



## **DELEGATED APPLICATIONS - ASSESSMENT SHEET**

### **APPLICATION NO./ADDRESS:**

DC/25/0317

Land West of Parsons Field Stables, Pickhurst Lane, Pulborough, West Sussex, RH20 1DA,

### **DESCRIPTION:**

Application for the continuous use of land for the stationing of 2 static caravans for residential purposes and associated day rooms. Erection of two stable blocks and associated landscape works (Retrospective).

### **RELEVANT PLANNING HISTORY:**

#### **DESCRIPTION OF THE SITE**

The site lies outside of a designated built-up area boundary within a countryside location, approximately 600m from Codmore Hill. This site is accessed from Pickhurst Lane and is to the west of an existing Gypsy and Traveller site.

The site previously comprised of open paddocks with extensive grass cover and bound by hedgerows and trees to all sides. However, the application is retrospective so the site now has extensive hard standing and development as described in the 'description of application' section below.

To the north of the site, opposite on Pickhurst Lane, are domestic and equine facilities associated with Whitehall Cottage, a Grade II Listed Building situated ~70m north-east of the site. A second Grade II Listed Building, Cherrytree, is found in the vicinity of the site at a greater distance of ~115m. The site is, otherwise, found adjacent to undeveloped field and/or paddock land to the south, west and east, though, is immediately fringed to the rear by a hedgerow which runs from the south-west to north-east of the site.

Public right of way 1987/1 passes the site at a distance of ~50m to the east, while public right of way 1983/2 passes the appeal site at a distance of 160m to the west, which also correlates to the boundary of the South Downs National Park.

#### **DESCRIPTION OF THE APPLICATION**

This application seeks retrospective planning permission for the continuous use of land for the stationing of 2 static caravans for residential purposes and associated day rooms. Erection of two stable blocks and associated landscape works. The proposal includes the installation of closed boarded fencing to the perimeter, hardstanding within the site and the installation of entrance gates.

### **RELEVANT PLANNING POLICIES**

#### **National Planning Policy Framework (Dec 2024)**

#### **Horsham District Planning Framework (HDPF 2015):**

Policy 1 - Strategic Policy: Sustainable Development

Policy 2 - Strategic Policy: Strategic Development

Policy 3 - Strategic Policy: Development Hierarchy

Policy 4 - Strategic Policy: Settlement Expansion

Policy 21 - Strategic Policy: Gypsy and Traveller Sites Allocations  
Policy 22 - Gypsy and Traveller Sites  
Policy 23 - Strategic Policy: Gypsy and Traveller Accommodation  
Policy 24 - Strategic Policy: Environmental Protection  
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character  
Policy 26 - Strategic Policy: Countryside Protection  
Policy 29 - Equestrian Development  
Policy 30 - Protected Landscapes  
Policy 31 - Green Infrastructure and Biodiversity  
Policy 32 - Strategic Policy: The Quality of New Development  
Policy 33 - Development Principles  
Policy 34 - Heritage Assets  
Policy 35 - Strategic Policy: Climate Change  
Policy 36 - Strategic Policy: Appropriate Energy Use  
Policy 37 - Sustainable Construction  
Policy 38 - Strategic Policy: Flooding  
Policy 40 - Sustainable Transport  
Policy 41 - Parking  
Policy 42 - Strategic Policy: Inclusive Communities

**Pulborough Neighbourhood Plan (2021) (At referendum stage):**

Policy 1: A spatial plan for the Parish  
Policy 15: Design  
Policy 16: Water Neutrality

**Horsham District Local Plan (2023-40) (Regulation 19):**

Strategic Policy 1: Sustainable Development  
Strategic Policy 2: Development Hierarchy  
Strategic Policy 8: Sustainable Design and Construction  
Strategic Policy 9: Water Neutrality  
Strategic Policy 10: Flooding  
Strategic Policy 11: Environmental Protection  
Strategic Policy 12: Air Quality  
Strategic Policy 13: The Natural Environment and Landscape Character  
Strategic Policy 14: Countryside Protection  
Strategic Policy 17: Green Infrastructure and Biodiversity  
Strategic Policy 19: Development Quality  
Strategic Policy 20: Development Principles  
Strategic Policy 24: Sustainable Transport  
Policy 25: Parking  
Strategic Policy 27: Inclusive Communities, Health and Wellbeing  
Policy 33: Equestrian Development  
Strategic Policy 43: Gypsies and Travellers

**Supplementary Planning Guidance:**

Planning Obligations and Affordable Housing SPD (2017)  
Community Infrastructure Levy (CIL) Charging Schedule (2017)

Planning Advice Notes:

Facilitating Appropriate Development  
Biodiversity and Green Infrastructure

**REPRESENTATIONS AND CONSULTATIONS RESPONSES**

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](http://www.horsham.gov.uk)

**Consultations:**

## INTERNAL CONSULTATIONS

**HDC Arboriculturalist:** (Final Comments - 23.04.2025): Comment: -

The removal of the hardstanding and depiction of a close board fence across the southern portion of the site leaving a no-mans land of paddock with two trees in it as a buffer to the stream means that the development would comply with the minimum recommendations of the Ancient Woodland guidance in this respect. However, the buffer zone does still remain within the red site line.

