



PLANNING COMMITTEE REPORT

TO: Planning Committee North

BY: Head of Development and Building Control

DATE: 5th July 2022

DEVELOPMENT: Siting of a log-cabin-style caravan-lodge for permanent residential use by a warden, their spouse or partner, and any dependents.

SITE: Sumners Pond Fishery and Campsite Chapel Road Barns Green Horsham West Sussex RH13 0PR

WARD: Itchingfield, Slinfold and Warnham

APPLICATION: DC/21/1521

APPLICANT: **Name:** Mr Simon Smith **Address:** Chapel Road Barns Green Horsham RH13 0PR

REASON FOR INCLUSION ON THE AGENDA: By request of Councillor Youtan

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 siting of a mobile home to be used for wardens accommodation in association with the operation of the Sumners Pond Fishery and Campsite.
- 1.3 The accommodation would be sited to the north of the existing internal campsite/fishery access path, which extends along the perimeter of the northwestern 'Match' lake. An area for parking would sit alongside, accessed directly off Smugglers Lane immediately to the north. The mobile home would measure to a length of 15.2m and a depth of 6.7m, and would incorporate a mono-pitched roof measuring to an overall height of 4m. The proposal would include an area of decking to the south, with the accommodation providing 3no. bedrooms, kitchen/living/dining room and 2no. bathrooms.
- 1.4 The supporting information outlines that the mobile home is required for the surveillance of the site, specifically in connection with the secluded area. The further surveillance offered by this application is outlined to be both necessary and desirable in order to prevent crime and ensure the safety of fish stocks, as well as maintaining a safe space for healthy leisure activities and tourism.

DESCRIPTION OF THE SITE

- 1.5 The application site is located to the northern-most extent of the land comprising Sumners Pond Fishery and Campsite, and is located to the west of the built-up area boundary of Barns Green. The site is therefore within a countryside location in policy terms.
- 1.6 The land subject of the application is located to the north of Match Lake, located to the west of Smugglers Lane. The site comprises a lake with fishing stations, bound by mature vegetation, which is accessed internally through the site or by a public footpath located to the north
- 1.7 The wider site comprises a number of lakes used for fishing purposes, along land used for touring caravans and holiday cabins, both used for tourist accommodation purposes. Agricultural fields surround the site, with the built-up area of Barns Green located approximately 510m to the east.
- 1.8 The application site benefits from a number of permissions for warden accommodation around the site. This includes the year-round stationing of a mobile home for a warden permitted under reference DC/05/0060. This accommodation is located to the west of the car park serving the wider site and to the south-east of Betty's Lake. This permission is subject of condition 5 requiring that the occupation of the mobile home be limited to persons employed as a warden providing supervision and management of the camping and caravan site and to any resident dependents. A separate application under planning reference DC/09/0579 approved the stationing of a log cabin as warden accommodation. This is located to the east of the Farm Pond. Application reference DC/13/1780 also approved the conversion of the first floor of an existing shower block building to employee accommodation. This accommodation is located to the west of Sumners Lake and south of Farm Pond, and is subject of condition 2 which states that the accommodation hereby permitted shall be occupied by members of staff employed for purposes associated with the operations of the Sumners Pond Fishery and Camp site business. A total of 3no. warden accommodations are therefore present on the site, with the purpose of providing accommodation for employees of the established facility. Sumners Cottage and 1 The Barn located to the south and east of the industrial units within Sumners Farm are also under the ownership of the Applicant. Sumners Cottage was approved under planning reference I/22/86 and is subject of condition 2 which limits occupation of the dwelling to a person solely employed or retired and last employed in the locality in agriculture.

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 11 - Tourism and Cultural Facilities
 Policy 15 - Strategic Policy: Housing Provision
 Policy 16 - Strategic Policy: Meeting Local Housing Needs
 Policy 20 - Rural Workers Accommodation
 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 43 - Community Facilities, Leisure and Recreation

RELEVANT NEIGHBOURHOOD PLAN

2.5 **Barns Green and Itchingfield Neighbourhood Plan**

The Examiner's Report was received in June 2021, where it was concluded that subject to a series of recommended modifications, the Neighbourhood Plan meets all the necessary legal requirements and should proceed to Referendum. The Neighbourhood Plan therefore now carries significant weight in decision making.

