As the landscaping is fundamental to the acceptability of the scheme to mitigate harm, it is necessary, as advised by the Council's consultant Landscape Architect, that conditions that

secure the delivery of the precise details of the landscape scheme and associated Management Plan submitted to the Council at pre-commencement stage rather than at occupation.

Matters separate to mitigation

- 6.54 The quality of the open space to be provided for future residents is considered an appropriate balance between manicured and ornamental garden/ spaces that support the needs of users and the natural environment, the wooded character and other ecology objectives. New planting, for instance, reflects the local prevalent habitat and native species identified in the Council's Landscape Character Assessment and nearby Sullington Warrant SSSI, in contribution to Biodiversity Net Gain. A light spillage assessment submitted with the application demonstrates the impact on the South Downs International Dark Sky Reserve designation through contribution to upwards sky glow, and through potential visual impacts of new light sources in the wider landscape, has been limited. The landscaping would reduce further potential glare and spillage light spill once matured. Subject to the previous assessment in regard to impact upon heritage, the buildings and structures to be demolished to facilitate the new development are not of noteworthy architectural merit and their removal is not resisted.
- 6.55 Overall, the proposed landscaping scheme would comply with SSWNP Policy 15 which requires, amongst other things; retention of existing hedgerows and trees wherever possible (i), with indigenous species for wildlife in new planting (ii and iii), and that landscaping is multifunctional and connected with green and biodiversity corridors (iv and vi), with ongoing maintenance provision of effective screening (v).

Summary of Landscape and Design Matters

- 6.56 Other development proposals have been previously recommend for refusal on this site on landscape and townscape character, visual amenity and design. However, those applications proposed two storey homes of a very different style, form and layout to that subject to this current planning application as well as a new access closer to the boundary with the National Park and the demolition of West Clayton.
- 6.57 The scale and extent of development within the setting of the National Park has been assessed and judged to be located and designed to avoid adverse impacts upon the National Park. This includes taking into account visual impacts. The Council, having heeded the advice of the South Downs National Park Authority, which does not object to the proposal, has fulfilled its statutory duties in this regard; good design and mitigation has ensured that the scenic quality and special qualities of the landscape of the National Park are conserved.
- 6.58 The scheme is redevelopment of previously developed land; there will be no physical take up of countryside with avoidance of settlement coalescence. The scheme makes efficient use of land and optimises the provision and use of buildings, appropriately designed to reflect surroundings, and open space within the site with appropriate landscaping; harm to wider landscape character and appearance, including protected views, is mitigated. It provides an attractive, functional, accessible, and safe environment, in compliance with the principles of National Design Policy and HDPF Policies 25, 27, 26, 32 and 33 and SSWNP Policies 8 and 14 and 15.

Environmental Protection and Amenity Impacts

Contamination and Light Pollution

- 6.59 The majority of the site is on the Folkestone Formation which is designated as a Principal Aquifer. The far south west is underlain by the Gault Clay, designated as unproductive. A historic landfill named 'west of RMC workshops historic landfill' lies to the west and north of

the site and crosses into the site in some areas. Therefore, there is the potential for contaminated material to be present. The previous use of the proposed development as a landfill and for farming presents a high risk of contamination that could be mobilised during construction to pollute controlled waters. Controlled waters are particularly sensitive in this location because the proposed development site is located on a Principal Aquifer. The Environment Agency has confirmed the submitted Phase I and II Geo Environmental Site Assessment (A11530/1.0 June 2021) indicates that it will be possible to manage the risk posed to controlled waters by this development. Whilst the Council's Environmental Protection team are now satisfied that the risk from ground gases has been adequately addressed (Omina Letter Report, May 2022), in order to fully quantify the risks further investigation and chemical tests of soils is required, in particular in areas of the site currently covered by buildings and areas of hardstanding. Separately, it has been shown the impact of lighting on neighbouring uses can be minimised. Neither the Environment Agency nor the Council's Environmental Protection raise objection to imposing conditions to address these matters as the proposed development would be acceptable subject to the submission of a remediation strategy.

Noise

- 6.60 Following review of the additional information on noise impacts submitted on request of the Council's Environmental Protection team, those officers are now of the view that acceptable noise levels from the operational phase of the development proposal. Both the internal and external noise levels across the site meet the relevant noise criteria with the mitigation measures specified (acoustic glazing and 2.5metre high acoustic fence to southern boundary). This includes building services plant, both internally and in proposed amenity spaces of future occupiers, and existing occupiers of adjacent noise sensitive development (Milford Grange estate), are capable of being achieved through conditions. Noise during the construction phase (Site clearance, preparation and construction) can be controlled to minimise experience of adverse impacts from noise, dust and construction traffic movements by way of a Construction Environmental Management Plan secured by condition.

Air Quality

- 6.61 Despite submission of revised air quality evidence by the applicant, the District's Air Quality Specialist has continued to express reservations regarding the model verification methodology (Nov 2022). However, after correction, the model performs well for the worse-case area at the mini-roundabout of Manley's Hill and School in the centre of Storrington. As the forecast for the development to be occupied is 2027, based on the rate of improvement in vehicle emission rates, the impacts of this development in combination with other committed developments are not expected to go beyond Slight Adverse. Therefore the District's Air Quality specialist has not objected.
- 6.62 Also, now correctly, the total cost of the air quality mitigation set out in the Air Quality Mitigation Plan is equal to the damage cost (with every measure in the plan costed), based on 'small urban' traffic as opposed to 'rural' traffic. The proposed financial contribution (£5,000) through S106 towards the provision/maintenance of EV chargers and cycling facilities for the Storrington public car parks and Glebe GP surgery is welcomed as this funding will assist the Council to augment local opportunities for EV charging and thus help the transition to EV vehicles by the local community. These mitigations avoid duplicating that secured through other legislative regimes (see below) having regard to the Air Quality and Emissions Mitigation Guidance for Sussex (2021). Therefore, overall, the District Air Quality Specialist finds the development acceptable in terms of its predicated impacts on air quality.
- 6.63 The proposed provision of 4 x EV charging points for the care home and provision of EV charging points for all bungalows is also welcomed, subject to confirmation of the charging point specification by way of the Air Quality mitigation package to be secured by legal agreement. In terms of this type of EV provision, with the change in legislation, compliance

with Building Regulations (BR) would deliver the equivalent EV provision to the new residential buildings as would have been previously secured by planning condition (subject to BR submission being post June 2023). For this development scheme, EV provision, including for visitor parking, would remain secured as part of air quality mitigation plan via the legal agreement and/or condition.

Amenity

- 6.64 At some 5 metres, the level difference between the plateau of the application site and the Milford Grange estate (measured from the John Ireland Way road), as shown on the submitted Site Sections plan drawing 0401 Rev P1) is noted. This accentuates the perceived impact of the introduction of the new built form, in particular the care home building, onto neighbour's amenities. The built form would be visually prominent from certain views within the estate and curtail some view of the expanse of skyline as a result. However, the level differences, distances of more than 34 metres to the west and 41 metres to the north involved between the proposed care home building on the site and the existing dwellinghouses on the estate, together with its maximum height, is sufficient to avoid harmful overbearing or overshadowing/loss of light effecting the primary living space of occupiers of those dwellings. The distances involved are equally sufficient to ensure only acute angle of view from the nursing home windows into the private primary living space and private rear gardens of the same dwellings. Direct, unobstructed views, of a penetrative nature into the private rooms of neighbours, will be avoided for the most part. On this matter, there is large number of glazing openings to the care home building facing north, with consequential pressure to ensure adequate outlook and minimise tree planting for mitigation screening. This is why in part, the existing conifers are to be removed and replaced with Birch, as this substitute tree species would provide appropriate screening whilst offer a suitable outlook for future residents.
- 6.65 A comprehensive lighting plan for the site can be provided by condition to ensure that the intensity of illuminance is limited to the confines of the site, thereby avoiding harm to neighbouring amenities by way of unacceptable light pollution.

Summary on Matters of Environmental Protection and Amenity

- 6.66 Overall, the Council's Environmental Health team are satisfied that existing neighbours would not experience unacceptable internal living environment and adequate outdoor amenity in gardens, and subject to the recommended conditions being applied, the proposal is in compliance with National and Local Planning Policy HDPF 24 to minimise pollution and safeguard human health. The proposed development would have an acceptable impact on the amenities of adjacent residents whilst providing a good standard of amenity for all future occupants of the site, in accordance with HDPF Policies 32 & 33.

Highway Safety, Access, and Parking

- 6.67 Policies 40 and 41 of the HDPF promote development that provides safe and adequate access, suitable for all users. It should be noted that developers can only be required to mitigate the impact of their development, in accordance with CIL Regulations.

Safety

Access arrangements

- 6.68 West Sussex County Council, in its capacity as The Local Highway Authority (LHA), has carefully assessed the impact of the development. It is confirmed the proposals to widen the existing site access are safe and the LHA is satisfied with the revised arrangements; vehicular visibility onto the publicly maintained highways is appropriate for anticipated road speeds (see below).

- 6.69 The existing central refuge island crossing on the A239 east of the site is already wide enough to shelter pedestrians, including wheelchair users. It is served by street lighting. It was judged sufficient for pedestrians to cross the road safely by both the LHA and the Inspector in the previous appeal scheme for a housing estate of 41 dwellinghouses, which inevitably would have involved a greater number of pedestrian movements, including both the elderly and families, to access the westbound bus stop.
- 6.70 In the present day the refuge island continues to be judged satisfactory by the Local Highway Authority, and there is no evidence held by the LHA to suggest that it operates unsafely; the LHA has reviewed data supplied to WSCC by Sussex Police over a period of the last five years where there have been 5 x recorded injury accidents within 200m of the site access. However, from an inspection of accident data the LHA does not consider that the nature and quantity would indicate a pattern and does not consider that the incidents were due to any defect with the junction or road layout.
- 6.71 Vehicle tracking shows that the modified access will allow two cars to pass within the access. A refuse collection vehicle can manoeuvre the access and turn within the site. Whilst a refuse collection vehicle cannot pass a car within the access the LHA agree that the occurrence of this will be minimal. A management plan will be necessary to minimise disruption to traffic flow and safety during the construction phase and this can be secured by condition.
- 6.72 Therefore, given the advice of the Local Highway Authority in respect of the application, it is considered that the proposed development accords with HDPF Policy 40 and provides a safe and suitable access.

Visibility

- 6.73 A seven day speed survey revealed 85th percentile speeds of 44.1mph for eastbound vehicles and 46.5mph for westbound vehicles. This would require visibility splays of 121 metres to the west and 132 metres to the east. This has been demonstrated from 2.4m back in to the access as achievable to the carriageway edge in either direction, entirely within publicly maintained highway boundary.