Whether this 15m buffer is adequate is an issue for ecological consideration as opposed to an arboricultural one as no change to ground levels or other engineering within this area would mean there are no foreseeable direct impact issues for the trees.

However, change of use has different implications on the future pressures to the woodland associated with the site usage. There would be foreseeable altered usage issues associated with a small land locked land parcel within the same ownership as the wider site.

A buffer zone should consist of semi-natural habitats such as:

- woodland
- a mix of scrub, grassland, heathland and wetland

The proposal should include creating or establishing habitat with local and appropriate native species in the buffer zone.

**HDC Drainage Engineer:** Comment: -

More information is required owing to the absence of an acceptable drainage strategy and additional information relating to whether the site meets the requirements of the NPPF, PPG, SuDS Non-Statutory Technical Standards (NSTS) (March 2015), the West Sussex LLFA Policy for the Management of Surface Water (2018), and the Horsham District Planning Framework (2015) – Policy 38.

**HDC Environmental Health:** Comment: -

1. This application is for two caravans and so this needs to be reflected in the report. The report references four tanks, when there should be only two (on pg 4). Additionally, the treatment section of the report needs to allude to two treatment plans.
2. The report needs a be a statement of positive intent/action so use of the word 'should' will need to be replaced with 'shall' (e.g. on pg 7).
3. We note first edition (dated 28th Feb) had a plan in appendices that was not included in the revised report (dated 5<sup>th</sup> April), this needs to be provided. The diagram on the previous report stated the tank was below ground, but the current one does not mention this, please could the applicant confirm?

**HDC Landscape Architect:** In our judgement, the urbanising form and more importantly, the recent loss of mature boundary vegetation, has an adverse effect on the visual amenity of receptors on Pickhurst Lane and Public Right of Way (PRoW) 1983, as well as an eroding effect on the rural landscape character of the area, contrary to policies 23 and 25 of the HDPF.

In addition, the increase in overall level of activity in the countryside location, and additional light and noise pollution incurred as a result of the development would also contribute as detracting from the tranquillity and sense of place of the rural countryside setting. The proposal or retrospective development in its current form therefore does not conserve or enhance the key features and characteristics of its landscape character area, contrary to policies 26 and 33 of the HDPF.

Should the principle of development is found acceptable however, we recommend that mitigation and replacement planting is proposed to soften the appearance of the development and retain the wooded and verdant character of the area.

We also recommend that the site's red line boundary is amended to reflect the retrospective works and secure replacement and mitigation measures as above and bring the tree removal to the HDC's arboricultural and ecology teams' attention for further advice.

The retrospective development results in a sense of domestic sprawl to the detriment of the undeveloped character and quality of the local landscape. More importantly, due to the recent clearing of hedgerow and vegetation on Pickhurst Ln and the site's western boundary, the site is now visually open and particularly sensitive to views. The dense vegetation which contributed to the verdant character of the lane and PRow 1983 and positively reinforced the rural character enjoyed by these receptors has been lost. . In addition, as per point 5, the recent vegetation clearance and introduction of closeboard fencing along the boundary has also introduced urbanising detractors to the rural setting.

As result, it is our professional judgement that the proposals have an adverse effect on visual amenity and an eroding effect on the landscape character as a result of vegetation removal and the introduction of domestic and urbanising features that appear out of place or dominant within the context of the surrounding landscape. The proposed site layout plan is not reflective of the works carried out to date and makes no provision for mitigation and replacement planting.

Furthermore, as result of the substantial ground works along the woodland edge to install the closeboard fence, concern is raised with the long term retention of existing trees on the western boundary, which are likely to suffer decline and future loss as a result of their RPAs being heavily disturbed during works and encroached by hardstanding. This will have a further eroding effect on the wooded character of the area.

It can therefore be concluded that the proposals and retrospective development do not conserve or enhance the key features and characteristics of its landscape character area and give rise to an unacceptable impact on the character and appearance of the landscape, contrary to HDPF Policy 23, 25 and 26.