Policy 1: Green Infrastructure Conservation
 Policy 5: Protection of Green Infrastructure
 Policy 9 and 9a: Sumners Ponds Development Site
 Policy 11: Windfall Development
 Policy 12: Design of Housing
 Policy 14: Housing Mix
 Policy 15: Off Street Parking
 Policy 16: Small-Scale Businesses

PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/06/0177	Continued use of as camping and caravanning site (Certificate of Lawful Development - Existing)	Application	Permitted	on
		14.03.2006		
DC/08/1834	Change of use of camping field to touring caravan site for 25 pitches and warden accommodation (and proposed re-routing of public bridleway)	Application	Refused	on
		26.09.2008		
DC/08/1835	Installation of 3 holiday lodge cabins	Application	Refused	on
		26.09.2008		
DC/08/1837	Erection of toilet block building and regularisation of extension to shop/cafe	Application	Permitted	on
		10.11.2008		
DC/09/0579	Change of use of camping field to touring site for 25 pitches and warden accommodation, re-routing of public bridleways, erection of 2 log cabins for holiday use and 1 log cabin as wardens accommodation	Application	Permitted	on
		15.06.2009		
DC/10/1763	Replacement shower/toilet block with associated facilities and stand-alone shower pod	Application	Permitted	on
		09.11.2010		

DC/11/0864	Temporary building to be used as kitchen	Application Permitted on 29.06.2011
DC/12/0187	Non material amendment to previously approved DC/10/1763 (Replacement shower/toilet block with associated facilities and stand-alone shower pod) comprising addition of external stairs to give access to first floor storage area	Application Permitted on 21.02.2012
DC/13/1696	Change of use of agricultural land, creation of a lake for recreational fishing, access and additional car parking	Application Permitted on 16.01.2014
DC/14/2566	Extension of kitchen cabin to provide additional storage	Application Permitted on 10.03.2015
DC/20/0281	Erection of 2 holiday lodge cabins	Application Permitted on 08.04.2020

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:** Support

Support the application for improved security of this large site. The site is inspected annually by this Department and found to be a very well run and managed site. It is readily accessed by members of the public and an extra lodge here would improve the safety of visitors and staff. The proposed arrangements for compliance with the Caravan Site legislation are appropriate, but more detail is needed with regard to the proposed package treatment plant for disposal of sewage. This could be provided through a condition.

OUTSIDE AGENCIES

- 3.3 **WSCC Highways:** No Objection

The site is located and accessed via Smugglers Lane which is a privately maintained road, subsequently these comments are for your advice only.

Access to the publicly maintainable highway for vehicles, takes place at an established point of access with Sandhills Road, which is a C-classified road subject to 30mph speed limit. There are no proposed alterations to the existing access onto Sandhills Road.

The Local Highway Authority (LHA) has reviewed data supplied to WSCC by Sussex Police over a period of the last five years. There has been a recorded injury accident at the junction of Smugglers Lane and Sandhills Road. However, from an inspection of accident data it is clear that this was not due to any defect with the junction.

This proposal is not anticipated to result in a material intensification onto the publicly maintained Sandhills Road or the wider road network.

The proposal is to provide accommodation for the warden of the commercial premises and their immediate family. The application form states that 2 parking spaces will be provided for this development. The WSCC Car Parking Demand Calculator (PDC) would expect 3 parking spaces to be provided for dwelling of this size and location. Details of the proposed parking has not been demonstrated.

In the interests of sustainability and as result of the Government's 'Road to Zero' strategy for at least 50% of new car sales to be ultra-low emission by 2030, electric vehicle (EV) charging points should be provided for all new homes. Active EV charging points should be provided for the development in accordance with current EV sales rates within West Sussex (Appendix

B of WSCC Guidance on Parking at New Developments) and Horsham Local Plan policy. Ducting should be provided to all remaining parking spaces to provide 'passive' provision for these to be upgraded in future. Details of this can be secured via condition.

