



PLANNING COMMITTEE REPORT

TO: Planning Committee North

BY: Head of Development and Building Control

DATE: 4th July 2023

DEVELOPMENT: Construction of enlarged and rationalised existing car park and grassed enclosure for overflow car parking, with tree planting. Installation of new children's play area. Relocation of chicken enclosure. Amendments to road layout within the site, with associated enlarged and enhanced landscape buffer and reinstatement of hedge to A281 boundary. (Part-retrospective).

SITE: Leonardslee Gardens Brighton Road Lower Beeding West Sussex RH13 6PP

WARD: Nuthurst and Lower Beeding

APPLICATION: DC/22/2229

APPLICANT: **Name:** Mr Adam Streeter **Address:** Leonardslee Gardens Brighton Road Lower Beeding West Sussex RH13 6PP

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 The permitted use of Leonardslee Lakes and Gardens has been secured under separate planning permissions and consents. This proposal is for a reconfiguration and expansion of the car park only. It does not seek to change the use of the site. No changes are to be made to the existing site access arrangements onto A281 Long Hill (a one-way system with the northern access point serving as the main entrance to the site and the southern access as the exit). No works are proposed within the gardens and pleasure grounds, nor to the Listed Mansion House and adjacent Listed buildings. This proposal is not for any of the events that take place on the site. These are covered under the '28 day rule' under The Town and Country Planning (General Permitted Development) (England) order 2015 (as amended)).

1.2 The focus of this application is for the enlargement and consolidation, and rationalisation of visitor car parking at Leonardslee Gardens; firstly, to the existing visitor car park permitted under DC/18/0689, and, secondly, to the south of the exit for the existing visitor car park, an area that has been the subject of unauthorised implemented works.

Unauthorised implemented works – the current situation

1.3 Leonardslee Lakes and Gardens benefits from planning approval for a visitor car park with a provision for 241 car spaces. This car park received permission in 2018 (DC/18/0689) as part of the reopening of the gardens to the public. Unauthorised works on site were implemented in March 2020 and completed September 2020. These works comprised the creation of additional constructed parking areas, which resulted in a car park with a provision for 724 car spaces. The works have been the subject of enforcement investigation by the Council. Following refusal of a retrospective planning application for these works (DC/21/1603), enforcement proceedings are now on hold, pending the outcome of this current planning application (DC/22/2229). The current application includes works to rectify the unauthorised implemented works, involving:

- removal of the unauthorised car park spaces within the previously approved landscape buffer approved under DC/18/0689 and incorporation of this land into an enhanced landscape buffer between the car park and A281. Some of the unauthorised car parking within the landscape buffer has already been removed
- partial retention but reduction of the unauthorised parking area to the south of the exit, with the gravel top layer removed, and grass seed/soil installed above the existing Truck Pave system. The grass seed will be an all-purpose law mixture suited to a wide range of domestic and landscape applications. An area of this car park has already been cordoned off as a sample trial area.

1.4 The proposed visitor car park redesign, which will incorporate the above rectification works, is for a total car parking provision of 637 cars.

1.5 A comparison table of parking provision proposed/existing on-site is provided below.

	2018 approval DC/18/0689	2021 retrospective refusal DC/21/1603	2022 proposal DC/22/2229
Car parking spaces (formal and informal)	210	724 (248 existing + 476 proposed, existing accessible & electric spaces not identified)	610
Accessible car parking spaces	26	0 new proposed	22
Electric car parking spaces	5	0 new proposed	5 (+4 proposed outside of visitor car parks, at Leonardslee House Car Park)
Total car parking	241	724 (248 existing + 476 proposed)	637 (361 in reconfigured North Car Park, 276 in overflow/South car park)
Coach parking	9	0 new (8 shown existing)	9
Cycle parking	16	0 new proposed	16 (approx.)

1.6 The car park redesign, that is the subject of this current application, has been refined and amended, in response to consultation responses and advice from your Officers, with additional documents submitted in support, including a Conservation Management Plan

Rev 2 (Donald Insall March 2023) and Historic Building Report (Donald Insall Nov 2022); a Conservation and Garden Management Plan (Cox 2020-21) and Planting Schedule (Donald Insall Feb 2023); and Preliminary Ecological Appraisal and Preliminary Roost Assessment and Biodiversity Net Gain Assessment (Temple April 2023).

Area of Northern car park

- 1.7 This area (referred to as the Northern car park in this report) was approved for parking under the planning permission for the re-opening of the gardens to the public (DC/18/0689 refers) and a car park constructed in spring 2018. This area was sown with a grass sward which for the most part has not taken successfully. Since 2018, several trees within the car park have been removed due to disease and damage. The Council's tree Officer assessed the parking spaces contributed to their decline, as the current hardstanding within the Root Protection Areas was unsatisfactory. In 2020 extra car park spaces were constructed within a landscape/ecology buffer previously approved between the 2018 car park and the A281 with the hedge along the western edge removed, without the benefit of planning permission.
- 1.8 The intention is to consolidate the parking space configuration within the northern car park permitted under DC/18/0689 with ornamental trees planted between the parking rows and the two remaining trees of significance to be retained; and remove the unauthorised car park spaces and incorporate this land into an enhanced landscape buffer between the car park and A281. At the time of writing, some of the unauthorised car parking within the buffer has already been removed.
- 1.9 The boundary vegetation along the A281 Long Hill within the landscape/ecology buffer has been cleared, in part to conform to highway safety requirements for adequate visibility splays (permitted under application DC/21/0227), so there is little understory present. A post and rail fence along the boundary verge of Leonardslee Gardens and the public pavement has replaced a hedge. Recently, mature Oaks and Sycamore trees have been removed. The intention is to widen the landscape/ecology buffer, and under-plant with a mixture of native shrubs and feature trees, with rhododendrons for historical value and colour, such as were originally planted in this area. A replacement hedge of the one previously located to the roadside of the A281 will be reinstated.
- 1.10 As part of the parking consolidation and enhancement of the landscape buffer, circulatory routing around the car park will be partly altered and rationalised, including the existing long straight drive adjacent to the landscape buffer reformed to be curved. Circulatory roads will be tarmacked, with a path removed and grassed over. Additionally, a new children's play area will be created in the grass area to the east between the car park and the Red House. This will include swings, climbing frames, rope slide, water play area, tower with slide and climbing house with slide. Finally, the field to the north of Round House is currently used for material dump and storage. The land will be made good and returned to open parkland, with tree planting.

Area of Southern car park

- 1.11 This area (referred to as the Southern car park in this report) is an area of newly surfaced car park, constructed of a TruckPave system (plastic cells filled with gravel), covering approximately 9500m². The works in the South Car Park started in March 2020 and were completed in August 2020 without the benefit of planning permission. At its centre is a large veteran Oak tree. The new car park functions as an extension of the existing car park.
- 1.12 The proposal is to partly retain but reduce this area with the gravel top layer removed, and grass seed/soil installed above the existing TruckPave system to enable the retained areas of this car park to have a grassed appearance. This area will continue to be used only as

overflow car park when visitor traffic necessitates this (large events). At other times it will be left as an open grassed area, fenced off from the northern car park. The grass seed installed in this area where vehicles will be tracked over, will be an all-purpose mixture suited to a wide range of domestic and landscape applications. The mix is quick and easy to establish. An area of this car park has already been cordoned off as a sample trial area.

- 1.13 Rationalisation of the coach park circulatory routing is proposed, and as part of this, the existing track connecting the main car park and the road to the mansion house will be in part removed and this land returned to open parkland, with shrub planting around trees to limit damage to tree roots and enhance their setting. The remainder of the track will be changed to a Truckpave system seeded with grass and widened for estate use only to serve a rationalised reduced yard, with existing yard buildings, storage containers, and hard standing within the Root Protection Area of a historic tree removed, leaving two huts and a refuse store. The southern end of this area is open grassland with chicken coops sitting centrally. The current chicken enclosure consisting of sheds, associated fencing and road track will be dismantled and reassembled adjacent to the estate gardeners' compound to the southern estate boundary, the land made good and returned to open parkland. A new orchard is proposed to the south.