Road Safety Audit

- 6.74 A Stage I Road Safety Audit has been undertaken and signed off by the LHA. Four issues have been raised and addressed; an appropriate system can be agreed at detailed design stage to address a watercourse and headwall adjacent to access road if a vehicle leaves the carriageway; swept path tracking has been suitably demonstrated; a separate footway would be located away from the culvert to protect pedestrians has been agreed; and existing worn hatch separation markings will be renewed.

Internal Layout and Parking

- 6.75 Vehicle access road is sufficient for two cars to pass and features a spur within the site to the existing dwelling, access to care home car park and access drive to the bungalows. Footway is separate from the access road into the site where it then abuts the southern edge of access road to the bungalows. There is ability for all anticipated vehicles, including refuse vehicles, to turn on site in order to exit in a forward gear and there are also leisure walkways around the grounds to promote walking.
- 6.76 It is acknowledge there is little capacity for on-street parking on the surrounding highway network (Milford Grange being a private estate). The Local Highway Authority judges that a sufficient level of parking across the site is proposed, given the scale and frequency of activity associated with the nature of the development (anticipated visitor parking requirement, anticipated shift/staff numbers). Your Officers have no reason to disagree with this.

- 6.77 WSCC Guidance on Parking at New Developments advises that a C2 residential care home use should be assessed site-specifically to determine parking demand. A total 23 x car parking spaces are proposed for the care home, two of which will be designed for disabled parking. Vehicle tracking shows the workability of these spaces. The parking provision is informed by evidence from a comparable Horndean care home where the maximum number of staff on site at one time is 22 within the day time with 60% driving to work (13 x space requirement). Whilst a dedicated space for ambulance has not been demonstrated, the LHA consider that the turning space demonstrated for fire appliance can be used in this instance. For the bungalows 2 x spaces per plot will be provided which meets the WSCC guidance.
- 6.78 11 cycle parking spaces, predominately for staff and 4 EV vehicle charging points will be provided for the care home. The age restricted bungalows should also feature cycle parking (for example in garden shed per plot). Details of the secure and covered facilities can be secured by condition.
- 6.79 On the matter of parking provision, it is noted the SSWNP does not impose standards beyond the minimum requirements set by WSCC as LHA, but rather its stated aim is to determine parking spaces for flatted accommodation on a case-by-case basis (SSWNP Community Aim 3). The LHA has done this, and its advice is that the proposed provision is acceptable and your Officers agree with this.

Trip Generation and Network Capacity

- 6.80 Considering the use as dog kennels the applicant has provided recorded data specific to the site to show a maximum 445 vehicle movements per day as existing. These are anticipated to be spread throughout the day and comprise staff and visitor trips. This data has not been challenged by the LHA. TRICs modelling was used by the LHA to estimate the anticipated vehicles movements from care home and age restricted bungalows as 123 movements over the day with 11 in AM and PM peak hours. An overall reduction is therefore anticipated and no road network capacity concern to the local road network is anticipated.

Sustainable Transport

- 6.81 In general terms, the LHA considers the site to be sustainably located, being situated within reasonable walking distance of bus and cycle routes, given the nature of demand from future residents of the proposed development; the site is served by footway on both sides of the carriageway with more formal provision on the northern side. The footway on the northern side links to the bus stop shelters both east (opposite side of carriageway reached by central refuge crossing) and west and onward to Hampers Lane. Hampers Lane is also public bridleway no. 2627 and links to Warren Hill. The nearby bus stops provide regular services to Storrington and other destinations such as Burgess Hill, Horsham, Worthing and Pulborough (where the nearest train station is). The bus service to Horsham runs every hour Monday – Saturday. The bus service to Worthing runs every hour Monday-Saturday and every 2 hours on a Sunday.
- 6.82 A Transport Plan Statement accompanies this application which sets out initiatives to encourage non-private motor car use. A fee of £3,500 for monitoring and auditing of the Travel Plan Statement via the legal agreement. Following advice from the Council's Air Quality Specialist and LHA, the travel plan statement has been updated to include provision of on-site shower/changing facilities. Barchester Healthcare also operates a Cycle to Work scheme that allows employees to purchase a tax-free bike and/or equipment. It is judged that these measures and others that may come forward as the travel plan is refined via discharge of the planning condition, will have a positive impact on reducing transport preference of the private motor car.
- 6.83 As part of a package of wider public benefits, off-site highway works are proposed to enhance pedestrian connectivity to services within Storrington Village centre as well as access to the

surrounding Public Right of Way network within the National Park. Both have received the support of the LHA and the Public Rights of Way Officer. An additional likely effect of the works would be some reduction in vehicle speeds and a raised level of alertness among most drivers passing the site. These works would be secured as part of the legal agreement and comprise:-

- Financial contribution of £15k allocated to highway improvements:
 - footway surfacing improvements along the A283 towards Storrington, which is supported by the LHA. This would ensure an improved access to the Public Right of Way network, along the immediate stretch of A283 outside of the site and to immediate Public Right Of Way.
 - the installation of a warning sign in the vicinity of the crossing point, which is supported by the LHA.
- Financial contribution of £10k for improvements to Public Right of Way surface conditions or access (new gates etc) within 5 km of the site

Summary on highway matters

- 6.84 The development would generate increased levels of traffic and noises. This is relevant to nearby residents. However, the development has been assessed by the qualified highway specialists in their role as Local Highway Authority, taking all the relevant information into consideration including the existing use of the site, and it is not found wanting.
- 6.85 In reaching its conclusions, WSCC has raised No Objection, concluding that whilst there would be some uplift in traffic from what is presently experienced, the proposed development will not have severe impact on highway capacity or raise highway safety concerns. This is subject to securing a travel plan statement and travel auditing fee, EV and cycle parking, and a Construction Management Plan and Servicing Plan.
- 6.86 In such circumstance, the proposal is not contrary to the National Planning Policy Framework, and there are no transport grounds to resist the proposal. Your Officers have no reason to disagree with this conclusion, and recommend that the proposal accords with HDPF Policies 40 and 41. Likewise, as the residual traffic impacts on the local road network have been demonstrated to be not severe, there is no conflict with SSWNP Policy 17 and SSWNP Policy 15vii (minimise need to travel).

Ecology

Water Neutrality and the Arun Valley Sites

- 6.87 Horsham District is supplied with water by Southern Water from its Sussex North Water Resource Zone. This supply is sourced from abstraction points in the Arun Valley, which includes locations such as Amberley Wild Brooks Site of Special Scientific Interest (SSSI), Pulborough Brooks SSSI and Arun Valley Special Protection Area/Special Area of Conservation and Ramsar site.
- 6.88 In September 2021, the Council received a Position Statement from Natural England. The Natural England position is that it cannot be concluded that the existing abstraction within the Sussex North Water Supply Zone is not having an impact on the Arun Valley sites. It advises that development within this zone must not add to this impact 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. If an application cannot demonstrate water neutrality is reasonably achievable, this will mean the development will not meet the requirements of section 63 of the Conservation of Habitats and Species Regulations 2017 (known as the Habitats Regulations).

- 6.89 The Applicant has submitted a Water Neutrality Statement by Highwood Homes (Revision H dated 30.08.2022). This sets out the strategy for achieving water neutrality. This is supported by a submitted Water Usage Survey Report by Hopkins. Through installation of onsite water reduction measures as well as offsetting measures, a water neutral development is proposed. The Statement has been considered as follows.

Existing baseline

- 6.90 The site is currently in use as a commercial kennels/cattery but there is an absence of 3 years of metered water bills as evidence for existing water use. In previous advice to the applicant (August and October 2022) Natural England initially stated that, due to lack of metered water bills demonstrating existing water use, a nil baseline should be used as a precautionary measure. The separate baseline for the residential portion using Horsham's average occupancy rates x 135 litres per person per day was accepted.
- 6.91 Evidence has since been submitted in a Water Usage Survey Report (November 2022), concluding that, based on a single day survey, 9,514 litres of water is used on an average day and 19,214 litres would be used when the kennel is at full capacity. This water use is significantly higher than the 3,913 litres estimated in the Water Neutrality Report (Revision H). Despite this, the applicant is still intending on using the lower figure of 3,913 litres for existing use and continuing with the offsetting mitigation to achieve neutrality. There is no industry standard data for the water required for the kennels and the Council's Agricultural Consultant is satisfied the requirements used to calculate the lower figure (which can change depending on breed and size of dog, weather and exercise) are reasonably accurate. Taking a precautionary approach, having regard to the data submitted, the existing consumption figure of 3,913 litres per day is considered the most robust.

Proposed Water Consumption, following Onsite Efficiencies

- 6.92 The care home will incorporate measures such as water efficient devices, smart metering and rainwater harvesting. The bungalows will also be fitted with water efficient devices, smart metering and rainwater harvesting incorporated into the development. A proportion of the harvested water will be used for the laundry demand for the care home element. The size of the rainwater harvesting tank takes into account the requirement of a 35 day drought storage for dry periods, alongside specifications of the rainwater tank. The anticipated water consumption figures for the proposed care home and bungalows are produced. A 90% care home occupancy and 97% single bed occupancy rate has been applied which is agreed by officers and Natural England given the nature of occupancy and evidence provided by the applicants. Based on this information, the care home would consume 4,670 litres per day, equivalent to 83.70 litres per person per day. The bungalows would consume 1,282 litres per day, equivalent to 80.09 litres per person per day. Total consumption for proposed development would therefore be 5,952 litres per day.
- 6.93 Utilising the existing and proposed water consumption figures, the excess water usage arising from the proposed development and which is required to be offset, has been calculated by the applicant as $5,952L - 3,913L = 2,039$ litres per day. The applicant's strategy is to offset this residual consumption on one of their existing assets within the Sussex North Water Resource Zone.

Offsetting

- 6.94 The applicants identify that water saving measures can be effectively adopted at Barchester's Healthcare Red Oaks care home in Henfield (The Hooks, Henfield, BN5 9UY) sufficient to 'off-set' the increase in water use arising from the development at Old Clayton. Red Oaks is a purpose-built home providing 24-hour nursing care to older people, including those living with dementia alongside a number of assisted living apartments at Rayner Court.

6.95 The applicant's calculations demonstrate that 2,096.64 litres of water can be offset by replacing the existing shower fittings currently operating at 14L per minute with new, upgraded fittings outputting a flow rate of 7.5L per minute. These figures are based on a 90% occupancy and a 97% single bed occupancy rate for the Red Oaks 62 bed care home.