The site benefits from various linked public bridleways and footpaths. In order to promote the use of sustainable transport methods, the Local Highways Authority (LHA) recommends that safe and secure cycle storage is provided for the proposed mobile home.

The 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 (paragraph 111), and that there are no transport grounds to resist the proposal.

3.4 **WSCC Fire and Rescue:** Comment

There is insufficient turning facility for a fire appliance to turn and make an exit from the site. Approved Document - B: Volume 1 - 2019 Edition: B5 section 13 requires a turning facility within 20 metres. The distance from the intended siting of a log-cabin-style caravan-lodge for permanent residency on Smugglers Lane back to Muntham Lane is 140 metres, 120 metres over the reverse distance for a fire appliance. This is also a narrow lane and would be problematic for a fire appliance to reverse that distance. Therefore a turning facility capable of withstanding 18 Tonne axial weight of a fire appliance will be required.

3.5 **WSCC Public Rights of Way:** No Objection

3.6 **Southern Water:** Comment

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

3.7 **Sussex Police:** The benefit of the wardens accommodation would deter crime from a business that has suffered anti-social behaviour and crime from neighbours and trespassers over a number of years.

3.8 **Natural England:** Standing Advice: -

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

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

PUBLIC CONSULTATIONS

3.9 **Itchingfield Parish Council:** Recommend approval subject to the dwelling being ancillary to the business.

3.10 5 letters of support were received, and these can be summarised as follows:

- Provide much needed 24 hour security and safety for the general public
- Threat of antisocial behaviour, as well as poaching and criminal damage to property, is a constant and real concern

- Current security measures have been ineffective
- No neighbours would be impacted

3.11 1 letter of representation was received which outline support for the application but raised concerns regarding accessibility of the lane for vehicles. The narrow footpath/bridleway is not considered suitable for road access or access for emergency services.

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 siting of a mobile home to be used for wardens accommodation in association with the operation of the Fishery and Campsite.

Principle of Development

6.2 Policy 20 of the Horsham District Planning Framework (HDPF) states that outside the defined built-up area, new housing for rural workers will be supported provided that: there is a functional need for the dwelling and the occupation of the dwelling is to support the established business use; and evidence is submitted to demonstrate the viability of the rural business for which the housing is required.

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 recreation 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 Sumners Pond Fishery and Camp Site comprises five fishing/commercial fishery lakes, tourist accommodation (including caravan pitches, camping pods, log cabins, shepherd huts, and safari tent), and leisure facilities including public rights of way. The business employs 16 full-time staff and 70 part-time staff, with existing staff accommodation comprising 2no. lodges and a loft conversion for use by wardens and their families (approved under planning references DC/05/0060, DC/09/0579, and DC/13/1780).

6.5 The Planning Statement outlines that the desire for additional warden accommodation is driven by the need for surveillance of the site in general, in connection with its secluded areas, and with particular reference to agricultural commercial fishery activities, leisure angling, and the activities of holiday makers who use the network of paths across the site. Warden duties include enforcing site rules for safety and customer enjoyment, a point of contact for customers, maintenance, security, cleaning, and evening site rounds. Without the

warden presence, there is an ongoing and/or increased risk of crime and poaching, and this increased risk exists regardless of CCTV and fencing.