DESCRIPTION OF THE SITE

- 1.14 Leonardslee Lakes and Gardens occupies over 96ha and lies in rural location south of the settlement of Lower Beeding and to the north of Crabtree, running parallel to the east of Long Hill Road (A281), within the High Weald Area of Outstanding Natural Beauty, and included by Historic England on the Register of Parks and Gardens of Special Historic Interest at Grade I. Leonardslee House lies within this landscape and is a Grade II listed mansion of early 19th Century origin.
- 1.15 The visitor entrance to the gardens is approached from the visitor car park, which is accessed from the A281. Adjacent to the site entrance is the Round House, an octagonal lodge, which is Grade II Listed. From here the visitor car park extends south, sloping gently downwards past the visitor entrance (an aluminium greenhouse) to the gardens, and is otherwise more or less level. Grassland swings round towards the southeast, beyond which are the lower parts of the gardens and the Camellia Grove. The House, former stables and coach house and other buildings, as well as the rock garden to the west of the house are enclosed within the central part of the site. East of the house and grassland are the main parts of the gardens, set out on both sides of a steep valley with a row of man-made lakes down the centre. These gardens merge into woodland on Hogstolt Hill to the east. The gardens have been developed since 1801 and are made up of ornamental gardens, parkland, and woodland. The gardens are particularly noteworthy for their spring display of rhododendrons, azaleas, camellias, magnolias and bluebells and their collection of rare wild animals including unusual species of deer and wild wallabies.
- 1.16 The House and Gardens were previously open to the public and operated as a successful tourist attraction until 2010. In 2010 it was sold for private use and the gardens were closed to the public. The House and Gardens were sold to a new owner in 2017 who re-opened the site to the public. The house has recently been refurbished to create a Michelin starred restaurant at ground floor and hotel rooms to the upper floor.
- 1.17 The local landscape comprises St. Leonard's Forest, principally woodland and open heath, and agricultural land. Local Wildlife Site, Old Deer Park, is located some 250 metres east of the site. The local landscape is within the St Leonards Biodiversity Opportunity Area, with Priority deciduous and ancient (replanted) woodland to the west. A large part of the Leonardslee Estate is designated as Wood Pasture and Parkland Biodiversity Action Plan Priority Habitat (BAP). Ancient/ veteran trees exist on the Leonardslee estate.

2. INTRODUCTION

STATUTORY BACKGROUND

2.1 The Town and Country Planning Act 1990.

RELEVANT PLANNING POLICIES

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

National Planning Policy Framework

Horsham District Planning Framework (HDPF 2015)

Policy 1 - Strategic Policy: Sustainable Development
Policy 2 - Strategic Policy: Strategic Development
Policy 3 - Strategic Policy: Development Hierarchy
Policy 7 - Strategic Policy: Economic Growth
Policy 10 - Rural Economic Development
Policy 11 - Tourism and Cultural Facilities
Policy 24 - Strategic Policy: Environmental Protection
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
Policy 26 - Strategic Policy: Countryside Protection
Policy 30 - Protected Landscapes
Policy 31 - Green Infrastructure and Biodiversity
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 34 - Cultural and Heritage Assets
Policy 35 - Strategic Policy: Climate Change
Policy 36 - Strategic Policy: Appropriate Energy Use
Policy 37 - Sustainable Construction
Policy 38 - Strategic Policy: Flooding
Policy 39 - Strategic Policy: Infrastructure Provision
Policy 40 - Sustainable Transport
Policy 41 - Parking
Policy 42 - Strategic Policy: Inclusive Communities
Policy 41 - Community Facilities, Leisure and Recreation

The High Weald AONB Management Plan 2019 -2024

Supplementary Planning Guidance:

None

RELEVANT NEIGHBOURHOOD PLAN

Lower Beeding Neighbourhood Plan Examination

An independent examiner has undertaken the examination of the Lower Beeding Neighbourhood Plan. The examiner issued his report on the 1 July 2021. A decision statement was published on the 23rd September 2021. The Plan is currently awaiting a referendum. The relevant policies are as follows:

Policy 1: Biodiversity
Policy 2: Landscape Character
Policy 3: Green Infrastructure
Policy 4: Sustainability
Policy 18: Economic Growth

Planning Advice Notes:

Facilitating Appropriate Development
Biodiversity and Green Infrastructure

PLANNING HISTORY AND RELEVANT APPLICATIONS

- 2.2 There have been three separate applications for new car parking at Leonardslee since 2010 when the gardens originally closed. These were in 2012, 2018 and 2021.
- 2.3 The 2012 consented proposal laid out a new car park in the field north of the Round House, this was for the previous owners and was never built. Before this, there were no formal car parks. Grass fields were used at busiest times and these extended down into the deer park field which runs across the southern boundary. Use of the fields was restricted in wet weather.
- 2.4 In 2018 the current owners gained consent for upgrading and formalising the existing main car park in its current location (DC/18/0689) in association with reopening to the public. During this time the field to the south was used for ad hoc overflow parking when large events were held at Leonardslee. Subsequent permissions and consents reflect diversification of the visitor and attraction offer (including a sculpture park (DC/22/1065). Permission was secured in 2022 for maintenance works within visibility splays to the landscape buffer along the west A281 boundary (DC/21/0277).
- 2.5 In 2021 a retrospective application was submitted for changes to the south field from an ad hoc grass overflow car park to a permanent one with gravel surface (DC/21/1603). This has not been granted consent. The works were judged to have resulted in harm to the heritage assets which was not outweighed by public benefit, and to have resulted in harm to the wood pasture and parkland character within the AONB and its BAP priority habitat status. Since that refusal, your Officers have engaged with the owners to seek resolution of the unauthorised works.

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 Landscape Architect:** (12 May 2023) Advice
The general principles of the proposal are going in the right direction. If recommending application for approval, please seek to secure detail for landscape conditions to be worded in a way that it is clear that the number of trees and hedgerow planting is indicative at this stage.
- 3.3 **HDC Conservation Officer:** (09 May 2023) Advice
Draw attention to, and support, comments of the Sussex Gardens Trust. With respect to their suggestion that the applicant should commission a more comprehensive management plan for the registered park & garden; this would support an acceptable approach to ensuring the harm caused by the parking areas can be mitigated. The current proposal will cause less than substantial harm to the registered park and garden and the setting of the listed building to a moderate level. The Council should be satisfied that this harm is outweighed by public benefit before permitting the scheme.
- 3.4 **HDC Tree Officer:** (12 May 2023) Advice
To make a fair assessment of the impact on retained trees, it would be beneficial if this application were supported by a detailed Arboricultural Impact Assessment and Methods Statement (AIA & AMS) and tree protection plan (TPP). If minded to approve, suggest requirement to submit AIA/AMS/TPP before works start is secured by condition. It would be beneficial to have a clear understating of how hardstanding within the RPA of retained trees is due to be removed and if this is achievable without resulting in any harm, and how

this will be undertaken around the veteran Oak east of the overflow carpark. Positive to see a new orchard. An excellent opportunity to use apple varieties with historical connection to the county.

3.5 HDC Environmental Health: (04 May 2023) Advice

The Environmental Health Service has received no complaints regarding the operation of events at Leonardslee Gardens since December 2021.

3.6 HDC Drainage Engineer: Comment

Insufficient drainage / construction information submitted to make relevant observations. Therefore, if development is permitted suitable conditions should be applied that show full details of the drainage / construction measures employed.

OUTSIDE AGENCIES

3.7 Historic England: (03 March 2023) Advice

Welcome the amendments made to the scheme but consider that they do not go far enough to address all our concerns. Consider that there is further scope for avoiding or minimising harm, as required by paragraph 195 of the NPPF.

Recommend that further amendments are sought to reduce, as much as possible, the amount of access roads, coach parking and hard standing and these to be designed in an informal way befitting a rural site.

Also advise that HDC needs to be satisfied that: the overspill car park can be restored to a condition that convincingly achieves the appearance of parkland through high quality landscaping; and that its restored condition can be maintained throughout the year by careful monitoring and controlled use.

HDC should seek further amendments and safeguards before any remaining harm is then weighed against the public benefits, as set out in paragraphs 202 of the National Planning Policy Framework.

3.8 Sussex Gardens Trust: (14 March 2023) Advice

Conservation Management Plan

This follows the standard Historic England sector format and includes the historic development of the site, sets out the general significances of the asset (following HE's guidance) and provides assessments and general conservation policies that apply to both buildings and gardens (under various headings: planning and legislation, accessibility and wayfinding, presentation, Education and Interpretation etc).

The Trust would expect the Conservation and Garden Management plan (CGMP) to reflect and develop the format of statements of policy already set out in the CMP. This would then allow a clear understanding of how any proposal was supported by policies based on sound research and assessment. The CGMP doesn't do this at all well. Even accepting that the CGMP is an 'evolving' plan', it currently muddles conservation issues and analysis with management policies in a way which makes it difficult to see how the former could robustly underpin the latter.

For a place of high heritage importance and a major visitor attraction like Leonardslee a robust and comprehensive CMP is fundamental to managing its future. On current evidence (car park applications) and the owner's stated aims it is likely to be the subject of more change and development over the next decades and a sound CMP can go a long way to both ensuring change sustains the significance of the place.

The Trust suggests that it would repay the cost of the services of a professional historic landscape consultant experienced in preparing conservation plans for historic parks and

gardens who would work on integrating the two parts of the plan (CMP and CGMP) with the garden manager and Insalls as the CMP authors.

Planting in Car Park

In the absence of any CMP policy for how (and why) the car parks should look, offer the following comment: While the hedge reinstatement is welcome, the tree species proposed to break up the mass hard surface are very disappointing.

3.9 **The (National) Gardens Trust:** Advice

Happy for Sussex Gardens Trust to comment on our behalf. Endorse their comments.