#### OUTSIDE AGENCIES

**Ecology Consultant:** No Objection

Have reviewed the Preliminary Ecological Assessment (Sylvatica Ecology Ltd., February 2025) relating to the likely impacts of development on designated sites, protected and Priority species & habitats, and identification of appropriate mitigation measures. Note from the Preliminary Ecological Assessment (Sylvatica Ecology Ltd., February 2025) that there are no buildings or trees on site that will be impacted by the works and therefore agree that no further surveys for bats are required.

The site lies approximately 3.5km east of The Mens Special Area of Conservation (SAC) and therefore lies within the 6.5km Key Conservation Area for the SAC. The site also lies 8.5km west of Ebernoe Common SAC and therefore within the 12km Wider Conservation Area for this SAC (Sussex Bat Special Area of Conservation Planning and Landscape Scale Enhancement Protocol). The qualifying feature for the SACs is Barbastelle bat but there are no records for this species within 2km of the site (Sussex Biodiversity Records Centre (SxBRC) - accessed under licence and MAGIC maps). In the Key Conservation Area all impacts must be considered as habitats within this zone are considered critical for sustaining the populations of bats within the SACs (Sussex Bat Special Area of Conservation Planning and Landscape Scale Enhancement Protocol).

There are records for Common Pipistrelle, Soprano Pipistrelle, Brown Long-Eared bat and Natterers bat within 2km of the site (SxBRC – accessed under licence). The site lies approximately 2.8km north of the Arun Valley SAC, SPA and Ramsar site.

Understand from the submitted documents that the site comprises horse grazed modified grassland with a native species rich hedgerow boundary to the north which has been retained. Therefore, there will be no severance to the flight lines of foraging or commuting bats from the SAC and habitat connectivity within the site will be maintained.

Believe there will be no Likely Significant Effect on the designated features (Barbastelle and Bechstein's bats) of the SACs. We advise the LPA to prepare a project level HRA Screening Report to record its decision and retain on file.

As there is potential for Hazel Dormouse to be present in the native species hedgerow, support the recommendation in Section 6.12 of the Preliminary Ecological Assessment (Sylvatica Ecology Ltd., February 2025) for the implementation of a 20m buffer zone between the hedgerow and woodland and the development. This should be secured by a condition of any consent.

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

**Natural England:** As submitted, the application could have potential significant effects on:

- Arun Valley Ramsar site, Special Area of Conservation (SAC), Special Protection Area (SPA), as well as The Mens SAC.
- Amberley Wild Brooks Site of Special Scientific Interest (SSSI) and Pulborough Brooks SSSI.
- Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation.

In order to mitigate these adverse effects and make the development acceptable, the following mitigation measures are required / or the following mitigation options should be secured: -

- Robust information demonstrating how the proposed development will not result in increased levels of abstraction within the Sussex North Water Supply Zone.
- Robust information demonstrating how the proposed development will not result in direct or indirect impacts to the qualifying features of The Mens SAC (i.e. barbastelle bats).
- Without this information, Natural England may need to object to the proposal. Please re-consult Natural England once this information has been obtained.

**WSCC Highways:** The site is located on Pickhurst Lane, a D class road subject to national speed limit restrictions at this point. The Local Highways Authority (LHA) visited Land West of Parsons Field on Monday 7<sup>th</sup> April 2025. This was to further assess the site access works that have been carried out and the nature of the adjoining road network.

### Site Visit

The applicant has removed a large portion of the hedgerow fronting Pickhurst Lane to accommodate access to the field. The LHA has been made aware that the applicant intends to close the access to a narrower arrangement upon completion of the works. Details of the final access construction have not been provided however.

Whilst visiting the site it was noted that the route was lightly trafficked, with 4 vehicular movements within a 15minute period. The vehicular speeds were observed as being well below the posted speed limit as vehicles proceed cautiously along the Lane. It is anticipated that this is due to the narrow nature of Pickhurst Lane and presence of various residential and field accesses.

### Access

It is advised that a condition securing *access with details to be provided*, is secured against any permission of this proposal. This should demonstrate the access width and makeup as proposed once the works are complete, along with demonstration that the Highway verge will be replaced to match the existing street scene and specific location of the point of access. Accesses within 1m of street furniture (ie. Telegraph poles, signage, lighting etc) will require the street furniture to be removed or relocated at the applicant's expense. Additional details relating to this can be found at [https://www.westsussex.gov.uk/media/20290/vco\\_guidance\\_notes.pdf](https://www.westsussex.gov.uk/media/20290/vco_guidance_notes.pdf).