	Flow Rate	Use Factor	Fixed Use	l/person/day
Existing	14 l/min	5.60	0.00	78.40
New	7.5 l/min	5.60	0.00	42.00
Offset/person/day				36.40
Occupancy Rate				64.0
Total Offset / day (based on 90% occupancy)				2096.64

6.96 This shows that the required 2,039 litres per day can be offset with the adaptations in the Red Oak care home with some 57.64 litres per day as a reserve. Although this is a relatively small amount of headroom Natural England are satisfied, given the evidence provided of a likely far higher existing water use than has been used, that the development will achieve neutrality provided the mitigation can be sufficiently secured.

6.97 A s106 legal agreement is being prepared that secures the delivery of the offsetting savings within the application proposal. This includes a means for evidence of the installation of the efficiencies to be provided to the Council, and for the occupiers to retain the efficiencies at the same or greater efficiency.

6.98 These measures have been embedded within the development to be secured as part of any planning consent, and are considered sufficient to avoid adverse effects on the integrity of the interest features of the Arun Valley SPA, SAC & Ramsar sites. This is subject to completion of the legal agreement and adherence to a condition to secure the water consumption of l/p/d in the new development, details of the rainwater harvesting system and its monitoring for water quality, and a condition requiring compliance with the submitted Water Neutrality Strategy for the offsetting.

Conclusion on Water Neutrality

6.99 Having completed its HRA Appropriate Assessment, Horsham District Council concludes 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.

6.100 Natural England have been consulted as required by the Habitat Regulations. Natural England have now raised No Objection (Dec 2022), providing that all mitigation measures are appropriately secured in any planning permission (lower than 100 litres per person per day target using efficient fittings and rainwater harvesting and implementation of water saving measures in Red Oaks care home to off-set remaining demand). The updated advice of Natural England supports the Council's Appropriate Assessment conclusions.

6.101 Officers have proposed sufficiently robust planning conditions and obligations in the legal agreement to ensure these mitigation measures are fully implemented, and are enforceable in perpetuity and therefore provide a sufficient degree of certainty to pass the Habitats Regulations. The Council, as the competent authority, can now therefore agree to the project in full compliance with s.63 of the Conservation of Habitats and Species Regulations 2017 (as amended).

Ecology matters separate to the Arun Valley Sites

6.102 The Council's consultant ecologist has reviewed the ecological material submitted in support of the application (Ecological Appraisal and Badger and Bat Report), relating to the likely

impacts on Protected and Priority habitats and species, particularly bats, and identification of proportionate mitigation. The application is supported by surveys, which conclude the majority of the habitats present within the site are of limited nature conservation value including the building, hardstanding and amenity planting.

- 6.103 The Council's consultant ecologist is satisfied sufficient ecological information to the likely impacts of the development is available for determination and recommends approval subject to conditions. This is subject to the mitigation measures identified being secured and implemented in full by condition, as well as additional measures including a Wildlife Sensitive Lighting Design Scheme to create a dark corridor along the western boundary.

The Mens and Ebernoe Common SAC

- 6.104 Bat emergence and re-entry survey and Activity Surveys recorded bat species using the habitat on site for foraging and commuting. No roosts or Barbastelle bats were recorded during the surveys, but historic records placed Barbastelle bats within 2km of the site.
- 6.105 The majority of habitat associated with bat commuting and foraging across the site will be left intact. Removal of several standalone trees on the east of the site and a section of isolated hedgerow to the northwest is proposed but neither will cause habitat fragmentation. Whilst the Badger and Bat Report (Tetra Tech, November 2021) records individual bats in the area of the hedge, the majority of species recorded using this area are Common Pipistrelle. Additional native tree planting has been proposed to replace the removed trees and hedge. However, the Badger and Bat Report has raised concern regarding the increase in lighting from the development and the potential for light spill over flightlines. As there is a potential for habitat fragmentation from light spill of potentially functionally linked land for Barbastelle bats, a sensitive lighting scheme designed to demonstrate that habitat corridors will not be affected by light spill and not sever flightiness of non-light tolerant bat species will be secured by condition.
- 6.106 As the Council's Appropriate Assessment on The Mens SAC concludes, these avoidance and mitigation measures are considered satisfactory to rule out adverse effect on the integrity of the interest features (Barbastelles) of The Men's SACs. The measures will be a condition of any consent. Natural England in its consultation response concurs with this conclusion and raises No Objection.

Biodiversity and Green Infrastructure Planning Advice Note (PAN)

- 6.107 Aligned with the purposes of the Council's endorsed PAN, the Council's consultant Ecologist has recommended that reasonable biodiversity enhancements be implemented to secure measurable net gains for biodiversity as outlined under the NPPF. The reasonable biodiversity enhancement measures should be outlined with a Biodiversity Enhancement Strategy secured by a condition of any consent. In terms of biodiversity net gain of 10% as set out in the Council's PAN, the enhancements proposed in this development proposal will suitably contribute towards this aim.

Conclusions on Ecology

- 6.108 The Council's consultant ecologist is satisfied that there is sufficient ecological information available for determination. This provides certainty for the Council of the likely impacts on Protected and Priority species and, with appropriate mitigation measures secured, the development can be made acceptable and will enable the Council to demonstrate its compliance with its statutory biodiversity duties. It also satisfies the policy objective of the South Downs National Park Partnership Management Plan (2020-25) to Conserve and enhance populations of priority species in and around the National Park, delivering targeted action where required.

Drainage and Groundwater Resource and Land Stability

- 6.109 The scheme is accompanied by a Flood Risk Assessment and a drainage strategy has been produced for the site. No objection is raised by the drainage authorities, subject to planning conditions ensuring details are agreed on foul and surface water, Sustainable Surface Water, and Verification. Therefore the development can be satisfactorily accommodated without increasing flood risk elsewhere in accordance with the NPPF and HDPF Policy 38. The drainage is integrated with the landscape design, so there is compliance with SSWNP Policy 15 in this regard. The Environment Agency confirms the previous use of the proposed development as a landfill and for farming presents a high risk of contamination that could be mobilized by surface water infiltration from the proposed sustainable drainage system (SuDS). This could pollute controlled waters. Controlled waters are particularly sensitive in this location because the proposed development site is located on a Principal Aquifer. The Environment Agency supports the use of the CIRIA SuDS manual and simple index approach as stated in the submitted Flood Risk Assessment and Drainage Strategy (August 2021) to mitigate against the risk to controlled waters. However, due to the potential contamination still present, a condition is required to ensure that the development does not contribute to, is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants. This is in line with paragraph 174 of the NPPF.
- 6.110 The Environment Agency confirms piling and using penetrative methods can result in risks to potable supplies from, for example, pollution / turbidity, risk of mobilising contamination, drilling through different aquifers and creating preferential pathways. As specified previously, groundwater is particularly sensitive in this location. The Phase I and II Geo Environmental Site Assessment (A11530/1.0 June 2021) comments that piled foundations may be suitable, but it is unclear if they are proposed. In light of the above, the proposed development will only be acceptable if a planning condition controlling disturbance of the aquifer is imposed. When seeking discharge of this condition, the Environment Agency would expect to see a piling risk assessment submitted.
- 6.111 National Planning Practice Guidance (PPG) addresses how development is suitable to its ground condition and how to avoid risks caused by unstable land. Consideration of land stability is a planning consideration. When dealing with land that may be unstable, the planning system works alongside other regimes, including Building Control. As land stability has been raised as an issue by third parties (in relation to the existing wall on the north and west boundaries and site levels), the Council has invited the applicant to seek appropriate technical expert advice to assess the likely consequences of the proposed development, as advised by PPG.
- 6.112 The applicant has instructed a qualified structural engineer to carry out a desk top study and site visit to identify risk of land and slope stability. These investigations have identified that the risks are acceptable or can be mitigated to an acceptable level. It is concluded that no load from the proposed structures would interact or add any additional load to the walls. The design of the wall will not change due to the new structure being construction. The foundations of the care home are situated away from the boundary walls and will have no interaction with the wall. The Council's Building Control does not dispute these conclusions. With regards to the sustainable drainage system, the wall is not designed for hydrostatic pressure. According to the PPG, given these conclusions, there is no requirement on the applicant to carry out further studies and the Council can proceed to a decision.

Minerals Safeguarding

- 6.113 On the evidence in the applicant's submitted Mineral Resource Assessment, the proposal complies with Minerals Local Plan Policy M9 which permits development in a Soft Sand Resource safeguarding area, if there is an overriding need for development and prior extraction is not practicable or environmentally feasible. The applicant communicated the opportunity for extraction of the safeguarded resource with the nearby Mineral operator but

has not discussed the prospect of incidental extraction. Ultimately, your Officers have determined the level of weight to be given to the safeguarding of the mineral resource given the site is brownfield and most likely only suitable for incidental extraction. It is noted WSCC in its capacity as Minerals and Waste Planning Authority (MWPA), has offered No Objection, suggesting a condition to secure incidental extraction should this be necessary in the planning balance. As Soft Sand is an important resource within the county, such a condition is supported.

- 6.114 The MWPA are satisfied that the redevelopment of the site would not adversely impact the continued operation of the nearby quarry by the Mineral Operator (Cemex). The MWPA is also satisfied that the proposed development would not likely have any significant impact upon the delivery of the recovery scheme of the Cemex site, which has gained approval for a restoration and aftercare scheme.

Climate Change

- 6.115 An Energy Statement accompanies this application and HDPF policies 35, 36 and 3, which require development mitigates the impacts of climate change, in reflection of National Planning Policy, are satisfied. The proposed new buildings incorporate Environmental Performance measures (including material sourcing) to reduce energy use in construction, as well as energy efficiency and sustainable resource management once occupied, aligned with Government climate change mandate.
- 6.116 Your officers are also satisfied the proposal sufficiently minimises waste generation, maximises opportunities for re-using and recycling waste, and include waste management facilities (in compliance with County strategy set out in Policy W23).

Community Infrastructure Levy (CIL)

- 6.117 Horsham District Council has adopted a Community Infrastructure Levy (CIL) Charging Schedule which took effect on 1st October 2017. With the exception of the C2 care home element, this development constitutes CIL liable development.