3.10 **High Weald AONB Partnership:** Advice

Confirm have no comments to make

3.11 **WSCC Highways:** (24 May 2023) Advice

From inspection of WSCC mapping, there are no apparent visibility concerns with the existing points of access on to the A281. In addition, the proposed works are not anticipated to give rise to a material intensification of use of the existing access points.

The proposed works also include alterations to the internal access roads within the site, and these appear acceptable in highway terms. From inspection of the plans, the proposed car park layouts appear acceptable and on-site turning appears achievable.

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.

3.12 **Ecology Consultant:** (05 May 2023) Recommend Approval Subject to conditions

Reviewed Preliminary Ecological Appraisal and Preliminary Roost Assessment v2 (Temple Ltd, April 2023) and Biodiversity Net Gain Assessment v2 (Temple Ltd, April 2023), relating to likely impacts of development on protected & Priority species and habitats, and identification of proportionate mitigation. Satisfied sufficient ecological information provided prior to determination, as further clarification on likely impacts of Wood Pasture and Parkland Priority habitat provided, as well as bespoke compensation strategy to rectify impacts of unconsented carpark and current proposals.

Recommended Conditions: Action required in accordance with ecological appraisal recommendations; Prior to beneficial use: biodiversity enhancement strategy; Prior to beneficial use: Landscape and Ecological Management Plan; Prior to beneficial use: wildlife sensitive lighting design scheme.

3.13 **Archaeology Consultant:** No Objection

Unlikely to significantly impact on any below ground archaeology that might be present

3.14 **Sussex Police:** Comment

No concerns from a crime prevention viewpoint.

PUBLIC CONSULTATIONS

3.15 **Lower Beeding Parish Council:** Strongly Object

Parishioners will be affected by increase in events, vehicles and subsequent noise and air pollution. 402 new car parking spaces, 686 spaces overall. Leonardslee is a Grade I Listed Garden in an Area of Outstanding Natural Beauty. We believe the commercial gain of the landowner is not a public interest. This is a retrospective application. The extensive increase in car spaces already exists.

- 3.16 12 letters of Objection received, including representation from Thomas & Thomas Partners LLP, content of which is summarised below:

Principle and Overdevelopment

Fails to comply with HDPF policies. Extra parking needed for event visitors, in addition to garden visitors. Fails to provide operational, management or event strategy. A Major Application. Fails to demonstrate policy justification and exceptional circumstances to allow approval. Intensification and material change of use. Precedent for future expansion. Fails to assess impacts. No need for play area.

Highway Access and Capacity

Existing traffic at events is nightmare as A281 not built for traffic flow; stop/start crawl, queuing traffic, vehicles wrongly attempt to turn into exit. Increase risk of accidents. Many near misses from dangerous driving. No assessment of highways impacts. Fails to promote sustainable transport modes and encourages cars.

Residential Amenity

Will exacerbate existing light/noise pollution and nuisance and increase air pollution and carbon emissions from events (after 9.00pm, summer months is unacceptable, amplified music frequently audible, bright lighting, lights on at 3am). Council should impose control and restriction, management, and monitoring, reimpose conditions on previous permissions. Hedging and shrubs will not screen vehicles.

Heritage Harm

Substantial harm to Registered Gardens and Listed Mansion (NPPF). Over commercialisation. Insensitive change to setting. Experts conclude application be refused. Seeks to regularise unauthorised development by inadequate cosmetic sops. Insufficiently improved layout and urban. Not in public interest. Garden could lose its accreditation. Insufficient information to demonstrate impact. Fencing and ground works will harm appearance of open field. Signage, markings, and advertisements intrusive and urbanising. Unacceptable impact of cars and event structures.

AONB Landscape

Forty years ago car park was small with vista towards south downs from grassed meadow. Now vast car park which accommodates events equipment and amusements. Should be broken up with green planting, red bins hidden from view, "V" advertising hoardings removed, and large mature trees planted along A281. Given number of events unlikely overflow car park would not be in use and very hard for grass to establish.

Trees, and Ecology

Buffer planting and ecology provision not completed. Habitat lost. Trees died/felled. Light pollution detrimental. Bats and owls and herons reduced in number. Rookery no longer there. No replanting details. No ecology and biodiversity reports to assess ecology impacts. Unclear how Local Planning Authority can demonstrate compliance with statutory duties.

Drainage and Water Neutrality

Water supply interrupted. Should demonstrate water neutrality. Exacerbated flooding.

Procedure

Leonardslee complaints procedure fruitless. Owners roughshod and cavalier. Profit-making exercise. Review discharge of conditions on previous permissions. Question if event use is lawful. Laurel hedge stolen. Application lacks detail, missing documents, plans and description unclear.

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

- 4.1 The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a person's rights to the peaceful enjoyment of property and Article 8 of the same Act, which sets out their rights in respect to private and family life and for the home. Officers consider that the proposal would not be contrary to the provisions of the above Articles.
- 4.2 The application has also been considered in accordance with Horsham District Council's public sector equality duty, which seeks to prevent unlawful discrimination, to promote equality of opportunity and to foster good relations between people in a diverse community, in accordance with Section 149 of the Equality Act 2010. In this case, the proposal is not anticipated to have any potential impact from an equality perspective.

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

Principle of Development

- 6.1 The site is in countryside, outside of the Built-up Area Boundary (BuAB). HDPF Policy 26 requires development to protect the rural character and undeveloped nature of countryside against inappropriate development. As such, any proposal for development within the countryside must be essential to its countryside location, and in addition enable the sustainable development of rural areas. Proposals must also be of a scale appropriate to their countryside character and location and must not lead, individually or cumulatively, to a significant increase in the overall level of activity in the countryside.
- 6.2 Leonardslee Lakes and Gardens and its wider estate has been the subject several planning permissions since 2018 associated with its reopening to the public and to host events. The cumulative impact of these permissions does need to be considered when judging the acceptability of future facilities to the estate to service these. The applicant asserts the car park as extended and new playground will support the cultural and visitor attraction offer of Leonardslee House. This is not disputed by your Officers.
- 6.3 Balanced alongside this is Local Plan support of the importance of jobs and economic development. This includes HDPF Policies 10 and 11, in promoting rural employment opportunities in support of the sustainable growth and expansion of all types of business in rural areas and to enable sustainable rural tourism and leisure developments that respect the character of the countryside. The proposal would support employment on site but also support the wider rural economy through supply chain and tourism related employment.

Designated Landscape

- 6.4 The High Weald AONB Management Plan 2019-2024 is the strategy for looking after the High Weald Area of Outstanding Natural Beauty (AONB) to achieve the statutory purpose of conserving and enhancing the High Weald. The Management Plan provides guidance in respect of assessing the impact of development within the AONB. The High Weald AONB Statement of Significance sets out what comprises the natural beauty of the High Weald. Both documents are material considerations in the determination of this application. National Policy instructs great weight should be given to conserving and enhancing the natural beauty of AONBs, and that consideration needs to be given to development proposals that could be regarded as major development.
- 6.5 As the site is located within the High Weald Area of Outstanding Natural Beauty (AONB), the Council shall have regard to the purpose of conserving and enhancing the natural

beauty of the AONB. Major development proposals within the AONBs will only be permitted in exceptional circumstances and where it is demonstrated they are in the public interest.

- 6.6 This development is classified as a major application for application purposes and as such has been advertised in line with the statutory requirements. The NPPF is clear that, for the purposes of paragraph 177, major development is a matter for the decision maker, considering its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined.
- 6.7 As set out in the Management Plan, historic parks and gardens are identified in Key Characteristics of the locally distinctive and nationally important features which enrich people's experience of the High Weald. The Management Plan goes on to identify five issues are identified with this key characteristic, including 2) increasing visitor numbers with demand for more infrastructure around popular sites and 4) development including traffic, noise, and light pollution, degrading the AONB'S tranquil and dark qualities. As set out in the Management Plan, relevant Objective OQ3 is to develop and manage access to maximise opportunities for everyone to enjoy, appreciate and understand the character of the AONB while conserving its natural beauty, and Objective OQ4 is to protect and promote the perceptual qualities that people value, including no loss of dark skies or tranquillity.
- 6.8 The High Weald AONB Unit has adopted a Performa assessment to determine whether a proposal in the High Weald AONB could be major development (based on the 'Maurici opinions' legal advice). This advice is that Major development is to be given its ordinary meaning, and it would be wrong to apply the definition of major development contained within the Town and Country Planning (Development Management Procedure) (England) Order 2015. It would also be wrong to apply any set or rigid criteria for defining major development. The ordinary sense of the word 'major' is important and the decision maker should take a common-sense view as to whether the proposed development could be considered major development.
- 6.9 Using the High Weald AONB issued template performa, the Council has carefully considered the impact that has arisen from the development and, whilst it has judged that the development does not constitute major development for AONB purposes in NPPF terms, and therefore there is no requirement to demonstrate exceptional circumstances in the public interest to permit the development, it would be necessary to consider the impact on the designated landscape and ensure its character is conserved and enhanced by the development.