The access will also be subject to a minor works license to cover the surfacing works within the publicly maintained highway verge at this point. A suitably worded informative has been included below.

### Internal Access

From observation of the plans, there appears ample space to facilitate a turn on site manoeuvre, which will allow egress onto Pickhurst Lane in a forward gear.

The revised red edge block plan now shows a restricted access width to the northern most mobile home, although the plan stipulates that all tracks will be a minimum of 4.8m in width, the access to the northern mobile home narrows to 1.75m and would require a specific manoeuvre to gain access to the individual driveway- with many vehicles not making access at all. The applicant may wish to consider revising the plan to accommodate suitable access to the mobile home. The LPA may wish to consider this from an amenity perspective as the alternative would require vehicles to park on grass or within the internal access track. This may further provide difficulties for horseboxes or any associated feed delivery or maintenance vehicles.

Although the above may cause an amenity concern, the LHA considers that parking would not be likely to overspill into the highway as a result nor would there be an anticipated impact on the publicly maintained highway at this point.

### Parking

Parking has been demonstrated at 2 spaces per unit, this is considered a suitable arrangement given the likely demand. Additional space exists within the site to accommodate overspill parking should it occur. Parking has not been included for the stables uses- it is assumed that these would remain private stables and not a commercial use and therefore not generate a severe material increase in visitors to the site.

Cycle parking has been shown within the plans provided, although this has not been demonstrated as being a secure and covered arrangement. The applicant is advised to include details of this provision which can be secured via planning condition.

### Capacity

On balance, and on the basis that Pickhurst Lane at this point is lightly trafficked and with vehicle speeds below the posted speed limit; it is not anticipated that the proposed would have a severe cumulative impact on the publicly maintained highway at this point. As stated earlier in the report, the number of vehicular movements during the peak hours for this proposal is not anticipated to be high. Therefore, the access arrangements as proposed are unlikely to result in detrimental impact.

The addition of Stables would not be anticipated to give rise to a material increase in vehicular movements over that generated by the mobile homes, this is based on the stables being privately held.

### Conclusion

The Local Highway Authority does not consider that the proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 116), and that there are no transport grounds to resist the proposal.

### Representations:

25 letters of Objection have been received from 18 addresses, objecting to the application on the following grounds:

- Principle of Development
- Adverse impact on rural character and appearance
- Removal of mature hedge to create access point
- Overdevelopment
- Horse welfare
- High/ large fence out of keeping in countryside location
- Landscape impact
- American barn is too large and not justified

- Dog barn rather than horses
- Dayroom is unnecessary
- Large ornate gates out of keeping
- Unrealistic water consumption figures
- Horse water consumption not included in WNS.
- Lack of information regarding waste water
- Cumulative impact of development in the area
- Plans not to scale
- Not in Built Up Area and not allocated in the Local Plan
- Harm to wildlife/ ecology / biodiversity
- Impact on Ancient Woodland and Trees
- Increase in noise and traffic
- Entire site is clearly visible from the road
- Impact on Listed buildings
- Highways Safety concerns

### **Parish Comments:**

**Pulborough Parish Council:** Objection: -

Originally established in 2004, this site has undergone multiple ownership changes. Despite repeated applications, planning permission has consistently been denied.

Members noted feedback from neighbouring residents who had strong objections to the application. While the National Planning Policy Framework (NPPF) recognises the need for traveller sites, this particular location presents several challenges. It is situated in a rural area; the site is two miles from Pulborough's centre and close to two listed buildings.

Additionally, the existing road infrastructure is insufficient to support the increased traffic that would result from two extra three-bedroom caravans and associated vehicles. Given these concerns, development on this site is considered unsuitable. The risks of overdevelopment, negative impacts on the surrounding landscape, and the overall incompatibility of expansion in this rural setting reinforce the strong objections to the proposal.

### **HUMAN RIGHTS AND EQUALITY:**

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.

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.

## **PLANNING ASSESSMENT**

### **Policy Background**

Policy 21 of the Horsham District Planning Framework (HDPF) (2015) mandates the provision of 39 additional permanent residential pitches for Gypsies and Travellers between 2011 and 2017, with a commitment to meet further needs beyond this period as identified in the Council's Accommodation Needs Assessment. To address current and future unmet needs, specific sites were allocated for development. The identified sites, in addition to granted windfall proposals, therefore met the needs of the District at the time.