Conclusions and Planning Balance

- 6.118 This planning application should be determined in accordance with the presumption in favour of sustainable development (the 'tilted balance') at paragraph 11d of the National Planning Policy Framework due to the acknowledged absence of a five-year housing land supply and the fact that the current Local Plan for Horsham is out of date. The proposal has demonstrated it is 'water neutral' and consequentially no harm would arise onto the Arun Valley habitat sites to disengage the presumption in favour of sustainable development. It should be noted that the previous appeal decision to dismiss the 41 dwelling housing estate on this site was at a time the Council could demonstrate a five-year-housing land supply.
- 6.119 The site is outside of a defined settlement boundary, located part-way between Washington and Storrington within an area designated for policy purposes as countryside. To that extent, there would be some harm and conflict with the HDPF from the market-housing element of the scheme (the 8 bungalows). Any harm would however be limited because legal obligations would align this market provision with delivery on identified need (age restricted and marketed for first refusal to local parishes). Moreover, the proposed development would be reuse of previously developed land, and provide for a 60 bed care home otherwise in compliance with HDPF and SSWNP spatial policy criteria addressing this type of accommodation in a sustainable manner in the countryside.
- 6.120 The objections of Washington Parish Council to the proposals being in the countryside and not allocated within their neighbourhood plan are noted however significantly policy 1 of the

SSWNP expressly supports development proposals outside the Built Up Area Boundary of Washington if they result in the reuse of the previously developed land outside the South Downs National Park and provided the proposals accords with other policies in the Development Plan. In this case the proposal reuses previously developed land and is otherwise supportable under Policy 18 of the HDPF and other policies within the SSWNP and HDPF.

- 6.121 Your officers are satisfied the proposal would be in accordance with HDPF Policy 18, which does not restrict in principle the provision of retirement and specialist care housing within the countryside. Substantial levels of care accommodation are needed both now and throughout the Plan period and that the proposal would help address the demographic evidence of this need for elderly accommodation in the District, with a policy compliant provision of affordable housing. This carries significant weight in favour of the proposals. The homes would cater for older residents enabling them to continue to live locally, which could free up existing family size homes within the district. This in turn has the potential to alleviate the pressure elsewhere within rural locations to deliver general housing. There would also be benefits for elderly people currently living in unsuitable accommodation achieved through increased housing choice within the district. Planned onsite facilities would reduce the need to travel for future site occupiers, the majority of whom will be elderly and in care.
- 6.122 Accessibility of the site is more limited relative to other urban and village locations the development plan directs residential schemes towards, having regard to Policy 18 and other parts of the HDPF and the SSWNP. These factors count against the proposal in terms of its physical integration with existing settlements and their existing mixed and balanced communities. Whilst not located directly adjacent to a local centre, the nearby bus stops provide regular services to Storrington and other destinations such as to Horsham and to Worthing and Pulborough (where the nearest train station is). The nature of occupancy means there is less need to access daily services such as schools and work. Further, the proposal will provide for onsite amenities including a café, cinema and hairdressers, meaning residents will be less reliant on accessing local services and facilities.
- 6.123 In addition, accessibility would be improved by developer contributions secured as part of the permission, including Highway and Public Right of Way and Green Space enhancements within the locality to benefit those more active future residents. These include:
- Contribution to maintenance and management of Milford Grange County Park (£20k)
 - Contribution to improvements to the existing Public Right of Way network within the locality of the site (£10k)
 - Contribution to highway improvements at crossing and along Storrington Road (£15k)
 - Financial contribution to cycle and EV charging infrastructure at Storrington public car parks to supplement/upgrade existing EVC and Glebe surgery (£5k).
- 6.124 Although the development would result in some urbanising effect, it has been demonstrated the development will largely retain the qualities of the semi-rural transition between the development at Milford Grange, and the attractive rural landscape of the South Downs National Park and its setting would not be harmed. The scheme makes efficient use of land and optimises the provision and use of buildings, appropriately designed to reflect surroundings, and open space within the site with appropriate landscaping; harm to wider landscape character and appearance, including protected views, is mitigated. To that extent, growth has been accommodated on previously developed land without compromising the integrity, landscape and heritage of the ward of Washington, in accordance with the Vision statement of the SSWNP, and actioned in its policies 8 and 14 and 15.
- 6.125 No harm has been identified to the setting of the listed building of Old Clayton. It has been demonstrated site access can be achieved safely and, according to the Highway Authority, would not cause harm to the operation use of the existing highway network, having regard to the detailed travel plan proposed, the range of facilities to be provided on site, and the

reduced car ownership amongst residents of the development. The proposal would not amount to an adverse impact on existing residents' amenity. Appropriate ecological mitigations and enhancements have been recommended, which the Council's Ecological Consultant has agreed. Mineral safeguarding is achieved subject to the imposing of condition.

- 6.126 Bringing all relevant points together, your officers have carefully assessed the weight that should be given to each of these considerations and have concluded that the benefits arising from the scheme outweigh any identified harm. Your Officers therefore recommend that this application for the development of the site be approved, subject to the detailed list of planning conditions and the completion of the necessary s106 legal agreement.

7. RECOMMENDATIONS

- 7.1 To approve full planning permission, subject to the completion of a s106 agreement and the conditions set out below:

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. **Pre-commencement condition:** Prior to commencement of development 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(s) 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 UK Habitats Regulations 2017, the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species) and Policy 33 of the Horsham District Planning Framework and Policies 14 and 15 of Storrington and Sullington and Washington Neighbourhood Plan (2019).

4. **Pre-Commencement Condition:** No development shall take place, including any works of demolition, until a Construction and Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved CEMP shall be implemented and adhered to throughout the entire construction period unless otherwise agreed to and approved in writing by the Local Planning Authority. The CEMP shall provide details as appropriate but not necessarily be restricted to the following matters:

- An introduction consisting of construction environmental management plan, definitions and abbreviations and project description and location;
- A description of management responsibilities;
- A description of the construction programme which identifies activities likely to cause high levels of noise or dust, including vibration from any groundworks;
- Site working hours and a named person for residents to contact;
- the anticipated number, frequency and types of vehicles used during construction,
- method of access and routing of vehicles during construction;
- Detailed Site logistics arrangements;
- the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders, if required);
- A site compound plan and details regarding parking of vehicles by site operatives and visitors, deliveries and the loading and unloading of plant, materials and waste, and storage of plant and materials used in construction of the development,;
- Details regarding dust and noise mitigation measures to be deployed including identification of sensitive receptors and ongoing monitoring;
- Details of the hours of works and other measures to mitigate the impact of construction on the amenity of the area and safety of the highway network; and
- Details of public engagement both prior to and during construction works and communication procedures with the local community regarding key construction issues – newsletters, fliers etc;
- Details of traffic construction routing to and from the site the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders), details of public engagement both prior to and during construction work;
- the erection and maintenance of security hoarding

The construction shall thereafter be carried out in accordance with the details and measures approved in the CEMP.

Reason: As this matter is fundamental in order to consider the potential impacts on the amenity of existing neighbouring dwellings, wildlife and biodiversity, and highway safety during construction in accordance with Policies 24, 31, 33 and 40 of the Horsham District Planning Framework (2015) and Policy 15 of Storrington and Sullington and Washington Neighbourhood Plan, and to conserve Protected and Priority species and allow the LPA to discharge its duties under the UK Habitats Regulations 2017, and the Wildlife & Countryside Act 1981.

5. Pre-commencement condition:

1. With the exception of the above ground demolition and removal of existing buildings, no development or preliminary groundworks shall commence until a programme of archaeological trial trenching has been secured and undertaken in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the planning authority.

2. A mitigation strategy detailing the excavation/preservation strategy shall be submitted to the local planning authority following the completion of this work.

3. No development or preliminary groundworks shall commence on those areas containing archaeological deposits until the satisfactory completion of fieldwork, as detailed in the mitigation strategy, and which has been signed off by the local planning authority through its historic environment advisors.

4. The applicant will submit to the local planning authority a post-excavation assessment (to be submitted within three months of the completion of fieldwork, unless otherwise agreed in advance with the Local Planning Authority). This will result in the completion of post-excavation analysis, preparation of a full site archive and report ready for deposition at the local museum, and submission of a publication report.

Reason: This matter is fundamental as the site is of archaeological significance and it is important that it is recorded by excavation before it is destroyed by development in accordance with Policy 34 of the Horsham District Planning Framework (2015).

- 6. Pre-Commencement Condition:** Prior to the commencement of development, detailed ground investigations shall be undertaken to determine if the site is suitable for incidental mineral extraction of the safeguarded mineral resource. The results of these investigations should be submitted to and approved in writing by the Local Planning Authority. If it is determined that incidental mineral extraction within the site is practical, then a scheme to secure the incidental extraction of mineral resource shall also be submitted to be approved by the Local Planning Authority.

Reason: The incidental extraction of the mineral is in accordance with Policy M9 of the West Sussex Joint Minerals Local Plan and the National Planning Policy Framework

- 7. Pre-Commencement Condition:** No development shall commence until full details of underground services, including locations, dimensions and depths of all service facilities and required ground excavations, detailing compliance with the landscape scheme have been submitted to and approved by the Local Planning Authority in writing. The development shall thereafter be carried out in accordance with the approved details.

Reason: As this matter is fundamental to the acceptable delivery of this permission, to ensure the underground services do not conflict with satisfactory landscaping in the interests of amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015) and Policies 14 and 15 of Storrington and Sullington and Washington Neighbourhood Plan (2019).

- 8. Pre-Commencement Condition:** No development shall commence, including demolition pursuant to the permission granted, ground clearance, or bringing equipment, machinery or materials onto the site, until the following preliminaries have been completed in the sequence set out below and submitted in an updated detailed, scaled Tree Protection Plan and related Arboricultural Method Statement, which shall include details of the pre-start meeting, Arboricultural supervision and monitoring:

- i. All trees on the site shown for retention on approved drawings as well as those off-site whose root protection areas ingress into the site, shall be fully protected throughout all construction works by tree protective fencing affixed to the ground in full accordance with section 6 of BS 5837 'Trees in Relation to Design, Demolition and Construction - Recommendations' (2012).
- ii. Once installed, the fencing shall be maintained during the course of the development works and until all machinery and surplus materials have been removed from the site.
- iii. Areas so fenced off shall be treated as zones of prohibited access, and shall not be used for the storage of materials, equipment or machinery in any circumstances. No mixing of cement, concrete, or use of other materials or substances shall take place within any tree protective zone, or close enough to such a zone that seepage or displacement of those materials and substances could cause them to enter a zone.

Any trees or hedges on the site which die or become damaged during the construction process shall be replaced with trees or hedging plants of a type, size and in positions agreed by the Local Planning Authority.

Reason: As this matter is fundamental to ensure the successful and satisfactory protection of important trees and hedgerows on the site and as part of future landscape mitigation in accordance with Policies 25 and 33 of the Horsham District Planning Framework (2015) and Policies 14 and 15 of Storrington and Sullington and Washington Neighbourhood Plan (2019).

- 9. Pre-Commencement Condition:** No development shall commence until a drainage strategy detailing the proposed means of foul water disposal to serve that phase has been submitted to and approved in writing by the Local Planning Authority. No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the Local Planning Authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved scheme.