Conclusion on Principle

- 6.10 Given the above, it is considered in relation to the principle of the development, this would be justified in its countryside location under the terms of HDPF Policy 26. However, the development would have to comply with the remaining criteria set out under the policy, which are addressed in the relevant sections of the report which follow and all other relevant Local Plan policy and other material considerations.

Landscape and Trees

- 6.11 HDPF Policy 33 requires development is locally distinctive in character, respectful of the character of the surrounding area, of a high standard of landscaping and presumes in favour of the retention of natural features (such as trees and hedges). HDPF Policy 30 requires the natural beauty and public enjoyment of the High Weald AONB to be conserved and enhanced and opportunities for the understanding and enjoyment of its special qualities to be promoted.

- 6.12 The Horsham District Landscape Character Assessment identifies the site as situated within the landscape character area known as Wooded Ridge & Gyll Farmlands; key characteristics are historic parks and gardens, including Leonardslee; small to medium size irregular and regular-shaped pasture fields; and the strong pattern of woodlands, shaws and hedgerows. Overall sensitivity to change is identified as high. Conservation and restoration of historic parklands is identified in the Management Guidelines.
- 6.13 In the application to reopen the House and Gardens to the public (DC/18/0689) it was accepted parking would be necessary for the viability and enjoyment of the gardens notwithstanding this gave rise to harm. Measures to mitigate identified negative effects included retention of a large landscape buffer zone between the road and the car park, not only to screen activity within the site and parked cars from the public highway, but also to retain the historic connecting strip identified in the Listing and as mitigation of loss of the Wood-pasture and Parkland priority habitat. Retention of existing parkland trees and surfacing were also important considerations.
- 6.14 Compared with the 2021 car park built without planning permission (DC/21/1603), in the current application the southern car park is now designated as an overflow car park with grass sown over the truck pave system to return the area to a green parkland character; removal of the parking incursion into the original landscape buffer and proposed enlargement of this, and new tree planting to help screen the main road and break up the current area of unrelieved car parking. All of this reduces the harm from the current large formalised and permanent nature of the unauthorised car park which is not considered suitable for its sensitive location where the historic parkland character and setting can still be experienced.
- 6.15 The Council's tree officer believes that with suitable species, it should be achievable to improve vegetation and tree coverage in the car park over time, as the majority of parking spaces are outside of Root Protection Areas (RPAs), which is satisfactory. In the current proposal, the car park layout has been amended to take account of the RPA of a Veteran Oak, situated east of the new car park. To secure the delivery of these outcomes, the Council's Tree Officer has requested the imposing of conditions should approval be forthcoming. The applicant has agreed with your Officers to the submission of a Arboricultural Impact Assessment and Methods Statement and tree protection plan for approval (which are in production at the time of writing), together with a bespoke condition for details to be agreed outlining how the trees will be protected through the works in accordance with British Standard best practice, as it would be impracticable to fence off trees due to the need to remove existing hard/gravel surfacing around several trees as part of rectification works. An additional condition would confirm implementation of means of surface water disposal in accordance with the 2018 permission (DC/18/0689).
- 6.16 Nevertheless, the improvements offered by the new layout are viewed as quite modest by Sussex Garden's Trust as, in their view, the trees that are shown will hardly relieve the still-expansive mass of hard surface, and the overspill parking has no planting at all. Additionally, whilst the Garden's Trust welcomes the removal of parking alongside the main road and planting of the landscape buffer, it notes that no detailed planting plan has been included.
- 6.17 The District Landscape Architect shares some of these concerns, raising that the updated plan does not quite fully meet advice in terms of planting within the car park to enhance the parkland character. In critiquing of the latest plan, it is requested it is made clear the number of trees and hedgerow planting is indicative at this stage, and more is likely to be required so negotiations can be closed and there is certainty of what is being delivered and agreed.
- 6.18 Your Officers believe it is important to recognise the District Landscape Architect has not objected. The advice is the general principles secured by your Officers are in the right

direction. Mindful of this, the applicant has committed to the fine details emerging by continued negotiation to be secured by condition in the event of permission being forthcoming. This would cover consultee requests for, amongst other things, details of proposed trees and planting species, size, and densities and tree pit details etc, hard surfacing, and play area equipment. An additional condition would secure a revised and updated Landscape Management and Maintenance Plan for all landscaped areas within the red line, to include long term design objectives, management responsibilities and prescriptions.

Heritage

Policy

- 6.19 Statutory legislation and planning policy requires account be taken of the significance of heritage assets and viable uses consistent with their conservation (NPPF para 197(a)). Harm to the significance of heritage assets can result from their setting. Harm to heritage significance should have clear and convincing justification and should then be weighed against the public benefits of a proposal (paragraph 195, 200, and 202). HDPF Policy 34 states development of heritage assets must retain and improve the setting of the heritage assets including views, trees and landscape features.

Archaeology

- 6.20 Though Leonardslee House and Gardens is an Archaeological Notification Area, the Council's consultant Archaeologist notes the development applied for is unlikely to significantly impact on any below ground archaeology that might be present. For this reason, no archaeological recommendations are made.

Designated Asserts

Significance

- 6.21 The Gardens Trust is the statutory consultee for development impacting upon a Registered Listed Parks and Garden. The applicant, and Historic England and The Garden's Trust have assessed the significance of Leonardslee Gardens, as has the Council's Conservation Officer.
- 6.22 All parties agree the Primary Significance of Leonardslee lies in the Gardens, which Historic England credits as one of the best examples of a Plantsman's Garden in the South of England. The varying areas of the gardens are spectacular in season. The Rhododendrons, Leonardslee's most iconic plants, make Spring (from March to June), the most spectacular season. The grade II listed Mansion sits within the centre of the site with far ranging views afforded from the garden front of the house over the wooded valley.
- 6.23 The gardens and house are sited within a wider historic parkland. The areas that have now become car parking were part of the New Deer Parks. These, along with a connecting strip running northwards parallel to the main road, were historically open in character and laid to pasture dotted with occasional mature individual trees or small clumps. This pattern of landscape has developed little since the 1st edition OS map of 1874 and is thus of historic value. The house at Leonardslee was designed to be approached from the west through a series of sweeping drives across this open parkland. Views of the parkland were created along the gentle downhill course of the drive to the principal west front of the house. Lodges are located at the entrances to two of these drives to signal arrival. For these reasons, the area that has been developed for car parking is significant in heritage terms.

Impact - Harm

- 6.24 Despite amendment and refinement, this is still an application for a large amount of car parking on former parkland in the northwestern part of the wider site. This along with the existing parking, wide access roads and turning area in front of the visitor entrance building will result in a large area of parking across the western parkland and entrance to the estate. Within the 2021 areas of unauthorised unimplemented works, the historic landscape features of open parkland with trees and carriage drives has now been lost. The unauthorised car parking has also caused harm to the appreciation of a sense of arrival to an historic estate created by the main drive approach from the lodged entrance, through the parkland embellished with specimen and fenced clumps of trees. The Gardens Trust identifies possible horticultural harm associated with higher visitor numbers.
- 6.25 Following consultee advice, the car park redesign has been refined and amended to reduce its level of resultant harm so it is less than the harm that has arisen from the 2021 refusal; the current proposals will reinstate lost planting and trees and the reinstatement of the grass finish to the overflow car park and the hedge to the boundary, all of which enhance the parkland setting of the heritage asset. The new child play facilities and relocated chicken coops impacts areas of neutral significance, and the removal of the chicken coops will reinstate the original views over this parkland area, which is an enhancement of the parkland setting. The applicant has agreed that if permission were forthcoming, rectification of the unauthorised implemented works will be completed within 6 months.
- 6.26 Nonetheless, the Historic England (HE) advice of March 2023 was that the new car park is harmful to the significance of both the Registered Park and Garden and the Listed Mansion House, because it creates a very large amount of unrelieved, highly visible parking, roads and vehicular activity in an area of historic parkland and on the historic approach to the estate. It therefore will compromise an appreciation of the house and gardens as part of a former historic country estate with designed formal gardens set within a wider parkland setting. For HE, the scheme in March did not go far enough to address all concerns, and their advice was that the Council should seek further amendment and safeguards before weighting any remaining harm against the public benefits. At that time, Historic England judged the harm caused by the revised scheme, in NPPF terms, would be less than substantial and at the middle of that range.
- 6.27 Since March, the applicant and your Officers have negotiated further refinement to the scheme (from car park site plan drawing REV 6 to REV 10), taking heed of the Historic England advice which, amongst other things, recommended amendments sought to reduce, as much as possible, the amount of access roads, hardstanding and coach parking and that these are designed with an informal, rural character.
- 6.28 Amendments subsequent to the HE March advice, now includes;
- The applicant's offer of remedial and restoration works of the field north of the Round House with spoil and rubble heaps removed to take area back to grass. This is a heritage benefit to offset the harm caused by the car parking.
 - Submission of a revised Conservation Management Plan (REV 2) that sets out amended management recommendations to guide the development of the future business proposals for the site. It includes resurfacing of the immediate car park outside of the Mansion House, for example.
 - Reduction in the extent of the proposed overflow car park with consequentially reduced parking spaces accommodated within this area.
 - Removal of a further internal access road, routed from the car park to the service yard, with remedial and restoration works to restore this to grass field.
 - Commitment by the applicant to measures to better manage the car park situation seasonally, informed by the sustainable transport measures already implemented in accordance with the 2018 permission.

