



PLANNING COMMITTEE REPORT

TO: Planning Committee South

BY: Head of Development and Building Control

DATE: 16th November 2021

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

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

WARD: West Chiltington, Thakeham and Ashington

APPLICATION: DC/21/1552

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

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

RECOMMENDATION: To approve planning permission subject to appropriate conditions

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

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

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

DESCRIPTION OF THE SITE

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

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT PLANNING POLICIES

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

National Planning Policy Framework (NPPF) (2021)

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

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

Thakeham Neighbourhood Plan (TNP) (2017):-

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

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

PLANNING HISTORY AND RELEVANT APPLICATIONS

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

3. OUTCOME OF CONSULTATIONS

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

3.2 HDC Environmental Health: Advice:-

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

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

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

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

3.3 Natural England: Objection:-

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

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

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

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

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

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

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

PUBLIC CONSULTATIONS

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

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

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

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

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

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

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

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

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

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

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

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

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

6. PLANNING ASSESSMENTS

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

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

Principle of Development:

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

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

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

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

Visual and Landscape Impact:

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

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

Acoustic and Lighting Impact:

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

Other Amenity Impacts:

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

Safety of Visitors/Users:

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

Effects on Habitats and Species:

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

Water Neutrality:

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

Conclusions:

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

7. RECOMMENDATIONS

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

Conditions:

1. **Approved Plans List**

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

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

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

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

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

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

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

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

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

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

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

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

Background Papers:
DC/21/1552