Reason: As this matter is fundamental to ensure that the development is properly drained and to comply with Policy 38 of the Horsham District Planning Framework (2015) and Policies 14 and 15 of Storrington and Sullington and Washington Neighbourhood Plan (2019).

- 10. Pre-Commencement Condition:** Notwithstanding details previously submitted, no development shall commence until a detailed surface water drainage scheme including a Surface Water Drainage Statement, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development has been submitted to and approved in writing by the Local Planning Authority. The submitted details shall be fully coordinated with the landscape scheme and shall be designed so as to prevent the discharge of water onto the public highway. The surface water drainage scheme shall subsequently be implemented prior to first occupation in accordance with the approved details and thereafter retained as such.

Reason: As this matter is fundamental to prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance in accordance Policies 35 and 38 of the Horsham District Planning Framework (2015).

- 11. Pre-Commencement Condition:** No development shall commence until precise details of the existing and proposed external ground levels and finished floor levels of the development adjacent datum points on land adjoining the application site including Milford Grange housing estate have been submitted to and approved by the Local Planning Authority in writing. The development shall be completed in accordance with the approved details, unless otherwise agreed to and approved in writing by the Local Planning Authority.

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) Policies 14 and 15 of Storrington and Sullington and Washington Neighbourhood Plan (2019).

- 12. Pre-Commencement Condition:** No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the Local Planning Authority. This strategy will include the following components:

1. A preliminary risk assessment which has identified:
 - all previous uses;
 - potential contaminants associated with those uses;
 - a conceptual model of the site indicating sources, pathways and receptors; and
 - potentially unacceptable risks arising from contamination at the site

2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.
3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the Local Planning Authority. The scheme 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).

- 13. Pre-Commencement Condition:** No development shall take place until there has been submitted to and approved, in writing, by the Local Planning Authority a landscape management plan for a minimum of 5 years. This should include:
- a. Drawings showing:
 - i. The extent of the LMP; i.e. only showing the areas to which the LMP applies, areas of private ownership should be excluded
 - b. Written Specification detailing:
 - i. All operation and procedures for soft landscape areas; inspection, watering, pruning, cutting, mowing, clearance and removal of arisings and litter, removal of temporary items (fencing, guards and stakes) and replacement of failed planting.
 - ii. All operations and procedures for hard landscape areas; inspection, sweeping, clearing of accumulated vegetative material and litter, maintaining edges, and painted or finished surfaces.
 - iii. Furniture (Bins, Benches and Signage)
 - iv. All operations and procedures for surface water drainage system; inspection of linear drains and swales, removal of unwanted vegetative material and litter.
 - c. Maintenance task table which explains the maintenance duties across the site in both chronological and systematic order.

Reason: To ensure a satisfactory development that is sympathetic to the landscape character of the countryside and built form of the surroundings within the setting of the South Downs National Park, and in the interests of visual amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015) and Policies 14 and 15 of Storrington and Sullington and Washington Neighbourhood Plan (2019).

- 14. Pre-Commencement (Slab Level) Condition:** No development above ground level shall take place on site until a scheme for protecting the proposed development from noise has been submitted to, and approved in writing by the Local Planning Authority. The proposed scheme shall achieve the following noise levels:
- a) Internal day time (0700 - 2300) noise levels shall not exceed 35dB LAeq, 16hr for habitable rooms (bedrooms and living rooms with windows open)
 - b) Internal night time (2300 - 0700) noise levels shall not exceed 30dB LAeq with individual noise events not exceeding 45dB LMax (bedrooms and living rooms with windows open).
 - c) Garden/external amenity spaces should not exceed 55 dB LAeq, 16hr.

If it is predicted that the internal noise levels specified above will not be met with windows open, the proposed mitigation scheme shall assume windows would be kept closed, and will specify an alternative rapid/purge ventilation system, to reduce the need to open windows. As a minimum, this will usually consist of a mechanical heat recovery ventilation system with cool air by pass or equivalent.

Reason: As this matter is fundamental in the interests of residential amenities by ensuring an acceptable noise level for the occupants of the development in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 15. Pre-Commencement (Slab Level) Condition:** No development above ground level shall commence until a Biodiversity Enhancement Strategy has been submitted to and approved in writing by the Local Planning Authority. The content of the Biodiversity Enhancement Strategy shall include the following:
- i. Purpose and conservation objectives for the proposed enhancement measures;
 - ii. Detailed designs to achieve stated objectives;
 - iii. Locations of proposed enhancement measures by appropriate maps and plans;
 - iv. Persons responsible for implementing the enhancement measures;
 - v. 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: 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 Policies 14 and 15 of Storrington and Sullington and Washington Neighbourhood Plan (2019).

- 16. Pre-Commencement (Slab Level) Condition:** No development above ground level shall take place until a scheme of soft landscaping for the site has been submitted to and approved in writing by the Local Planning Authority. The soft landscaping details shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants noting species, plant sizes and proposed numbers/ densities.

The approved scheme of soft landscaping works shall be implemented not later than the first planting season following commencement of the development (or within such extended period as may first be agreed in writing with the Local Planning Authority).

Any planting removed, dying or becoming seriously damaged or diseased within five years of planting shall be replaced within the first available planting season thereafter with planting of similar size and species unless the Local Planning Authority gives written consent for any variation.

Reason: To ensure a satisfactory development that is sympathetic to the landscape character of the countryside and built form of the surroundings within the setting of the South Downs National Park, and in the interests of visual amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015) and Policies 14 and 15 of Storrington and Sullington and Washington Neighbourhood Plan (2019).

- 17. Pre-Commencement (Slab Level) Condition:** No development above ground level shall take place until details of a hard landscaping scheme for the site have been submitted to and approved in writing by the Local Planning Authority. These details shall include proposed finished levels and contours showing earthworks and mounding (where appropriate); surfacing materials; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulations areas; hard surfacing materials; minor artefacts and structures (for

example refuse and / or other storage units, lighting and similar features) and proposed and existing functional services above and below ground (for example drainage, power, communications cables and pipelines, indicating lines, manholes, supports and other technical features).

The scheme shall be implemented prior to the occupation of any part of the development (or within such extended period as may first be agreed in writing with the Local Planning Authority).

Reason: To ensure a satisfactory development that is sympathetic to the landscape character of the countryside and built form of the surroundings within the setting of the South Downs National Park, and in the interests of visual amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015) and Policies 14 and 15 of Storrington and Sullington and Washington Neighbourhood Plan (2019).

- 18. Pre-Commencement (Slab Level) Condition:** No development above ground floor slab level of any part of the development 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) and samples for the care home building 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 buildings of visual quality in accordance with Policy 33 of the Horsham District Planning Framework (2015) and Policy 14 of Storrington and Sullington and Washington Neighbourhood Plan (2019).

- 19. Pre-commencement (slab level) Condition:** No development above ground floor slab level shall commence until full details of the water efficiency measures and rainwater/greywater harvesting system required by the approved Water Neutrality Statement August 2022 Revision H by Highwood and Water Usage Survey Report by Hopkins Report No: 10686/WUS/001 Date of Issue 16 Nov 2022 have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites in accordance with 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).

- 20. Pre-Occupation Condition:** The development hereby permitted shall be undertaken in full accordance with the Water Neutrality Statement August 2022 Revision H by Highwood and Water Usage Survey Report by Hopkins Report No: 10686/WUS/001 Date of Issue 16 Nov 2022. No dwelling/care home room hereby permitted shall be first occupied until evidence has been submitted to and been approved in writing by the Local Planning Authority that the approved water neutrality strategy for that dwelling/care home room has been implemented in full. The evidence shall include the specification of fittings and appliances used, evidence of their installation, and completion of the as built Part G water calculator or equivalent. The evidence shall include the specification of fittings and appliances used, evidence of their installation, evidence they meet the required water consumption flow rates, and evidence of the installation and connection of the rainwater harvesting system and appropriate storage tanks to provide a minimum 35 days storage capacity. The installed measures shall be retained as such thereafter.

Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites in accordance with 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).

- 21. Pre-Occupation Condition:** Prior to any part of the permitted development being occupied, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason: To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 174 of the NPPF and in accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015).

- 22. Pre-Occupation Condition:** No dwelling shall be occupied until a post completion noise survey has been undertaken by a suitably qualified acoustic consultant, and a report submitted to and approved in writing by the Local Planning Authority. The post completion testing shall assess performance of the noise mitigation measures against the noise levels as set in condition 14. A method statement should be submitted to and approved by the Local Planning Authority prior to the survey being undertaken, unless otherwise agreed in writing by the Local Planning Authority.

Reason: As this matter is fundamental in the interests of residential amenities by ensuring an acceptable noise level for the occupants of the development in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 23. Pre-Occupation Condition:** The development hereby approved shall not be occupied until all the works which form part of the scheme for protecting the proposed development from noise as approved by the Local Planning Authority under conditions 14 and 22 have been completed. All works which form part of the approved scheme shall be completed prior to first occupation. The approved scheme shall be thereafter maintained, unless otherwise agreed in writing by the Local Planning Authority.

Reason: As this matter is fundamental in the interests of residential amenities by ensuring an acceptable noise level for the occupants of the development in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 24. Pre-Occupation Condition:** No development shall commence until a lighting design scheme for biodiversity has been submitted to and approved in writing by the local planning authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting contour plans, Isolux drawings and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory. All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and 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) and Policies 14 and 15 of Storrington and Sullington and Washington Neighbourhood Plan (2019).

- 25. Pre-Occupation Condition:** Prior to the first occupation (or use) of the development hereby permitted, a verification report demonstrating that the SuDS drainage system for that phase has been constructed in accordance with the approved design drawings shall be submitted to and approved by the Local Planning Authority. The development shall be maintained in accordance with the approved report.

Reason: To ensure a SuDS drainage system has been provided to an acceptable standard to the reduce risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance in accordance Policies 35 and 38 of the Horsham District Planning Framework (2015) and Policies 14 and 15 of Storrington and Sullington and Washington Neighbourhood Plan (2019).

- 26. Pre-Occupation Condition:** No part of the development shall be first occupied until such time as the vehicular access serving the development has been constructed in accordance with the approved details. This would require visibility splays of 121 metres to the west and 132 metres to the east, demonstrated from 2.4m back in to the access as achievable to the carriageway edge in either direction, entirely within publicly maintained highway boundary.

Reason: In the interests of road safety and in accordance with Policy 40 of the Horsham District Planning Framework and Policies 14 and 17 of Storrington and Sullington and Washington Neighbourhood Plan (2019).