- 6.6 The Applicant has supplied data from Police crime logs and records held by the on-site Bailiff demonstrating that further surveillance of the site is necessary and desirable in order to prevent crime and ensure the safety of fish stocks and maintain a safe space for healthy leisure activities and tourism. The proposed location, to the north of Match Lake, would be close to the adjacent network of footpaths, and would enable the passive surveillance of fish stock on the lake and of those entering the park from the public highway, both during working hours and out of hours and off-season. During working hours and during the holiday season, the proposed lodge would be a point of contact with tourism and leisure staff and anglers and holiday-makers who may need assistance with regard to tourist or leisure activities near Match Lake or more secluded parts of the site which are not currently within easy reach of a warden. The Statement continues that the site is fully accessible by public footpaths and bridleways, with the potential for holiday-makers and members of the public to require assistance outside of office hours. This means an increased human presence is necessary to provide help and assurance and to serve as a crime deterrent. The Planning Statement also outlines that there are regular police patrols on site in response to sheep worrying, theft and anti-social behaviour to the public and staff.
- 6.7 The Applicant outlines that a CCTV system was installed in early Spring, but this does not provide a complete solution to the problem and cannot replace a human presence on-site. The CCTV cameras do not provide audio content and are more useful for evidence and identification than prevention. They are not as prominent and do not provide the same level of deterrent as an actual human presence. In addition, the Applicant has provided approximately 1km of fencing in different areas of the site, albeit that the area subject of the application includes no perimeter fencing. The Applicant outlines that the desirability of public access to the site as a leisure facility, and the legal obligations to not obstruct public footpaths and bridleways, means that it is not possible or desirable for the business or the public to completely secure the site through security fencing. An open site with vigilant wardens on-site for 24 hours per day is more favourable
- 6.8 The Planning Statement outlines that the 2no. full-time bailiffs and 1no. part-time bailiff are employed to patrol the ponds, look after the lakes, fish stocks, and serve customers; with their working hours being 8am to 4pm and 10am to 6pm. These bailiffs are present on-site seven days per week, albeit that the evidence demonstrates that they only work during the day. It is unclear why these bailiffs are employed only during the day when the needs of the business, and specifically the safety of fish stocks and anglers, remain throughout the day and night. While it is not the purpose of this application to determine the number and nature of employees within the business, this does draw into question the essential and functional need for additional employees on-site, particularly when those anticipated to be available during the evening and early hours are not on-call after working hours.
- 6.9 It is understood that the existing three warden accommodations were permitted in 2005, 2009 and 2013 based upon the needs of the business, including for surveillance, security and the well-being needs of fish and visitors. It is assumed that a 24-hour presence on site was deemed necessary to allow an employee to be available throughout the day and night should the need arise, yet the Planning Statement suggests that these employees are only available during "working hours". This draws into question why such overnight accommodation is essential and necessary in the first instance. If a 24-hour warden is required for the business as suggested, it is queried why this employee could not be provided with one of the existing accommodations on-site, which for all intents and purposes, exist for this reason.
- 6.10 Furthermore, while it is recognised that the Applicant has indicated that the installed CCTV surveillance is not adequate, no evidence has been provided to show that these installations have been erected within the area of the application site and that such installations have failed.

- 6.11 While the desires of the Applicant are noted, and these are supported by Sussex Police, these in themselves do not justify an additional residential dwelling on the site which must be assessed based on the planning merits of the case. No evidence has been provided to illustrate that there is an additional need for a worker to live-on site, with the existing 3no. warden accommodations considered to provide adequate overnight accommodation to meet the needs of the business. There is no evidence to suggest that these accommodations could not provide for the desired “multi-tasking warden”, albeit that the available information indicates that these accommodations are occupied by employees who are only employed during “working hours”. On this basis, it is thereby queried whether the site is being adequately monitored during the evening and early morning hours.
- 6.12 Furthermore, it has not been sufficiently demonstrated that security measures, including CCTV, security fencing, and regular patrols and monitoring, would or have failed to improve the security and surveillance at the site. It has not been clearly indicated where any CCTV monitoring has been installed in the northern portion of the site, with the Planning Statement seeming to suggest that security fencing has been discounted due to cost and appearance. While the monetary cost of installing security fencing and CCTV is acknowledged, these measures would address the issues, and these installations could be erected under permitted development without the need for planning permission. These measures have the potential to address the security and surveillance issues, and the undesirability of these measures is not considered so significant to justify an additional residential dwelling on the site,
- 6.13 Without sufficient evidence to demonstrate that these security measures would not meet the needs of the business, it is not considered that there is a reasonable likelihood that alternative measures, including an additional 24-hour presence on the site, is essential and necessary. The business benefits from 3no. existing wardens/employee accommodations, with these accommodations providing an on-site presence throughout the day and night. It has not been sufficiently demonstrated that this existing accommodation is functioning inappropriately, with no evidence to suggest that improved security measures, including additional CCTV, security fencing, and regular monitoring and patrol of the site, could not address the security issues. Without evidence to support the unviability of such measures, it is considered that while desired, the proposed accommodation has not been proven essential in this countryside location. It is not therefore considered that there is an essential and functional need for an additional rural worker dwelling to support the established business.
- 6.14 While it is recognised that Match Lake is located at a distance from the existing warden/staff accommodations on the site, and is easily accessible from the public rights of way outside of the site, it has not been sufficiently demonstrated that ongoing surveillance and monitoring could not be undertaken from the existing 3no. warden accommodations. The evidence seems to suggest that this accommodation is occupied by “working hours” employees, and it is queried why these occupiers are not on-call during the evening and early hours given their on-site presence. In considering the existing level of warden accommodation on the site, it is not considered that there is an essential and functional need for additional residential accommodation on the site. The proposal is therefore considered to be contrary to Policies 20 and 26 of the Horsham District Planning Framework (2015).