The Council began preparation of a revised Gypsy, Traveller and Travelling Showpeople Draft Site Allocations Development Plan Document – Preferred Strategy, in 2017 for the plan period beyond that of the HDPF. This set a pitch requirement for 60 gypsy pitches over a 10-year period (up to 2027), and a 15 year requirement for 78 pitches. The 10-year requirement, which is essential, includes a backlog of 40 gypsy pitches, a need for 1 pitch in years 1-5 (2017-2022) and a requirement for a further 19 pitches between 2022-2027. This document initially identified a supply of 68 gypsy pitches to meet the 10-year requirement need for 60 pitches. However, following the drafting of this DPD, the site at Bromeliad Nursery, Billingshurst was withdrawn, which meant the removal of 15 pitches from the 68 pitches identified. On this basis a supply of 60 pitches over the 10-year plan period (up to 2027) could not be demonstrated, and the document did not proceed to formal submission or adoption.

The Council progressed work on an updated Gypsy and Traveller Accommodation Needs Assessment (GTAA) in order to understand the latest position, and to develop an appropriate Gypsy and Traveller Policy as part of the Local Plan Review. Consultants were appointed in March 2019 to research the number of pitches currently in use in the District, as well as to identify what the current need for Gypsies and Travellers in the District is likely to be over the next 17 years. In January 2020, the 'Gypsy and Traveller Accommodation Assessment (GTAA) – Final Report' was published. This Report was part of the background evidence base that accompanied the Local Plan Review (Regulation 18) Consultation which ran from February to March 2020. The GTAA Report provides an evidence base for the provision new Gypsy and Traveller pitches and Travelling Showpeople plots for the period 2019 to 2036. The GTAA identifies that there is a need for 93 pitches for Gypsy and Traveller households over the plan period (2019-2036).

The need of 93 pitches for Gypsy Traveller Households stated in the GTAA dated January 2020 has been updated by Opinion Research Services for Horsham Council and published in December 2023. The update indicates a need between 2023-2040 (the plan period) for 128 pitches. This follows the result of the Lisa Smith Judgement where the Planning Policy for Traveller Sites (PPTS) was updated in December 2023 to revert back to the 2012 PPTS planning definition of a Traveller by reintroducing those who have ceased to travel permanently due to education, ill health, or old age into the definition (now referred to as the 2023 PPTS).

The above needs will be delivered by Policy 43 (Gypsy, Traveller, and Travelling Showpeople Accommodation) of the submitted Regulation 19 Horsham District Local Plan (HDLP) which states that the Council will meet the identified current and future accommodation needs of Gypsies, Travellers and Travelling Showpeople in Horsham District through the regularisation or intensification of existing sites, and through the allocation of new sites.

The draft Local Plan is considered to be of limited weight at this time but does provide guidance with respect future policy direction, demonstrating that the identified need (as above) is expected to be met through, the safeguarding of existing sites, the allocation process, and windfall sites that accord with the criteria set out in policy 43.

In terms of the Council's current policy position: Policies 21, 22 and 23 are now out of date, thus the Council is unable to demonstrate a five year supply of pitches. Paragraph 28 of the PPTS (updated December 2024) outlines that if a local planning authority cannot demonstrate an up-to-date 5 year supply of deliverable sites, the provisions in paragraph 11(d) of the National Planning Policy Framework apply. Paragraph 11 of the NPPF states that the presumption in favour of sustainable development should apply where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework when taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well designed places and provision affordable homes, individually or in combination. This is disengaged where footnote 7 exceptions provide a strong reason to refuse, including Water Neutrality.

Policy C of the PPTS relates to sites in rural areas and the countryside, with paragraph 14 stating that *"when assessing the suitability of sites in rural or semi-rural settings, local planning authorities should*

*ensure that the scale of such sites does not dominate the nearest settled community". Paragraph 26 of the PPTS continues that local planning authorities "should very strictly limit new traveller site development in open countryside that is away from existing settlements or outside areas allocated in the development plan. Local planning authorities should ensure that sites in rural areas respect the scale of, and do not dominate, the nearest settled community, and avoid placing an undue pressure on the local infrastructure".*

As the submission HDLP presently holds limited weight in the determination of applications, policies contained within the current HDPF remain relevant for consideration. As above, the Council cannot currently demonstrate a five-year land supply for traveller sites, which is afforded great weight in the overall planning balance (further detailed below).

A number of recent appeal decisions for gypsy and traveller sites have considered the location of such sites. The Inspector recognised under APP/Z3825/W/21/3284138 (DC/20/1488) Valewood Farmhouse, Mobile Home, Valewood Lane, Barns Green, that the lane connecting the site to the village has no pavements or lighting. However, it was noted that the site was not a significant distance to Barns Green and the lane has good forward visibility, where there is a reasonable prospect of trips to and from the village being made by means other than by motorised transport. The Inspector thereby concluded that the location of the site was acceptable.