- 27. Pre-Occupation Condition:** The buildings hereby approved shall not be occupied until the vehicle parking spaces and turning and access facilities have been provided in accordance with the plans hereby approved (or in accordance with plans submitted to and approved in writing by the Local Planning Authority) and the vehicle parking spaces, turning and access facilities shall thereafter be retained solely for that purpose and solely in connection with the development.

Reason: To ensure adequate car parking, turning and access facilities are available to serve the development in accordance with Policies 40 and 41 of the Horsham District Planning Framework and Policies 14 and 17 of Storrington and Sullington and Washington Neighbourhood Plan (2019).

- 28. Pre-Occupation Condition:** No building shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details to be submitted to and approved by the Local Planning Authority. Once provided the spaces shall thereafter be retained at all times for their designated purpose. At a minimum, 11 no. cycle parking spaces shall be provided for the care home and each bungalow with its own cycle storage.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies in accordance with Policies 40 and 41 of the Horsham District Planning Framework and Policies 14 and 17 of Storrington and Sullington and Washington Neighbourhood Plan (2019).

- 29. Pre-Occupation Condition:** No part of the development shall be first occupied until Electric Vehicle Charging spaces have been provided in accordance with plans and details of the types and locations has been submitted to and approved by the Local Planning Authority. At a minimum, provision of 4x EV chargers for the care home and EV charging points for all the bungalows shall be provided and retained at all times for their designated purpose.

Reason: To provide EVC charging points to support the use of electric vehicles in accordance with national sustainable transport policies and to mitigate the impact of the development on air quality within the District and to sustain compliance with and contribute towards EU limit values or national objectives for pollutants in accordance with Policies 24 &

41 of the Horsham District Planning Framework (2015) and Policies 14 and 17 of Storrington and Sullington and Washington Neighbourhood Plan (2019).

- 30. Pre-Occupation Condition:** Notwithstanding the details submitted the buildings hereby permitted shall not be occupied unless and until provision for the storage of refuse/recycling bins has been made within the site in accordance with details to be submitted to and approved in writing by the local planning authority and retained as such thereafter.

Reason: To ensure the adequate provision of recycling facilities in accordance with policy 33 of the Horsham District Planning Framework (2015) and Policies 14 and 17 of Storrington and Sullington and Washington Neighbourhood Plan (2019).

- 31. Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until the necessary in-building physical infrastructure and external site-wide infrastructure to enable superfast broadband speeds of a minimum 30 megabits per second through full fibre broadband connection has been provided to the premises.

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

- 32. Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until 1 no. fire hydrant to BS750 standards or stored water supply (in accordance with the West Sussex Fire and Rescue Guidance Notes) has been installed, connected to a water supply with appropriate pressure and volume for firefighting, and made ready for use in consultation with the WSCC Fire and Rescue Service. The hydrant or stored water supply 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).

- 33. Regulatory Condition:** All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Ecological Appraisal (Tetrattech, Sept 2021) and the Badger and Bat Report (Tetrattech, Nov 2021) 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 Development Framework and Policies 14 and 15 of Storrington and Sullington and Washington Neighbourhood Plan (2019).

- 34. 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).

- 35. Regulatory Condition:** No soils shall be imported or re-used within the development site until the developer has submitted details of the chemical testing and assessment of the soils which demonstrates the suitability of the soils for the proposed use. The assessment shall be undertaken by a suitably qualified and competent person and full details shall be submitted to and approved in writing by the local planning authority. Prior to the first occupation (or use) of any part of the development hereby permitted, a written verification report shall be submitted which demonstrates only soils suitable for the proposed use have been placed. The verification report shall be submitted and approved, in writing, by the Local Planning Authority.

Reason: 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).

- 36. Regulatory Condition:** Piling and using penetrative methods shall not be carried out other than with the written consent of the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: 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).

- 37. 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).

- 38. Regulatory Condition:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (and/or any Order revoking and/or re-enacting that Order), the buildings hereby approved shall not be extended or altered unless planning permission has been granted by the Local Planning Authority on application in that respect.

Reason: In order to safeguard the character and visual amenities of the locality in accordance with Policy 33 of the Horsham District Planning Framework (2015) and Policies 14 and 15 of Storrington and Sullington and Washington Neighbourhood Plan (2019).

- 39. Regulatory Condition:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (and/or any Order revoking and/or re-enacting that Order) no buildings shall be erected, constructed or placed within the curtilages of the buildings hereby approved, and no gate, fence, wall or other means of enclosure shall be erected or constructed in front of the forward most part of any proposed building which fronts onto a highway, without express planning consent from the Local Planning Authority first being obtained.

Reason: In order to safeguard the character and visual amenities of the locality in accordance with Policy 33 of the Horsham District Planning Framework (2015) and Policies 14 and 15 of Storrington and Sullington and Washington Neighbourhood Plan (2019).

06) DC/21/2161

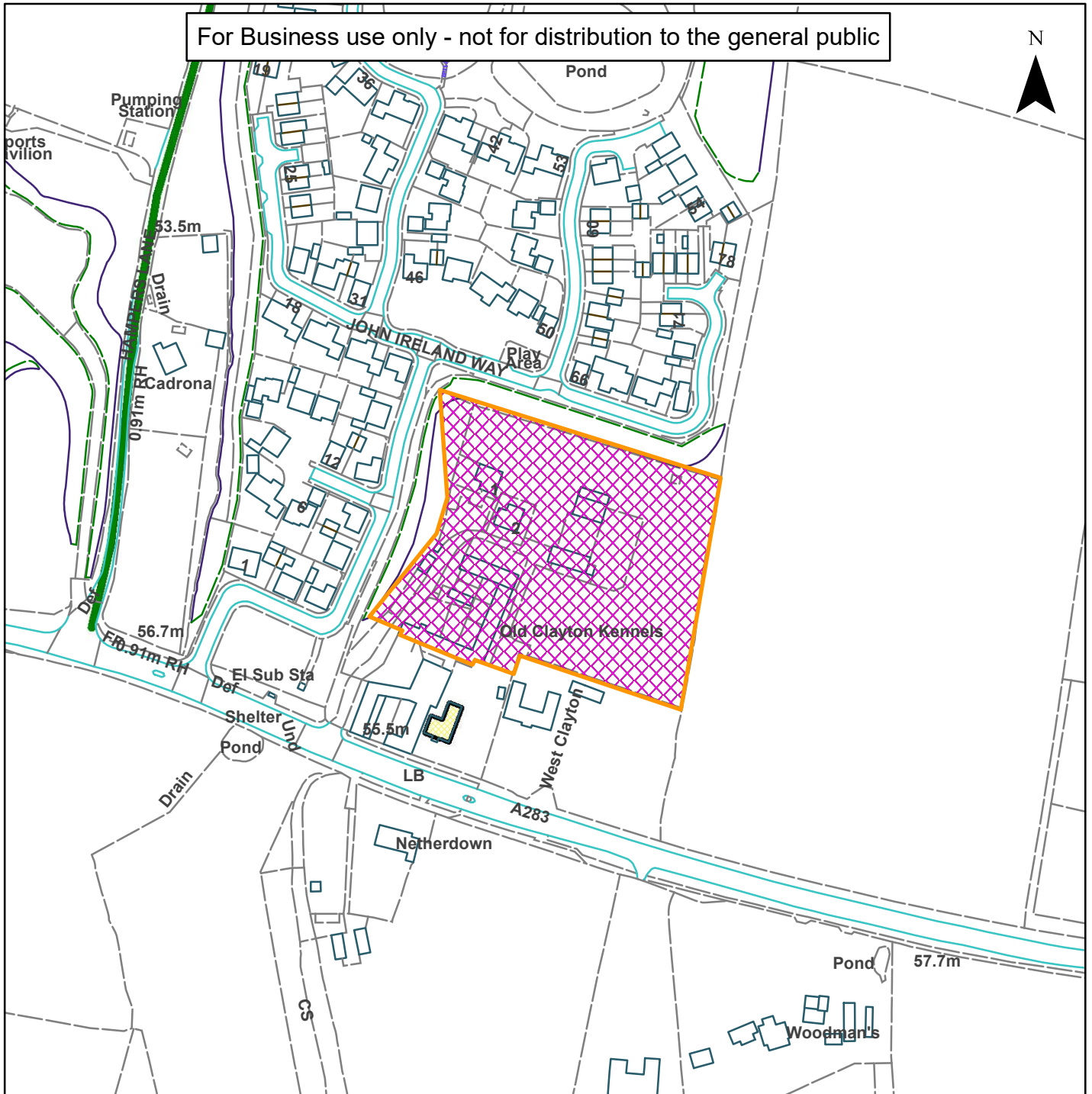


**Horsham
District
Council**

Old Clayton Boarding Kennels, Storrington Road, Washington,
Pulborough, West Sussex, RH20 4AG

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Scale: 1:2,500

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Organisation	Horsham District Council
Department	
Comments	
Date	12/01/2023
SA Number	100023865

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**Horsham
District
Council**

PLANNING COMMITTEE REPORT

TO: Planning Committee South

BY: Head of Development and Building Control

DATE: 24th January 2023

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: Following deferral at Planning (South) Committee on 18.10.2022 to allow additional information to be submitted

RECOMMENDATION: To approve full planning permission subject to appropriate conditions and the completion of a Section 106 Legal Agreement. In the event that the legal agreement is not completed within three months of the decision of this Committee, the Director of Place be authorised to refuse permission on the grounds of failure to secure the obligations necessary to make the development acceptable in planning terms.

1. THE PURPOSE OF THIS REPORT

- 1.1 To consider the additional information submitted to support the application following the deferral at the Planning (South) Committee meeting on 18.10.2022.
- 1.2 The application was deferred to provide time for the Applicant to submit a Noise Assessment and revised Water Neutrality Statement to address the concerns raised and recommended refusal reasons.

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 Permitted on 29.05.2003
DC/05/0828	Installation of an underground raw sewage pumping unit to serve the cart shed	Application Permitted on 25.05.2005
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 on 12.10.2009
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 Permitted on 07.11.2012
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 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	Application Permitted on 17.09.2013
DC/21/1756	Change of Use from Agricultural Barn (Stables/Equestrian) to Sus Generis to form new game processing workshop	Application Refused on 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

INTERNAL CONSULTATIONS

3.2 **HDC Environmental Health:** Comment

The acoustic report concludes that the driver for the exceedance during the night-time period has been established to be the freezer condenser. It is therefore recommended that the sound pressure level for this unit be reduced by a minimum of 3dB(A). This could be achieved by upgrading the existing enclosure & if the mitigation measures detailed in the report are introduced then there is no reason planning permission should be refused or withheld on noise grounds. Conditions suggested.