Design and Landscape Character Impacts

- 6.15 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 townscape 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.

- 6.16 Paragraph 127 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.
- 6.17 The accommodation would be sited to the north of the access path, which extends along the perimeter of the lake, and would be accessed from the south. The mobile home would measure to a length of 15.2m and a depth of 6.7m, and would incorporate a mono-pitched roof measuring to an overall height of 4m. The proposal would include an area of decking to the south, with the accommodation finished in timber cladding with a brick plinth.
- 6.18 The proposal would be located to the northern-most extent of the wider site, immediately adjacent to the access path serving Match Lake. The proposal would require the removal of the boundary scrub along the perimeter of the lake, with an area also cleared to provide parking. This scrub is considered to be of limited ecological value, with the planting of trees to the east considered to offset this loss. It is recognised that the wider site includes similarly designed and sited development as approved under DC/09/0579. While the proposed development would be located at a distance from these structures, this previous planning permission has established similar built form within the wider site and is a material consideration of weight. On the balance, the overall design and form of the building is considered acceptable.
- 6.19 However, the proposal would be raised above the ground level and would extend to an overall height of 4m. The proposal would therefore appear as a relatively prominent addition within the surrounding undeveloped context. Furthermore, the associated parking area and likely residential paraphernalia would formalise and domesticate the site, which would have the consequence of eroding the informal and undeveloped character, ambience and tranquillity of the site and wider surroundings.
- 6.20 The proposed development is therefore considered to result in a dominant addition within the informal and undeveloped landscape area, which given its size and height, would result in an intrusive addition that would formalise the rural character and countryside setting, particularly when experienced along the public bridleway that runs along Smugglers Lane. The proposal is not therefore considered to relate sympathetically to the landscape and overall setting, and would fail to protect, and/or conserve, and/or enhance the key features and characteristics of the landscape character area. The proposed development is therefore considered to be contrary to Policies 25, 26, and 33 of the Horsham District Planning Framework (2015).

Amenity Impacts

- 6.21 Policy 32 of the HDPF states that development will be expected to provide an attractive, functional, accessible, safe, and adaptable environment that contribute 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.
- 6.22 The proposal would be located to the northern-most extent of the wider site, and would be located at a distance of approximately 160m from the nearest residential property. Given the distance from nearby residential properties, it is not considered that the proposal would result in harm to nearby occupiers through overlooking, loss of light or privacy.