- Inspection of the trail seeding already taken place in the car park to the south by the Council's Landscape Architect, who is satisfied that this seeding would convincingly achieve a natural parkland appearance and that its restored condition can be maintained through the year by careful monitoring, maintenance and control used.
- The applicant has explained that coach parking numbers are as per the 2018 approved layout, only the layout has been rationalised.

6.29 In response to scheme amendments, the Sussex Gardens Trust and District Conservation Officer provided further advice. The Sussex Garden's Trust considers the Conservation Management Plan follows the standard Historic England sector format. In March, the District Conservation Officer supported the HE advice and considered the harm remained moderately less than substantial and supported the comments of the Sussex Gardens Trust. Following the latest amendments in May, the Conservation Officer supported the Trust's suggestion that the applicant commission a more comprehensive management plan for the registered park & garden; this would support an acceptable approach to ensuring the harm caused by the parking areas can be mitigated. As before, the District Conservation Officer judged the current proposal would cause less than substantial harm to the registered park and garden and the setting of the listed building to a moderate level.

6.30 Your Officers are now of the view that, having considered receipt of the amended responses received from The Sussex Gardens Trust and District Conservation Officer, together with the further amendments secured to the scheme subsequent to HE March advice, it is now appropriate as Authority to apply paragraph 202 of the National Planning Policy Framework, and weight the remaining harm against the public benefits.

Heritage Balance - Public Benefits

6.31 Both the Council and Historic England acknowledge the real need for parking Leonardslee House and Gardens, which is an increasingly popular attraction, and also that opportunities to accommodate parking are limited in this sensitive Registered Park and Gardens.

6.32 Your Officers believe it important to recognise that whilst the documents submitted identify plans for an increase in visitors to special events, in addition to normal visitors to the gardens, large scale events can and are already taking place under the existing planning permission and premises licence. Since the inception of a membership scheme to Leonardslee House and Gardens in the last 3 years, current membership has grown and in 2021 it was 7,000 members. The car park redesign is as much a response to this existing demand, as forecasted future visitor capacity.

6.33 The applicant has stated that current infrastructure of the estate is well short of visitor expectations to a modern visitor attraction. The applicant asserts car parking is the main constraint in terms of numbers of attendees. It is argued by the applicant that it is vital the gardens are open year-round to maximise revenue opportunities, and additional events are held year-round within the grounds to make the business viable and to pay for the continued restoration of the gardens. The applicant makes comparison with RHS Whisley as a similar venue.

6.34 To evidence their argument, the applicant details ticket sales to events across 2021 to 2023, summarised in the table below; events already held include 'Illuminated' a festive light trail, which runs for five weeks over the Christmas period; 'Enchanted' festival in August; and the floral fringe fair held during peak springtime when the gardens are already busy.

Event	Ticket Sales
Illuminated 2021	50,000
Illuminated 2022	80,000 over 24 nights
Illuminated 2023 (forecast)	110,000 over 32 nights

Halloween trail 2022	16,000 over 8 days
Halloween night-time trail 2023 (forecast)	60,000 over 14 days
Enchanted 2021	21,000 visitors over 6 days
Enchanted 2023	36,000 over 12 days
Floral Fringe Fair (2022)	8,500 visitors over 2 days
Floral Fringe Fair (2023)	8,500 visitors over 2 days

- 6.35 Additional calendar events for 2023 include The Labyrinth Challenge (expected 17,4000 visitors over 6 days); Spring Sounds (16,000 over 8 nights); Summer Nights – Wine and music event (12,000 over 6 nights). Smaller events are being expanded for 2023; Outdoor cinema over 8 nights (16,000 visitors), trail runs and car club visits. There is a programme of future events for 2024 including a wine festival, craft market, and Oktoberfest (each forecasted 12,000 – 15,000 visitors).
- 6.36 Finally, there is future expansion of existing facilities, subject to obtaining the relevant permissions from the Council. A new function space for large dinner functions such as weddings of up to 150 people; a new café/restaurant with an expanded food offer; and new improved visitor centre.
- 6.37 The applicant has recognised the Garden’s Trust’s concern of additional footfall pressure on the trees and shrubs in the gardens and on its infrastructure. The submitted Conservation Management Plan (CMP) and Conservation Garden Management Plan (CGMP) detail a series of policies for the use of Leonardslee house, gardens, and park buildings. A framework of Conservation and Management Principles set out proposed remedial actions and improved design and landscaping measures, identifying issues and setting out how they will be managed to avoid substantial horticultural harm to the trees and shrubs throughout the gardens, and hence substantial harm to the significance of the Grade I listed Gardens.
- 6.38 This includes better management of the car parking situation seasonally, with event management of the car parking pressures in the form of overspill parking. It is explained the range of one-off events held throughout the year are to supplement the income from the gardens, including Illuminated at Christmas and Enchanted in the Summer. The CMP recommendation is these should continue to be held to open the gardens up to more visitors, however care should be taken not to oversaturate the gardens with events. The increase in visitor numbers shall be carefully managed by the Estates Manager with close coordination with the Garden team. The increase in visitor numbers using the paths and tracks within the gardens will need to be regularly monitored and a plan in place to keep these maintained to a high level.
- 6.39 The CMP also confirms the use of the overflow car park should be limited per year to minimise the impact of use on the grass and allow time between events for it to recover. Management of the overflow car park will be conditioned for agreement with the Council to ensure these outcomes and how and when the car park is open and available for use. This will ensure the parkland views and the condition of the landscape are maintained. It is recognised the existing car park area and the overflow area need to be managed to ensure that the trees, both new and existing, planted within these areas are suitably maintained.
- 6.40 The CMP then identifies elements of the Gardens which appear particularly vulnerable for bespoke measures and/or investment including:

1. Opportunity for the reinterpretation of the area to the west of the house where the wing was previously removed. This would create more space within the house and potentially allow a link out to the gardens which is currently missing.
2. Provision of plant species information to help with conveying the site's history to the visitor, the lack of labelling on plants throughout the site being flagged by online reviews of the site.
3. Diversification of the gardens to extend the following seasons of interest, particularly winter and summer and make them attractive to visitors all year, and bring back repeat visitors for different seasons. Focusing on the presentation of the gardens with different interpretation during the summer months should be considered as Spring, Autumn and Winter are successfully being explored. This new interpretation within the gardens though will not be imposed too heavily and change the overall style landscape of the gardens. This has been addressed by the planting of the Maple Walk to bring autumn colour to the garden, and there are further plans to incorporate an Autumn fruit or berry garden to further peak visitor interest and attract wildlife. There are also opportunities to increase the attractiveness of the gardens during the summer, a season in which visitor numbers peak but the garden is mostly green, by planting summer trees throughout the gardens and house. The site's year-round interest has been diversifying through the putting on of events such as 'Leonardslee Illuminated', a festive walk through the gardens accompanied by a light show and various entertainments. It is said it is particularly important to bring visitors to the site during the winter months, when the natural garden is mostly dormant. The temporary sculpture exhibition by South African artist Anton Smith adds further interest to the garden, but online reviews have suggested a more diverse display of artworks would be preferable.
4. The gardens as they are currently presented do not appeal to children and young families. The element of intrigue for young visitors could be enhanced throughout the gardens opening them up for a wider audience to enjoy.
5. Provision of resources that the garden currently lacks; no working compost area, no plant quarantine, no wash-down area, no heated glasshouse, cold frames; a portable pump to drive sprinklers in dry periods; running repairs on paths regularly with control of weeds, pests and disease, including Japanese knotweed and naturalised rhododendrons.
6. Utilisation of the gardens and house are largely separate, so there is a disconnect between the two, with the history of the house largely ignored. Whilst the gardens hold more historic importance than the house, it would be beneficial to provide information for interested visitors, particularly of the role the house played during the Second World War, and the opportunities provided by the survival of many furnishings from that period.

6.41 The applicant has recognised the advised shortcomings of the submitted Conservation Garden Management Plan (CGMP) identified by The Sussex Garden's Trust. They have agreed that if permission were forthcoming that, within 6 months of the permission, Donald Insall Associates will be instructed to work alongside Leonardslee's head Gardener, and members of the Loder Family (Historic Owners of the Estate) to revise the submitted CGMP in such a way as to embed the history of the gardens into its management alongside a renewed focus on character areas, which will be more fully described, with a section covering Issues and Policies.