OUTSIDE AGENCIES

3.3 **Natural England:** No Objection subject to appropriate mitigation being secured

Natural England notes that the Local Planning Authority, as competent authority, has undertaken an appropriate assessment of the proposal in accordance with regulation 63 of the Conservation of Species and Habitats Regulations 2017 (as amended). Natural England is a statutory consultee on the appropriate assessment stage of the Habitats Regulations Assessment process. The appropriate assessment concludes that the Local Planning Authority is able to ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question. Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England concurs with the assessment conclusions, providing that the mitigation measures proposed in the water neutrality statement are appropriately secured in any planning permission given.

Natural England notes that while the measures set out in the proposal's water neutrality statement appear ecologically sound, they should be secured in perpetuity. As such, it is advised that appropriate management and maintenance of these measures in perpetuity be agreed with the competent authority.

PUBLIC CONSULTATIONS

3.4 6 additional letters of objection have been received since the last Committee meeting from 6 separate households, and these can be summarised as follows:

- Previous use of the stables did not generate traffic
- Horses/ponies living in the stables were connected to the tenants of the houses in the farmyard
- Inaccurate assumptions in the Transport Report
- Significant traffic movements created by the business
- Applicant cannot comply with the hours of operation condition
- Retail sales taking place from the site
- No restriction or limit to the number of employees at the site
- Inadequacy of water strategy due to minimal water saving
- Use of the premises as a slaughterhouse

All previous representations received which are summarised within the Appendix document remain relevant and are material to the assessment of this application.

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

4.1 Under the Equalities Act 2010, the Council must, in the exercise of its functions, have due regard to the need to:

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;

(b) advance equality of opportunity between persons who share a relevant protected characteristic [Age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation] and persons who do not share it;

(c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The Committee must be mindful of this duty when determining all applications. The Equality Act 2010 has formed part of the planning assessment below and Officers have had full regard to this duty in the assessment of this application.

- 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. 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 Applicant has submitted further information, in the form of a Noise Assessment and Water Neutrality Statement to seek to address the previous concerns with respect to neighbour amenity and water neutrality (included as recommended reasons for refusal) put forward to the Planning (South) Committee meeting on 18.10.2022. The previous committee report is attached as Appendix A.

Neighbour Amenity

- 6.2 The Applicant has submitted a Noise Assessment reference J3550 Issue 1 by Acoustic Associates Sussex Ltd dated 23.11.2022. The scope of this assessment was to measure residual background noise levels when the site and the refrigeration condensers are not operating; measure the various sound sources operating at the site and construct day and night time noise models to compare against residual background sound levels; consider the impact of traffic movements to and from the site; and provide mitigation advice if required.
- 6.3 The Noise Assessment outlines that the site operates within day time hours of 07:00 – 20:00, although the assessment was only undertaken up until 18:00. The main sound sources are 5 condensers which are spread around the building, where all but one benefit from an open fronted timber enclosure. The 'Plucker' (used for feathers) also has an external extraction unit which is another noise source. The Assessment outlines that the dominant noise source at the location is the A24, which passes the site to the west and is clearly audible from the application site and the entrance to the site.
- 6.4 The sound level meters measured the representative background sound levels for the day and night time period as 39dB (07:00 - 23:00) and 33dB (23:00 - 07:00) respectively. The corrected sound pressure level of the commercial sound sources was found to not exceed the measured daytime sound pressure level. However, for the night time period, the corrected sound pressure level was found to exceed the most commonly occurring background sound pressure level by 3dB(A). The Report outlines that the driver for this exceedance has been established to be the Freezer Condenser, where it is recommended that the sound pressure level be reduced by upgrading the existing enclosure. It is also suggested to construct a more robust enclosure around the 'Plucker' in order to attenuate the sound more efficiently than the current timber housing.

- 6.4 An assessment of traffic movements to the site was also undertaken. The Report outlines that traffic movements take place between 07:00 and 20:00, with the maximum traffic movements consisting of:
- Staff arriving in the morning and leaving at night (2 or 3 vehicles with maximum of 42 traffic movements a week)
 - Pigeon delivery (maximum 2 deliveries on Saturdays and Sundays with maximum 8 traffic movements)
 - Venison drop-off and collection (8 a week to a total of 16 traffic movements)
 - Grouse Birds (1no. 7.5 tonne vehicle a week between 12 August and second week of February, totally 2 traffic movements a week)
 - Mallard and Partridge (4 deliveries by van a week between 12 August and second week of February, totalling 8 traffic movements a week)
 - Pheasants (2 delivery vans a day between 12 August and second week of February, totally 14 traffic movements a week)
 - Farmers Markets (2 vans leave the site every Saturday, totalling 4 traffic movements a week)
 - Waste (fur and guts collected twice a week in peak season and general waste collected once a week, totalling 6 traffic movements a week)
 - Wastewater (1 collection every 6 weeks, totally 2 traffic movements every 6 weeks)
- This equates to a maximum of 15 traffic movements a day and 102 traffic movements a week. The Assessment does however highlight that this number could be significantly lower between February and August when game birds are not in season.
- 6.5 The Noise Assessment outlines that the supporting documents initially proposed that an articulated lorry attend the site every Saturday to collect goods for export. This is no longer proposed. The supporting documents also indicated that a van is proposed to leave the site at 10pm to drop goods in London and return at 3am. Most of the year this would take place on Tuesdays, however during the Christmas season, this could increase to 3/5 times a week. It is still proposed for this to take place during these times and at this frequency, and this is discussed further below.
- 6.6 The Report outlines that vehicle noise levels were modelled along a line source for day time and night time. This was calibrated at a sound pressure level of 46.7dB(a) for the day time period and 44.7dB(A) for the night time. The Report outlines that the worst case noise model would be 5dB(A) below the World Health Organisation guidance on external amenity spaces. Noise arising from the A24 was also modelled, where it was shown that sound pressure levels from the A24 are already significantly above the predicted sound pressure levels of the traffic movements associated with the development. The Report thereby concludes that the traffic movements arising from the development are unlikely to have a significant impact on the soundscape.
- 6.7 The Report suggests that the uncertainty relating to the frequency of traffic movements is likely causing concern to the residents, rather than the specific sound pressure level. The Report recommends that the application site implement a more regimented traffic management scheme to reduce this uncertainty, reduce the chance of any congestion, and alleviate the concern from the residential properties.
- 6.8 The findings and recommendations of the Noise Assessment are accepted by the Council's Environmental Health Officer, where it is recommended that the existing enclosure to the freezer condenser be upgraded. Conditions are recommended to this effect, requiring that the enclosure be upgraded sufficiently to achieve the 3dB noise attenuation, with the requirement to submit a subsequent verification report.

- 6.9 The Noise Assessment submitted by the Applicant recognises that the application site is impacted by traffic noise from the A24, with noise associated with the development impacted by this existing noise source. Through sound measuring, the assessment has however found that the externally located plant does exceed the residual background noise level in the night time period (23:00 – 07:00). It does however consider that this impact could be overcome by upgrading the enclosure surrounding the plant, and this is accepted by the Council's Environmental Health Officer. It is also considered that upgrading the enclosure to the 'Plucker' could also reduce noise associated with the operation. It is considered that the conditions as recommended by the Environmental Health Officer would be reasonable and would overcome the concerns raised with regard to the external plant.
- 6.10 The Noise Assessment outlines that noise caused by vehicle traffic to and from the application site would be no greater than the noise experienced from road traffic using the A24. The Noise Assessment thereby concludes that the development is unlikely to have a significant impact on the soundscape. It is recognised that the Assessment makes an assumption of the noise levels from the A24, but this is based upon modelling at nearby sites where data has been collected. The Environmental Health Officer has raised no concerns with this methodology, with the conclusions accepted.
- 6.11 The Environmental Health Officer has previously suggested a number of conditions 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 relationship between the properties, coupled with the night time hours 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. Furthermore, the method of loading and unloading could result in some noise impact from intermittent sharp noises from roll cages etc. However, this could be controlled through a suitably worded management plan condition. 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. This would reduce the impact and would overcome concerns regarding potential noise and disturbance to the nearby residential properties.
- 6.12 It is recognised that concerns have been raised by objectors with respect to the likelihood of conditions being adhered to. However, the suggested conditions are considered necessary to make the development acceptable, while also being enforceable. The conditions would serve a planning purpose and subject to the recommended conditions, the proposed development is considered to result in an acceptable impact on the amenities and sensitivities of neighbouring residential properties, in accordance with Policies 32 and 33 of the Horsham District Planning Framework (2015).

Water Neutrality

- 6.13 The Applicant has submitted an updated Water Neutrality Statement received on 07.12.2022. A Statutory Declaration from the former manager of Woodmans Farm outlines that 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 part 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 (0) water consumption.

- 6.14 The Water Neutrality Statement outlines that the business (Chanctonbury Game) has a water demand of 57.08 litres per person per day. This is based on the installation of a dual flush toilet, flow restrictors to kitchen tap/washbasin, 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 285.38 litres per day. The strategy proposes both on-site mitigation measures, through the fitting of flow restrictors to the kitchen tap and washbasin, and the installation of a dual flush toilet, along with off-setting measures to retrofit 5no. dwellings. This would be achieved through the installation of low flow rate taps (flow restrictors).
- 6.15 Water calculations have been provided for each of the existing 5 dwellings, supported by water bills. This indicates a total daily water use for all properties of 1511.72 litres per day. Subject to the retrofitting as outlined above, the strategy indicates that the total water consumption of all dwellings would be reduced to 1221.1 litres per day, achieving a reduction of 290.62 litres per day. A schedule of these fittings has been provided, with a photographic schedule of existing fittings provided for comparison. This provides certainty that the proposed fittings are not present within the existing buildings and would result in the reductions as stated.
- 6.16 The Council have undertaken an Appropriate Assessment, where it has been concluded that the mitigation measures and proposed offsetting through retrofitting 5no. existing properties would result in a total reduction of 290.62 litres per day, which would be greater than the demand arising from the development. It has therefore been shown that the water saving measures would address the demand arising from the development and would be water neutral.
- 6.17 It is noted that a number of objections have been received with respect to the figures presented within the Water Neutrality Statement, and specifically the implication should the business hire additional employees. Based on current operations at the site there is no evidence there would be an increase in employment at the site, particularly given any other occupant of the site would require separate planning permission given the sui generis use proposed. Natural England have been consulted on the Appropriate Assessment and concurs with the assessment conclusions, providing that the mitigation measures proposed in the water neutrality statement are appropriately secured in any planning permission given. The mitigation measures could be secured by condition, with the offsetting strategy secured through a s106 agreement. Subject to the water strategy being implemented in full and in perpetuity, it is considered that the proposal would be water neutral.