- 6.23 It is however recognised that the proposed development seeks to utilise the public bridleway located immediately adjacent to the north for vehicular access. From the site visit, this is not a made track and would not currently appear wide enough for a vehicle. There is no indication that this is, or has been previously used, for vehicular access; with the potential that such use would conflict with users of the public right of way.
- 6.24 The WSCC Public Rights of Way Officer has raised no objection to the proposal, but states that public rights take precedence over private access rights. Any vehicular traffic associated with the proposed development must give way to walkers, cyclists and equestrians using the public right of way. Safe and convenient public access should be made available at all times across the full width of the right of way, and the path is not to be obstructed by vehicles, plant, machinery, scaffolding, or temporary storage. Should the application be considered acceptable in all other regards, appropriately worded informatives would be included in the Decision Notice to address these aspects.
- 6.25 Subject to such informative, the proposed development is not considered to result in harm to the amenities and sensitivities of neighbouring properties, in accordance with 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 The site is located and accessed via Smugglers Lane which is a public bridleway and privately maintained road. Having visited the site, this lane does not appear to have been maintained beyond its use as a public bridleway, and it is unclear how a vehicle would pass along the lane to enter the site. It is likely that engineering works would be required to facilitate access to the site, along with the removal of vegetation to enable a vehicle to pass through.
- 6.28 The access point with Sandhills Road (a C-classified road subject of a 30mph speed limit) appears to benefit from some visibility to the north, albeit that the curve in the road to the south limits visibility from this perspective. Following consultation with WSCC, no concerns have been raised regarding the access arrangement.
- 6.29 The Local Highways Authority do not anticipate that the proposal would result in a material intensification on to the public maintainable road network and do not consider that the proposal would have an unacceptable impact on highway safety or result in severe cumulative impacts. The Local Highways Authority does not therefore consider that there are any transport grounds to resist the proposal.
- 6.30 While the comments of the Local Highways Authority are noted, there are some concerns regarding the accessibility of the site and the likely works required to enable vehicular access to the site. Following the site visit, the proposed vehicular access is considered to be of insufficient width to accommodate vehicles, including emergency vehicles. No details have been provided regarding any works necessary, which it is assumed would involve tree removal and engineering operations to facilitate a made track. Given the width necessary, it is likely that the land necessary to facilitate suitable access would be outside of the ownership and control of the Applicant.
- 6.31 On this basis, it has not been sufficiently demonstrated that the development would benefit from a safe and adequate access, suitable for all users. The development is therefore considered contrary to Policies 40 and 41 in this regard.

Water Neutrality

- 6.32 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.
- 6.33 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.
- 6.34 The proposal falls within the Sussex North Water Supply Zone and would result in a greater level of water abstraction than the site presently generates. Natural England therefore require that the proposal demonstrates water neutrality or that it should be delayed awaiting an area-wide water neutrality strategy. The Applicant has submitted a Water Neutrality Statement by Water Design Engineers which outlines that the proposed 3-bed dwelling would result in a total water usage of 220.8 litres per day through the installation of water efficient fixtures and fittings, and the inclusion of a small amount of rainwater harvesting (5 litres per day). The water strategy seeks to address this demand through offsetting measures by retrofitting the fisherman's toilets within the existing camp site. It is indicated that the replacements of the 2no. sinks and 2no. cisterns with water efficient fixtures would reduce the water consumption sufficiently to offset the demand from the proposed development.
- 6.35 The Water Neutrality Statement calculates a daily demand of 92 litres per person per day (220.8 litres per day total). There is a minor discrepancy in the occupancy rate used which means the actual daily use is likely to average at 226.32 litres instead. A small deduction of 5 litres per day would result from collecting rainwater, however it is not clear what this rainwater would serve. At face value these calculations appear correct, however it is noted that the water calculator used applies no use from a bath even though the plans show a bath in the proposed unit. This leaves a degree of uncertainty as to the true likely water consumption rate of the proposal.
- 6.36 Notwithstanding the above, the proposal seeks to achieve water neutrality through offsetting measures within the wider site, specifically relating to the fisherman toilets. These consist of 2no. toilets and 2no. hand wash basins, with the intention that these be retrofitted with water saving fittings. The statement calculates a potential saving of some 475 litres per day based on there being 9,315 fishermen visiting the site on average each year between 2017 and 2019. Whilst a saving considerably in excess of the daily target of some 226 litres, the location of the toilets is not known, whilst no specification of their existing fixtures has been provided. It is understood from data submitted alongside another application at the wider site that there are some 39 toilets, 36 basins and 42 sinks at Sumners Pond. Given this, it is unclear whether the toilets referred to are used frequently enough and are inefficient enough to make the savings claimed.
- 6.37 Accordingly, as outlined above insufficient information has been provided to demonstrate and identify the proposed water demand and provide certainty that the offsetting proposals will make the savings claimed. It has not therefore been possible to determine with 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).