6.42 The formatting of the revised CGMP will be consistent with that prepared for the main house and other buildings, for the Insall Conservation Management Plan REV 2. As part of the submitted CMP REV 2, a detailed condition survey was undertaken of the listed Mansion House within the site which has been evidenced with an intended work programme produced utilising the recommendations within the CMP. It is considered that this could ensure that repair and maintenance work to the heritage assets are brought forward. Proceeds would finance those programmes of work and would be secured through the CMP.

- 6.43 Public benefits should flow from a development. Planning Practice Guidance states that public benefits may follow from many developments and could be anything that delivers economic, social or environmental objectives as described in the NPPF. Heritage benefits are to be treated as public benefits and can include reducing or removing risks to a heritage asset and securing the optimum viable use of a heritage asset in support of its long-term conservation.
- 6.44 The Construction Management Plan (CMP) and Conservation Garden Management Plans (CGMP) are necessary to manage the implications of the increases in visitor numbers, and the obligations of the CMP and CGMP would ensure that the proceeds from the development are utilised to conserve the site and the heritage assets within it. Whilst both could have been provided independently, should conditional permission be granted the CMP and CGMP would have to be implemented as part of it. Both documents would enhance the knowledge and information available relating to the special interest and significance of the whole site. Both would also enable an informed approach to be taken regarding the balance between the commercial and heritage interests involved in operating the visitor attraction and events with the additional visitors/vehicles on the site.
- 6.45 A condition survey of structures within the site has been undertaken as part of the submitted CMP with an intended work programme produced utilising the recommendations within the CMP. It is considered that this could ensure that repair and maintenance work to the heritage assets is brought forward. Proceeds would finance those programmes of work and would be secured through the CMP. Given the amount of finance that is forecast this could go towards securing the long-term repair and maintenance of these heritage assets. Moreover, the preparation of the CMP would provide a road map for the immediate future meaning that the risk of any further harm through incremental and/or cumulative changes would be minimised.

Conclusion on Heritage

- 6.46 Historic England and the Council's Conservation Officer continue to consider that the potential level of harm caused by the proposal, in NPPF terms, would be less than substantial and at no greater than the middle of that range. Paragraph 202 of the Framework requires a balance to be struck in each instance of less than substantial harm to the significance of a designated heritage asset.
- 6.47 In applying paragraph 202 of the NPPF, the balance is not even, and that great weight must be given to the conservation of the heritage assets in accordance with paragraph 199 of the NPPF. Your Officers have weighed this harm against the package of public benefits that the development has and would bring forward, including having the designated heritage assets undergoing maintenance through the Conservation Management Plan and Garden Conservation Management Plan. It is appreciated that achieving these benefits requires an income. Many of the large-scale events are popular. The supporting documents demonstrate the business will manage the negative impacts arising from these. Based on the evidence submitted, the applicant has provided appropriate information to enable a meaningful exercise in balancing benefit against harm, and the additional car parking has proven to be justified. As currently proposed, this development complies with HDPF Policy 34 and the NPPF.

Residential Amenity

- 6.48 Concerns from immediate neighbours on the impact of the proposal on their amenities are acknowledged. This is a consideration under HDPF Policy 33. Neighbour objections regarding amenity issues received on this application are focused on the impact of large-scale events. As the ticket sales evidence testifies, since the gardens reopened, a regular series of year-round events have been staged attracting thousands of visitors to the

gardens. These include late evening lightshow events in the cold winter months. The popularity of these events has seen the need for additional car parking, which is the reason why the permanent unauthorised car park to the south was constructed.

- 6.49 Provided these events are held in conformance to the planning conditions imposed on the 2018 permission to reopen the house and gardens, the primary means by which to address amenity concerns is through the premises licence and Environmental Health legislation (it is noted temporary use of the fields for up to 28 days of the year is available under The Town and Country Planning (General Permitted Development) (England) order 2015 (as amended)). Outside of large-scale events, it is considered the siting and physical distance of the redesigned car park and new play area from neighbours is sufficient to negate harmful impact upon their amenities during operational phase, including from possible limited light spill and noise from intermittent arrive and departure, when set against existing noise and disturbance backdrop of a popular visitor attraction.
- 6.50 A degree of noise and disturbance would arise from the construction phase but, subject to submission for approval of dust suppression mitigation and restriction on hours of implementation, the degree of harm arising from these impacts will not necessitate the imposing of condition for approval of management of this phase, given the site is large enough to accommodate for all other construction needs without giving rise to intolerable neighbour amenity harm.
- 6.51 External lighting can be controlled by condition to avoid excessive light pollution in the Area of Outstanding Natural Beauty and for ecological interests, and regarding the Institution of Lighting Engineers (ILE) guidance on Reducing Obstructive Light to eliminate potential light nuisance to neighbouring properties. The District Environmental Health Officer recommends low-level bollard lighting for the car park and paths.

Ecology

Protected and Priority Habitats and Species

- 6.52 The southern car park development has disrupted and resulted in some loss of grassland. Some trees have also been removed and disturbed. However, the condition of the habitat prior to development is difficult to determine. Certainty, from reviewing photographs and satellite images between Oct 2018 to June 2021, it is evident the habitat is likely to have been disrupted as it was impacted during the northern car park development and re-seeded. Soil from the construction of the north car park in spring 2018 was spread over the area that is now the southern car park. By April 2020 there was further disruption with the removal of small trees to the north of the site. The habitat is likely to be of a degraded quality to some extent as a result.
- 6.53 The preliminary ecological appraisal and roost assessment has identified the site contains trees assessed as having high suitability for roosting bats. These trees will be retained. There is a high likelihood that bats will use the site for foraging and commuting activity. Recommendations to reduce impacts on bats species on site post-development is provided. The proposed car park does not contain artificial lighting columns to help limit potential impacts to bats, for example. An external lighting design strategy will be devised with consideration of areas/features on site sensitive for bats and likely to cause disturbance. The woodland boundary that extends the western edge of the Site provides limited suitable habitat for dormice, reptiles and great crested newts due to its sparse understory and ground flora. The areas of Ancient Replanted Woodland will not be impacted.
- 6.54 Precautionary approaches are recommended for hazel dormouse, reptiles, hedgehogs, and Great Crested Newts. There does not appear to be any evidence of badgers surrounding the site, and it is unlikely dormice were directly impacted. It is possible the grassland

provided some terrestrial habitat prior to the development (for plant species, Great Crested Newts, hedgehog, reptiles, and amphibians) but the habitat was disrupted between 2018 and 2021. The loss of the trees likely represents a loss of nesting bird habitats.

Biodiversity Restoration and Enhancement

- 6.55 To minimise net biodiversity loss, a 30-year Landscape and Ecological Management Plan (LEMP) will be secured as part of the contractual agreement for the future management of the site. This includes measures such as hedgerow reinstatement, grassland and woodland management, and provision of bird/bat nesting opportunities. Overall, 0.62km of hedgerow will be planted and some 56 trees planted across the site. Existing areas of woodland and grassland will be enhanced. This includes the creation of approximately 0.28ha of grassland within an area currently comprising bare ground with a large field adjacent to the north of site, within the Estate. Based on the representative assumptions for reasonably achievable habitat creation on and offsite, a post-development biodiversity net gain of 16.03% will be delivered within the development boundary. This has been calculated taking account of the biodiversity value of the habitats lost in 2018. The proposal includes reinstatement of grass to the area of the Veteran tree, located in the southeast of the site. A root protection area is to be implemented.

Summary on Ecology Matters

- 6.56 The Council's consultant Ecologist has reviewed the Retrospective Ecological Assessment (Ecology and Habitat Management Ltd, Oct 2021) supplied by the applicant, relating to the likely impacts of the development on Protected & Priority habitats and species, and the identification of proportionate mitigation. The Council's Ecologist is satisfied sufficient ecological information is available for determination. This has provided sufficient certainty for the Local Planning Authority of the likely impacts on Protected and Priority species. This has enabled the Local Planning Authority to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006.
- 6.57 Given the disruption of the habitat between 2018 and 2020, it is considered the car park development and the impact it has had on ecology interests can be mitigated by condition (as the advice of the Council's consultant Ecologist). A Landscape and Ecological Management Plan and Biodiversity Enhancement Strategy will be secured by condition to deliver these measures. In terms of biodiversity net gain, the enhancements proposed will contribute to this aim. Such outcome follows the Council's endorsed Biodiversity and Green Infrastructure Planning Advice Note (Oct 2022).

Highways Impacts

- 6.58 HDPF Policies 40 and 41 requires safe and suitable access for all vehicles, pedestrians, cyclists, horse riders, public transport and delivery of goods. In addition, Policy states that adequate parking and facilities must be provided within developments to meet the needs of the anticipated users including cycle parking, motorcycle parking, charging plug-in or other low emission vehicles and the mobility impaired. Furthermore, Policy 10 of the HDPF relating to rural economic development requires adequate car parking requirements to be accommodated satisfactorily within the immediate surrounds of the buildings, or that an alternative, logical solution is proposed.
- 6.59 The permitted use of the Leonardslee House has been secured under previous planning approval in 2018 and in earlier permissions. The on-site parking provision secured in 2018 comprised a newly formalised visitor car park north of the site entrance, with the grassed field at the car park exit used for overflow parking during events. This provision was judged adequate to accommodate parking need arising from the permitted planning use, in accordance with HDPF policy 40. In the current proposal, no changes are to be made to

the existing access arrangements onto Long Hill (A281), which was demonstrated to operate safely in 2018 and therefore in compliance with HDPF Policy 41.