In considering the appeal under reference APP/Z3825/W/20/3265226 Hillybarn Farmhouse (DC/20/1993), The Mount, Ifield, the Inspector recognised that residents of site were unlikely to walk to facilities given the separation distances. Also, only a limited bus service travels along Ifield Wood to Horsham and so it was unlikely to provide a realistic travel option for most trips. The development was considered to be within a reasonable cycling distance of Crawley, although it was recognised that this would be an unattractive choice of transport for many journeys, particularly during inclement weather. As such, it was noted likely that occupants of the development would be highly reliant on the private car. However, the Inspector considered that occupants of Gypsy and Traveller sites would have less opportunity to travel by foot, cycle or public transport as they are allowed outside settlements under HDPF policy 23 and the PPTS. In light of the policy context, the short car journeys to Crawley were considered to add in favour of the development. It was thereby concluded that the site would be a suitable location for the development.

Under APP/Z3825/W/22/3290615 at Redgates, Burnthouse Lane, Lower Beeding (DC/21/1233), the Inspector noted that the nearby narrow and twisting lanes lack facilities for pedestrians, with no footways or street lighting, although due to their nature, traffic speeds are unlikely to be high. It was noted that there are public rights of way that provide shorter routes to nearby villages, but these are unlikely to be readily useable on a daily basis or throughout the year as they are unlit and may not be easily accessible. The Inspector noted that it was likely that most journeys would be made by the private car, with these likely to be relatively short. While the site is not in or near to an existing settlement or part of a strategic allocation, it was recognised to be within a reasonable distance of a range of local services and community facilities in nearby villages by car. It was acknowledged that the PPTS and relevant development plan policies do not specifically refer to avoiding reliance on the private car. The Inspector was therefore of the view that the site was a suitable location for the development due to its accessibility to local facilities and services.

In the case of the Pear Tree Farm appeal APP/Z3825/W/22/3311819 (DC/21/1796), the Inspector found the proposal for a settled gypsy accommodation site with five pitches to align with policies supporting accommodations for gypsies and travellers. Although the site is outside of the Built Up Area Boundary, the Inspector concluded that it met sustainability criteria for access to local services and facilities, with no major traffic or safety concerns. In addition, the Inspector concluded that the development's visual impact on the surrounding countryside would be minimal. Due to existing tree cover and hedgerows, the site would remain largely screened from public view, and the increased activity was not seen as harmful to the rural character.

### **Principle of Development:**

The appeal decision relating to DC/19/2105, to the east of this application site, is a material consideration in the assessment of this current application. In the Planning Inspectorate's decision to allow the appeal,

they concluded at paragraph 16 that *'the development is in a suitable location with particular regard to access to local services/facilities. Consequently, the development would accord with the strategic aims of HDPF Policy 23 d. which requires sites to be located in or near to existing settlements and within a range of local services and community facilities, amongst other things. The scheme also accords with the requirements of the Framework.'*

As outlined above, the Council are not currently able to demonstrate a five-year housing land supply to accommodate an identified need of Gypsy and Travelling Showpeople sites within the District. It is recognised that there is a lack of deliverable sites for gypsies and travellers, and there remains an identified need for such accommodation within the District. These matters are of significant weight in the consideration of the application, and weigh in favour of granting planning permission. On the basis of these matters, together with the previous appeal decision where the Planning inspectorate determined the site to the east to be in a suitable location, the proposed development is considered acceptable in principle, subject to all other considerations as discussed below.

### **Landscape Character Impact and Appearance:**

Policy 23(e) of the HDPF states that development for non-allocated gypsy / traveller sites must demonstrate that:

- e. The development will not have an unacceptable impact on the character and appearance of the landscape and the amenity of neighbouring properties, and is sensitively designed to mitigate any impact on its surroundings.

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

The importance given to the continued protection of rural areas remains a key policy criteria in assessing new gypsy and traveller sites. The PPTS paragraph 26 states that Local Planning Authorities should "very strictly limit new traveller site development in open countryside that is away from existing settlements or outside areas allocated in the development plan". Furthermore, it advises that any sites in rural areas respect the scale of, and do not over-dominate, the nearest settled community.

Paragraph 27 of the PPTS advises Local Planning Authorities to attach weight to the following matters when considering new gypsy site proposals:-

- a) effective use of previously developed land (brownfield), untidy or derelict land;
- b) sites being well planned or soft landscaped in such a way as to positively enhance the environment and increase its openness;
- c) promoting opportunities for healthy lifestyles, such as ensuring adequate landscaping and play areas for children;
- d) not enclosing a site with so much hard landscaping, high walls or fences, that the impression may be given that the site and its occupants are deliberately isolated from the rest of the community.