Climate Change

- 6.38 Policies 35, 36 and 37 require that development mitigates to the impacts of climate change through measures including improved energy efficiency, reducing flood risk, reducing water consumption, improving biodiversity and promoting sustainable transport modes. These policies reflect the requirements of Chapter 14 of the NPPF that local plans and decisions seek to reduce the impact of development on climate change.
- 6.39 Should the proposed development be approved, the following measures to build resilience to climate change and reduce carbon emissions would be secured through condition:
- Requirement to provide full fibre broadband site connectivity
 - Dedicated refuse and recycling storage capacity
 - Cycle parking facilities
 - Electric vehicle charging points
- 6.40 Subject to these conditions the application will suitably reduce the impact of the development on climate change in accordance with local and national policy.

Conclusion

- 6.41 It is accepted that there is a history of security issues in the vicinity of the application site within the Sumners Pond campsite and fishery, and that the proposals offer a clear benefit in helping to reduce these issues through active and passive surveillance. While it is recognised that Match Lake is located at a distance from the existing warden/staff accommodations on the site, and is easily accessible from outside of the site, it has not however been sufficiently demonstrated that there is an essential need for the additional wardens accommodation as an addition to the three existing wardens accommodation units on the wider site. Furthermore, it is considered that there are a number of available alternatives to addressing the security issues on the site. Without evidence to support the unviability of such measures, it is considered that while desired, the proposed accommodation as a solution to the issue has not been proven essential. It is not therefore considered that there is an essential and functional need for an additional rural worker dwelling to support the established use. The proposal would therefore be contrary to Policies 20 and 26 of the Horsham District Planning Framework (2015).
- 6.42 The proposed development, given its size and height, would result in a dominant and intrusive addition within the informal and undeveloped landscape area, and would result in an intrusive addition that would formalise the rural character and countryside setting, particularly when experienced along the public bridleway. The proposal is not therefore considered to relate sympathetically to the landscape and overall setting, and would fail to protect, and/or conserve, and/or enhance the key features and characteristics of the landscape character area. The proposed development is therefore considered to be contrary to Policies 25, 26, and 33 of the Horsham District Planning Framework (2015).
- 6.43 It has not been demonstrated that the proposed development would benefit from a safe and suitable access for all vehicles, including emergency vehicles. The proposal is therefore considered to be contrary to Policy 40 of the Horsham District Planning Framework (2015).
- 6.44 Insufficient information has been provided to demonstrate and identify the existing and proposed water demand. It has not therefore been possible to determine with 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).

7. RECOMMENDATIONS

7.1 To refuse the application for the following reasons:

- 1 It has not been demonstrated to the satisfaction of the Local Planning Authority that there is an essential and functional need for the mobile home proposed to be occupied by a warden in connection with the established business. The proposed development would therefore be contrary to Policies 20 and 26 of the Horsham District Planning Framework (2015).
- 2 The proposed development, given its size and height, would result in a dominant and intrusive addition within the informal and undeveloped landscape area, and would result in an intrusive addition that would formalise the rural character and countryside setting, particularly when experienced along the public bridleway. The proposal would not therefore relate sympathetically to the landscape and overall setting, and would fail to protect, and/or conserve, and/or enhance the key features and characteristics of the landscape character area. The proposed development is therefore considered to be contrary to Policies 25, 26, and 33 of the Horsham District Planning Framework (2015).
- 3 It has not been demonstrated to the satisfaction of the Local Planning Authority that the proposed development would benefit from a safe and suitable access for all vehicles, contrary to Policy 40 of the Horsham District Planning Framework (2015).
- 4 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).