Conclusion and Planning Balance

- 6.18 The previous committee report to the October 2022 Planning Committee South meeting recommended that this application be refused. The previous report, which is appended to this one, remains a material consideration in the assessment of this application. Following the previous committee meeting new material information has been submitted, which is discussed above. It is therefore necessary to re-balance the benefits and harm of the development.
- 6.19 It is recognised that Chanctonbury Game offers an important service for the rural community, with associated economic and public benefits. The proposed development would therefore result in social and economic benefits and would support and contribute to the wider rural economy. This is considered to be a material consideration of significant weight. The proposal would be located within an established building suitable for conversion, and would sustain the countryside-based enterprise without resulting in adverse impact on the highway network. For these reasons, the proposed development is considered acceptable in principle.

- 6.20 The Applicant has submitted additional information, in the form of a Noise Assessment and updated Water Neutrality Statement, to address the concerns previously raised. The Noise Assessment has confirmed that the operation and associated activities would not result in significant noise, particularly given the background noise experienced from the A24. Subject to conditions limiting operating hours, delivery/dispatch hours, further details with respect to loading/unloading and upgrading existing plant enclosures, it is considered that the proposal would not result in a level of harm to the amenities of neighbouring properties which would warrant a refusal of the application on planning grounds.
- 6.21 The proposed water strategy, which includes offsetting to 5no. residential dwellings, is considered to address the water demand arising from the development, and this would be secured by a s106 agreement. Subject to this mitigation, the development would not therefore 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, thereby not conflicting with 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).
- 6.22 For these reasons, it is considered that the development is acceptable in accordance with the relevant development plan policies, subject to conditions as listed below and a s106 agreement to secure the water strategy in perpetuity.

7. RECOMMENDATIONS

- 7.1 To approve the application subject to the following conditions and the signing of a s106 legal agreement.

Conditions:

- 1 **Approved Plans**
- 2 **Regulatory Condition:** Within 3 months of the date of this permission, a drainage strategy detailing the proposed means of foul and surface water disposal shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be installed within 1 month of the date of approval of these details.

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

- 3 **Regulatory Condition:** Within 3 months of the date of this permission, a Waste Management Plan shall be submitted and approved in writing by the Local Planning Authority. The Plan shall include but not be limited to, the location and storage of waste prior to collection, the location of waste on day of collection, and measures to control and minimise odour from waste at the site. The Waste Management Plan shall be implemented within 1 month of approval of these details and complied with thereafter for the duration of the use.

Reason: In order to ensure that the safe operation of the development and to protection of the amenities of nearby residents, in accordance with Policies 33 and 40 of the Horsham District Planning Framework (2015).

- 4 **Regulatory Condition:** Within 3 months of the date of this permission, a scheme for sound attenuation against external noise from the externally located plant shall be submitted to and approved by the Local Planning Authority. The scheme shall have regard to the recommendations set out in the submitted Noise Assessment reference J3550 Issue 1 by

Acoustic Associates Sussex Ltd. The approved sound attenuation works shall be completed within 1 month of the details being approved and shall be retained thereafter.

Reason: As this matter is fundamental in the interests of residential amenities by ensuring an acceptable noise level for the occupants of the development in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 5 **Regulation Condition:** Within 3 months of the date of this permission, a Delivery, Collection and Service Management Plan, which includes details of the types of vehicles, how deliveries and collections will take place and the frequency of deliveries shall be submitted to and approved in writing by the Local Planning Authority. All deliveries and collections shall thereafter be carried out in accordance with the approved plan.

Reason: In order to ensure that the safe operation of the development and to protection of the amenities of nearby residents, in accordance with Polices 33 and 40 of the Horsham District Planning Framework (2015).

- 6 **Regulatory Condition:** Within 1 month of the date of this permission, the parking, turning and access facilities necessary to serve the approved use shall be constructed and completed in accordance with the approved details as shown on plan 2021-6336-000 rev A and shall be thereafter retained as such.

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

- 7 **Regulatory Condition:** Within 3 months of the date of this permission, a scheme for the provision of electrical vehicle charging points shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be installed within 1 month of the date of approval of these details and shall thereafter remain as such.

Reason: To provide electric vehicle car charging space for the use in accordance with Policies 35 and 41 of the Horsham District Planning Framework (2015) and the WSCC Parking Standards (2019).

- 8 **Regulatory Condition:** Within 3 months of the date of this permission, details of secure and covered cycle parking facilities for the occupants of, and visitors to, the development shall be submitted to and approved in writing by the Local Planning Authority. Within 1 month of the approval of these details, the approved cycle parking facilities shall be fully implemented and made available for use. The provision for cycle parking shall thereafter be retained for use at all times.

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).

- 9 **Regulatory Condition:** Within 3 months of the works to upgrade the external plant enclosures being completed, a Noise Assessment shall be submitted and approved in writing by the Local Planning Authority which demonstrates the plant noise levels for night time operation have been reduced by at least 3dB(A). The assessment shall be undertaken in accordance with BS 4142: 2014 (or subsequent superseding equivalent) and current best practice and shall include full spectrum analysis to confirm that there is no tonality or other acoustically distinctive features present in the noise. Any additional steps required to mitigate noise shall be detailed and implemented, as necessary in accordance with a timetable submitted with the Assessment. The details as approved shall thereafter be permanently retained

Reason: As this matter is fundamental in the interests of residential amenities by ensuring an acceptable noise level for the occupants of the development in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 10 **Regulatory Condition:** The premises hereby permitted shall be used for the processing, preparation and packaging of game meat (sui generis) only and for no other purpose.

Reason: Changes of use as permitted by the Town and Country Planning (General Permitted Development) Order or Use Classes Order 1987 are not considered appropriate in this case due to the proximity of the site to the nearby residential properties under Policy 33 of the Horsham District Planning Framework (2015).

- 11 **Regulatory Condition:** The premises shall not be open for trade or business except between the hours of 07:00 hours to 19:00 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).

- 12 **Regulatory Condition:** No deliveries to or from the site in connection with 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).

- 13 **Regulatory Condition:** No external storage of any materials or waste shall take place at any time.

Reason: To safeguard the amenities of the locality in accordance with Policies 32 and 33 of the Horsham District Planning Framework (2015).

- 14 **Regulatory Condition:** No external lighting or floodlighting shall be installed other than with the permission of the Local Planning Authority by way of formal application.

Reason: In the interests of the amenities of the locality and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

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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:

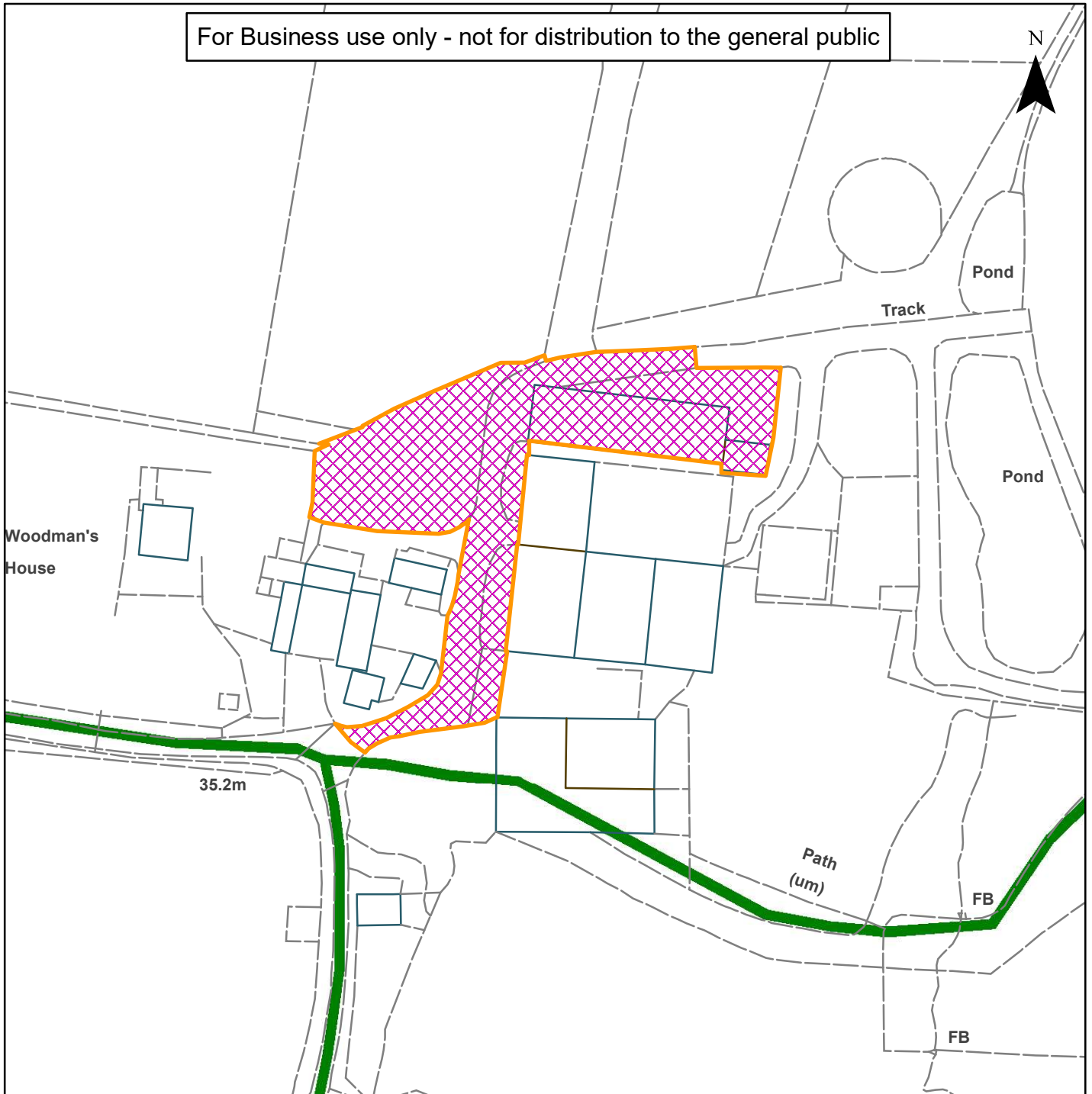
- 1 Insufficient information has been provided to demonstrate to the satisfaction of the Local Planning Authority that the development would not result in significant adverse harm to the amenities and sensitivities of neighbouring properties through noise and disturbance emanating from plant associated 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



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

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Scale: 1:1,250

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Organisation	Horsham District Council
Department	
Comments	
Date	12/01/2023
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