Policy 26 of the HDPF requires proposals to be essential to the countryside location be of a scale appropriate to their countryside character location, not lead, either individually or cumulatively, to a significant increase in the overall level of activity in the countryside and/or conserve, and/or enhance, the key features and characteristics of the landscape character area in which it is located.

In the allowed appeal decision DC/19/2105 at the site to the east of the site, the Planning Inspector considered in their appraisal of the site, that *'overall, the extent of the vegetation surrounding the site, comprises sufficient mitigation to screen the development, preventing any significant harm to the visual amenity of the surrounding area'*. The inspector concluded that *'the development does not create any significant harm to the character and appearance of the site or the surrounding area. The scheme*

*therefore complies with the design, character and appearance aims of HDPF Policy 23 e. which requires development not to have an unacceptable impact on the character and appearance of the landscape and are sensitively designed to mitigate any impact on its surroundings, amongst other things. The scheme also accords with the requirements of the Framework’.*

Although this site is geographically adjacent to the permitted site at Parsons Field, the setting and layouts are very different. The proposed site is located to the south of the hamlet of Codmore Hill, outside of the built-up area boundary (BUAB), in a countryside location. Prior to the retrospective development, it was an undeveloped field, bounded by agricultural fencing to the east and hedging and mature trees to all other sides.

The immediate site context holds rural qualities, predominately composed of wooded and agricultural landscape features. Ancient Woodland (AW) and a small stream about the southern boundary, comprising part of a larger woodland block that sprawls further north-west and south-east. Adjacent to the woodland block lie agricultural fields, comprising a strong and well-defined field pattern by hedgerow and hedgerow trees interspersed by shaws and sporadic dwellings and farmsteads.

At a local level, the proposed site falls within J1 Billingshurst and North Heath Farmlands Landscape Character Area (LCA) as defined by the Horsham District Landscape Character Assessment (2003). Key relevant characteristics of J1 experienced within the site and contextual landscape include: gently undulating landform; small to medium size fields enclosed by frequent hedgerows, copses and small to medium sized woodland blocks; and semi enclosed landscape. Sensitivity to change is moderate, with key sensitivities to: small scale incremental changes eroding character, e.g. increase in horse paddocks.

Immediately to the north, opposite the site, is Bets Farm and to the east, Parsons fields stables, both urban features of which sit behind layers of mature landscape and not experienced as major detractors to the countryside setting. Views in and out of these sites are limited.

The site’s wider landscape context is heavily wooded and predominately remote and undeveloped with few residential and urbanising detractors. In addition to the AW abutting the site’s southern boundary, further parcels of AW can be found to the north and south of the site.

Access to the site is from Pickhurst Lane, a narrow, verdant road bounded by dense vegetation, running in a west-east direction on the northern site boundary. Multiple PRowWs are located in proximity, including:

- 1 PRow 1983 – along the western boundary, running north-south
- 2 PRow 1987 – in proximity to the southern boundary, running west-east, then southwest-northeast

The woodland and fields are enjoyed by receptors on PRow 1983, and views onto site should positively contribute to the rural character and landscape setting. These views, however, are now screened by a newly implemented closeboard fence, introducing suburban form into the undeveloped woodland. This fence runs along the length of the western and southern boundaries

The applicant has removed a large portion of the hedgerow fronting Pickhurst Lane to accommodate access to the field. Extensive hardstanding has been laid across the site to provide access roads to the two pitches and stables. These proposals are shown on the revised Block Plan submitted and can be seen on site. However there are discrepancies between the site layout and the submitted plans with the larger stable block (American barn) for example appearing to be substantially further south in the site than shown on the plans and much closer to the ancient woodland than the plans would indicate.

From multiple site visits and examination of the submitted plans, notwithstanding any errors on the submitted plans in reflecting exactly what has been done on site, the development results in a sense of domestic sprawl to the detriment of the undeveloped character and quality of the local landscape. Also, due to the recent clearing of hedgerow and vegetation on Pickhurst Ln and the site’s western boundary, the site is now visually open and particularly sensitive to views. The dense vegetation which contributed to the verdant character of the lane and PRow 1983 and positively reinforced the rural character enjoyed by these receptors has been lost. In addition, the recent vegetation clearance and introduction of closeboard fencing along the boundary has also introduced inappropriate urbanising detractors to the rural setting.