- 6.60 No change of use of the site is sought under this current application. As no operation change of use of the site is being proposed as part of the current application, the Local Highway Authority is of the view that the car parking provision is essentially ancillary to the permitted uses on site which will continue to generate trips regardless of the parking provision on site. This includes large-scale events already occurring at Leonardslee.
- 6.61 As such any excessive parking demand generated by the site is viewed as an existing situation which would need to be accommodated somewhere, either informally within the site (as has occurred previously with the grassed field at the car park exit for overflow parking during events), or elsewhere on the highway network. The Local Highway Authority (LHA), West Sussex County Council, considers the additional parking areas as a benefit in highways terms as they are either formalising areas that have been used informally for parking, or they are providing a place for parking that would have had to have taken place elsewhere on the network.
- 6.62 Parking demand created by specific ad-hoc events would also be subject to additional licencing requirements, at which time consideration can be made if the event needs additional traffic management at the access points due to the increased visitor demand / trip generation.
- 6.63 The layout of the spaces in the revised car park design is such that vehicles would be able to access and turn within the confines of the site. Electric charging points have been provided in proposals for electric vehicles both in the car park and in front of the house as well as cycle storage. These provisions reflect the limitations of uptake given the rural locality of Leonardslee and cost of EV infrastructure. In this case, it is considered the applicant is best placed to understand the anticipated needs of their own visitors, and the proposed break down of coaches, cars, electric cars, disabled parking spaces and bicycles is judged adequate provision to serve their needs and in compliance with HDPF Policy 41 on that basis. Beyond approval of wheel washing mitigation with the Council, the highway management of the construction phase is not judged to necessitate prior agreement from the LHA.
- 6.64 Given the principle of the proposal does not specifically generate an increased use of the site, your Officers agree with the LHA position that it would be difficult to substantiate that the proposed additional parking will generate additional trips to the site. On that basis the Local Highways Authority, and likewise your Officers, do not consider that the proposal would have unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, and is therefore not contrary to the National Planning Policy Framework (paragraph 111), and that there are no transport grounds to resist the proposal.

Overall Conclusions and Planning Balance

- 6.65 In bringing together all the planning matters as previously set out, your officers have exercised the weighted consideration of these, and reached a recommendation that is finely balanced.
- 6.66 Leonardslee Gardens is of exceptional interest as a registered Grade I historic park and garden with its main house Grade II Listed. Its significance lies as one of the best examples of a plantsman's garden in the South of England, according to Historic England. The works applied are within the parkland setting of these heritage assets, within the High Weald Area of Outstanding Natural Beauty (ANOB). Following advice from specialist consultees, the proposed car park redesign has been refined and amended, being now informed by a Heritage Appraisal and Conservation Management Plan and Garden Conservation

Management Plan, and subject of a masterplan framework for a detailed landscaping strategy.

- 6.67 The proposal is for a reconfiguration and expansion of the car park only. It does not seek to change the use of the site. The proposed car park reconfiguration facilitates rectification of unauthorised implemented works, by supporting the return of the overflow car surface back into grassland to make good the harmful effect of the car park built without planning permission, with provision when needed for large events. The new parking layout and relocation of the chicken coops will have beneficial impact on the views looking southeast from the carpark, combined with the changes to estate tracks to grass covered truck pave. Reinstatement of the grass field north of the Round House, tree planting within the previously approved car park, and an enhanced landscape buffer along the A281 will all positively contribute to the parkland setting of the Registered Gardens and Listed Building. The location of the children's play area has neutral impact on the setting of the main house.
- 6.68 As now amended, after careful consideration, it is judged the scale and extent of development within the setting of the heritage assets has been sensitively located and designed to minimise impacts on the designated ANOB landscape. The latest car park redesign has reduced the heritage harm of the 2021 development, as identified by Historic England and The Gardens Trust: the very large amount of unrelieved, highly visible parking and vehicular activity in an area of historic parkland and on the historic approach to the estate. It has resulted in a development proposal that will lead to less than substantial harm to the significance of designated heritage assets.
- 6.69 National Policy instructs that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use (para 202 of the NPPF). There was no dispute between parties that any ensuing harm to the significance of the registered garden and listed buildings on site is and would be, in the language of the NPPF, less than substantial in nature
- 6.70 Your Officers welcome the recent investment made by the current owners in the restoration and maintenance of parts of the gardens. Officers also recognise a need for sufficient levels of revenue to secure the sustainable future of Leonardslee. There is evidenced existing demand for visitor parking. There is evidenced intent of future ambitions and investment by the current owners, with clear and convincing justification for provision to manage on-site future visitor parking appropriately and sensitively. As National Policy instructs, Significant weight is placed by your Officers on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development (para. 81).
- 6.71 The development would result in heritage benefits. A Conservation Management Plan (CMP) is advocated by heritage consultees. Whilst that CMP could have been provided independently, should conditional permission be granted the CMP would have to be implemented as part of it. The CMP, allied with a revised Garden Conservation Management Plan (CGMP), would enhance the knowledge and information available relating to the special interest and significance of the whole site. It would also enable an informed approach to be taken regarding the balance between the commercial and heritage interests involved in operating the visitor attraction and events with the additional visitors/vehicles on the site. Both set obligations on the owner to reinvest revenue proceeds into repair and maintenance of the heritage assets on site. These benefits should attract substantial weight.
- 6.72 It is noted the Local Highway Authority has not objected to the proposal. Amenity impacts largely originate from events held at the venue rather than car park activity of itself. Such events (existing and future) are controlled through the Environment Health licence regime, with opportunity for additional controls by planning condition to safeguard amenity from

intolerable impacts. The new children's play area will encourage outdoor play. The proposed landscaping scheme that would be implemented through the imposition of planning conditions would result in net gains to biodiversity and this would be over and above what is required as mitigation and therefore those net gains offer a wider public benefit. This attracts minor weight as a public benefit. This addresses the third reason for 2021 refusal on the retrospective car park works.

- 6.73 Therefore, on final balance, it is considered the public benefits of the proposal, as amended, outweigh the overall harm to the designated heritage assets, and the reasons for the 2021 refusal have been addressed. It is concluded that, overall, the development meets the policy requirements of the National Planning Policy Framework and is in accordance with the development plan (the Horsham District Planning Framework) when read as a whole. There are no material considerations of sufficient weight to justify anything other than granting planning permission for the development. Your Officers therefore recommend the application be approved subject to conditions.

7. RECOMMENDATIONS

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

Conditions:

1. Approved Plans

2. **Pre-Commencement Condition:** No further development shall commence, including demolition pursuant to the permission granted, ground clearance, or bringing equipment, machinery, or materials onto the site, until a statement outlining measures for protection of all trees and planting to be retained on the site throughout all construction works has been approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details. 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 that positively contribute to the landscape character within the High Weald Area of Outstanding Natural Beauty and the settings of Designated Heritage Assets in accordance with Policies 25, 30, 31, 33 and 34 of the Horsham District Planning Framework (2015).

3. **Pre-Commencement Condition:** No further development shall commence, including demolition pursuant to the permission granted, ground clearance, or bringing equipment, machinery or materials onto the site, until a BS5837:2012 compliant tree survey with a detailed Arboricultural Impact Assessment and Methods Statement (AIA&MS) and tree protection plan (TPP), has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented and thereafter carried out at all times strictly in accordance with the agreed details.

THE AIA&MS shall include setting out how removal of existing surfaces with the RPAs of retained trees is intended to limit the impact the impact on the trees, including those in the parking spaces on the southern boundary of the northern carpark and the reinstatement of the landscape buffer between the A281 and details of remedial works to de-compact the ground around the veteran Oak tree.

The AIA&MS shall also include how the new surfaces and equipment will be installed in the playground.

Reason: As this matter is fundamental to ensure the successful and satisfactory protection of important trees on the site that positively contribute to the settings of Designated Heritage Assets within the High Weald Area of Outstanding Natural Beauty in accordance with Policies 25, 30, 31, 33 and 34 of the Horsham District Planning Framework (2015).

4. **Pre-Commencement Condition:** Within 1 month shall commence until an updated Construction Environmental Management Plan (CEMP) has been approved in writing by the Local Planning Authority. The updated CEMP shall be informed by the details already agreed and discharged under planning reference DISC/23/0078 related to the New Gardeners Compound planning application DC/20/0119 and details for the provision of additional wheel washing facilities and dust suppression facilities. 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 nearby occupiers and highway safety during construction and in accordance with Policies 33 and 40 of the Horsham District Planning Framework (2015).

5. **Pre-Commencement Condition:** Within 3 months of the date of this permission a drainage strategy statement detailing the means of surface water disposal for the development shall be approved by the local planning authority, informed by the approved drainage details for planning permission DC/18/0689. The development shall be carried out in accordance with the approved drainage scheme and drawings.

Reason: As this matter is fundamental to ensure that the development is properly drained to comply with Policy 38 of the Horsham District Planning Framework (2015) and to ensure the successful and satisfactory protection of important trees and hedgerows on the site that positively contribute to the settings of Designated Heritage Assets within the High Weald Area of Outstanding Natural Beauty in accordance with Policies 25, 30, 31, 33 and 34 of the Horsham District Planning Framework (2015).

6. **Pre-occupation Condition:** Within 6 months of the date of this permission, the rectification works listed below shall have been completed with details to be agreed by the local planning authority, other than associated planting which shall be completed in the first planting season following completion of the works.

I. removal of the unauthorised car park spaces within the previously approved landscape buffer approved under DC/18/0689 and incorporation of this land into an enhanced landscape buffer between the car park and A281.

II. partial retention but reduction of the unauthorised parking area to the south of the exit, with the gravel top layer removed, and grass seed/soil installed above the existing Truck Pave system. The grass seed will be an all-purpose law mixture suited to a wide range of domestic and landscape applications.

Reason: As this matter is fundamental to mitigate harm that has arisen onto the setting of Designated Heritage Assets, the landscape character within the High Weald Area of Outstanding Natural Beauty, and in the interests of visual amenity and to conserve and enhance protected and Priority species and allow the Local Planning Authority 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) in accordance with Policies 25, 30, 31, 32, 33, 34 of the Horsham District Planning Framework (2015).

7. **Pre-Occupation Condition:** Within 6 months of the date of this permission a revised Conservation Management Plan and allied Conservation Garden Management Plan for the Registered Park and Garden shall be submitted to and approved in writing by the Local

Planning Authority. The Conservation Management Plan and allied Conservation Garden Management Plan once approved shall thereafter be implemented as specified within the approved documents. The Plans shall be informed by the Historic England and Gardens Trust consultation response submitted to this application.

Reason: To ensure a satisfactory development that is sympathetic to the landscape character within the High Weald Area of Outstanding Natural Beauty and the settings of Designated Heritage Assets, and in the interests of visual amenity in accordance with Policies 25, 30, 31, 32, 33, 34 of the Horsham District Planning Framework (2015).

- 8. Pre-Occupation Condition:** No part of the development hereby permitted shall be used or brought into use until a revised and updated landscape management and maintenance plan (LMMP) (including long term design objectives, management responsibilities, a description of landscape components, management prescriptions, maintenance schedules and accompanying plan delineating areas of responsibility) for all landscaped areas within the red line has been submitted to and approved in writing by the Local Planning Authority. The landscaped areas shall thereafter be managed and maintained in accordance with the approved details. The LMMP shall be informed by the Landscape Management and Maintenance Plan (Dated: 12.09.2018) approved under planning permission DC/18/0689.

Reason: To ensure a satisfactory development that is sympathetic to the landscape character within the High Weald Area of Outstanding Natural Beauty and the settings of Designated Heritage Assets, and in the interests of visual amenity and to conserve and enhance protected and Priority species and allow the Local Planning Authority 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) in accordance with Policies 25, 30, 31, 32, 33, 34 of the Horsham District Planning Framework (2015).

- 9. Pre-occupation Condition:** Prior to commencement of use of the development hereby permitted a Biodiversity Enhancement Strategy for protected and Priority species prepared by a suitably qualified ecologist shall be submitted to and approved in writing by the local planning authority.

The content of the Biodiversity Enhancement Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed compensation and enhancement measures;
- b) detailed designs or product descriptions to achieve stated objectives;
- c) locations, orientations and heights of proposed compensation and enhancement measures by appropriate maps and plans (where relevant);
- d) persons responsible for implementing the compensation and enhancement measures; and
- e) details of initial aftercare and long-term maintenance (where relevant).

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

Reason: To enhance protected and Priority species & habitats and allow the LPA to discharge its duties under the NPPF 2021 and s40 of the NERC Act 2006 (Priority habitats & species).

- 10. Pre-occupation Condition:** Prior to commencement of use of the development hereby permitted a Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to beneficial use of the development. The content of the LEMP shall include the following:

- a) Description and evaluation of features to be managed.

- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organisation responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

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

Reason: To 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)

11. Pre-Occupation Condition: No part of the development hereby permitted shall be used or brought into use until full details of all hard and soft landscaping works for that part of the development (a/b/c) shall have been submitted to and approved, in writing, by the Local Planning Authority. The details shall include plans and measures addressing the following:

(a) All the development:

- Details of all proposed trees and planting, including schedules specifying species, planting size, densities and plant numbers and tree pit details
- knee rail around retained tree, this must be notes in the plan and retained to protect the tree's RPA from compaction when car park is in use
- Clarity to extent of hard surfacing area to be retained for access to overflow car park
- location of the entrance gate to the parking area when in use
- Details of all hard surfacing materials and finishes
- Details of all boundary treatments and bin provision

(b) Play Area:

- installation of surfacing and play equipment within RPA's
- Demonstrate on plan minimum required activity play surfacing met in accordance with suppliers' recommendations
- detail for proposed type of play surfacing and bin provision.
- Artificial grass proposed near playhouse meets critical fall height for equipment in accordance with BS EN1176
- play areas require steel footings be included with all pieces of timber play equipment to prolong their life shelve
- post installation inspection by RoSPA recommended prior to play area being open to the public

(c) Main (northern) Car park:

- Increase planting and softening within the car park. Proposed trees should be connected as a soft strip and planting hedgerow in between

- knee rail around existing mature tree to avoid ingress into RPA's

The approved landscaping scheme shall be fully implemented in accordance with the approved details within the first planting season following the first occupation of any part of the development. Unless otherwise agreed as part of the approved landscaping, no trees or hedges on the site shall be wilfully damaged or uprooted, felled/removed, topped or lopped without the previous written consent of the Local Planning Authority until 5 years after completion of the development. Any proposed or retained planting, which within a period of 5 years, dies, is removed, or becomes seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure a satisfactory development that is sympathetic to the landscape character within the High Weald Area of Outstanding Natural Beauty and the settings of Designated Heritage Assets, and in the interests of visual amenity in accordance with Policies 25, 30, 31, 32, 33, 34 of the Horsham District Planning Framework (2015).

- 12. Pre-Occupation Condition:** No part of the development hereby permitted shall be used or brought into use until the provision of electrical vehicle charging points has been completed in accordance with approved plan drawing CP 2000 REV 10 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).

- 13. Pre-occupation Condition:** The development shall not be used or brought into use until an external lighting design strategy has been submitted to and approved in writing by the local planning authority for biodiversity and eliminate potential light nuisance to neighbouring properties. The strategy shall be informed by plan LTG/01 and Bat Lighting Strategy produced by The Ecology Consultancy (dated 04.10. 2018) under planning permission DC/18/0689. The strategy shall have regard to the Institution of Lighting Engineers (ILE) guidance on Reducing Obstructive Light with the positioning of any proposed external security lighting. The strategy shall include:

- a) identification of those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging;
- b) show how and where external lighting will be installed (through provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places; and
- c) low-level bollard lighting is recommended for the car park and paths.

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: To protect the amenities of nearby residents and to conserve and enhance protected and Priority species and allow the Local Planning Authority 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) in accordance with Policies 31 and 33 of the Horsham District Planning Framework (2015).

- 14. Pre-Occupation Condition:** The car parking hereby approved shall not be used until the re-configured estate road routing has been completed in accordance with approved plan drawing CP 2000 REV 10.

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).

- 15. Pre-Occupation Condition:** The overflow car park shall not be used or brought into first use until a management plan for its operation has been approved in writing by the Local Planning Authority. The plan shall set out when and how the overflow car park is open and available to use.

Reason: To ensure a satisfactory development that is sympathetic to the landscape character within the High Weald Area of Outstanding Natural Beauty and the settings of Designated Heritage Assets, and in the interests of visual amenity in accordance with Policies 25, 30, 31, 32, 33, 34 of the Horsham District Planning Framework (2015).

- 16. Regulatory Condition:** The provision for 16 cycle parking stands shall retained in accordance with the details approved under planning permission DC/18/0689.

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).

- 17. Regulatory Condition:** The access and egress facilities (including visibility splays) as provided in accordance with approved plans CP 2001 Rev C and CP 2002 Rev B shall be retained and be maintained at 2.4 metres by 120 metres and kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed.

Reason: To ensure safe access to and from the highway network has been provided to serve the development in accordance with Policy 40 of the Horsham District Planning Framework (2015).

- 18. Regulatory Condition:** All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal and Preliminary Roost Assessment v2 (Temple Ltd, April 2023) and the Biodiversity Net Gain Assessment v2 (Temple Ltd, April 2023) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

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).

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

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