As result, the proposals have an adverse effect on visual amenity and an eroding effect on the landscape character. The vegetation removal and the introduction of domestic and urbanising features that appear out of place or dominant within the context of the surrounding landscape. The proposed site layout plan is not reflective of the works carried out to date and makes no provision for mitigation and replacement planting.

Furthermore, as result of the substantial ground works along the woodland edge to install the closeboard fence, concern is raised with the long term retention of existing trees on the western boundary, which are likely to suffer decline and future loss as a result of their RPAs being heavily disturbed during works and encroached by hardstanding. This is evidenced from site visits where trees have clearly been disturbed.

In a recent appeal decision (Tanglewood Equestrian APP/Z3825/W/24/3355610) for a 2 pitch Gypsy and Traveller site and retention of hardstanding the Planning Inspector concluded:

*'...the high protection afforded to National Landscapes does not exist only in visually prominent locations. The field pattern is a characteristic feature of the HWNL, and the proposal does not clearly demonstrate how the proposal would relate sympathetically to the local landscape without erosion of the field pattern. Furthermore, there is a veteran beech tree approximately 10m from the site boundary which makes a positive contribution to the landscape and biodiversity value of the HWNL. Whilst acknowledging there is some existing hardstanding in proximity of the tree, the proposal fails to demonstrate that unnecessary losses or harm to natural features would be avoided or adequately mitigated.*

*Since the site is small and the proposal comprises just two pitches, the extent of erosion of the field pattern would be limited. However, this harm would be counter to the statutory duty to further the purposes of Protected Landscapes and would fail to conserve and enhance the landscape and scenic beauty of the HWNL, which the Framework affords the highest status of protection.*

*Policy 23 of the Horsham District Planning Framework 2015 (HDPF) requires proposals for Gypsy and Traveller accommodation not have an unacceptable impact on the character and appearance of the landscape. Having regard to Framework paragraph 189 and the statutory duty for Protected Landscapes, the effects of the proposal on the character and appearance of the HWNL would amount to an unacceptable impact for the purposes of Policy 23. The proposal would therefore conflict with the policy.*

*In addition, the proposal would conflict with HDPF Policies 25, 30 and 33 which protect the landscape character, natural beauty, and public enjoyment of the HWNL and support the retention of important landscape and natural features'.*

It is considered that the proposal would result / has resulted in a sense of domestic sprawl to the detriment of the undeveloped character and quality of the local landscape. Due to extensive hedge removal, the site is now visually open to the road and wider countryside, therefore it is particularly sensitive to views into the site. The proposal and retrospective works will be at odds with the undeveloped nature of the surrounding area and does not relate sympathetically to the local landscape. The proposal includes extensive hard standing, four permanent buildings in the form of stables and dayrooms, and extensive close-boarded and post and rail fencing. In the absence of a landscape and visual appraisal (LVA), it is considered that the urbanising form and further loss of existing boundary vegetation has an adverse effect on visual amenity of the nearby public right of way (PRoW) and receptors on Pickhurst Lane, as well as an eroding effect on the rural landscape character of the area, contrary to policy 23 (e), 25 and 33 of the HDPF.

The proposal in its current sprawling form equally does not conserve or enhance the key features and characteristics of its landscape character area, contrary to policies 26 and 23. The increase in overall level of activity in the countryside location, and additional light and noise pollution incurred as a result of the development, is also considered to be contrary to policy 26 of the HDPF and would detract from the tranquillity and sense of place of the rural countryside setting.

#### **Trees:**

Policy 33 of the HDPF presumes in favour of the retention of existing important landscape and natural features, for example trees, hedges, banks and watercourses. Development must relate sympathetically to the local landscape and justify and mitigate against any losses that may occur through the development.

The application form states there are no trees to be impacted by the proposal. The ecology report states the same. This is considered to be incorrect. The substantial amount of hedgerow along the road was removed seemingly in contravention of the Hedgerow Regulations, and the close boarded fence, and hardstanding has been installed in close proximity to the mature trees to the west and south.

For new engineering in close proximity to trees, a tree survey and arboricultural impact assessment would be expected to be submitted in accordance with HDC standard validation requirements to enable a fair assessment of the impact of proposed development on trees that make a contribution to the landscape setting. This was validated due to the application form incorrectly stating there is no impact.

The extent of excavation required for new fencing in the countryside is not likely an issue of significant concern in respect of tree rooting although use of concrete in the post holes can be detrimental to tree health when roots have been severed. The installation of an engineered driveway/access road and changes of ground levels at close proximity to an established belt of trees to the West, partially within minimum recommended root protection areas (unmeasured), will foreseeably impact upon their health and may have longer term health implications.

The Ancient Woodland must have a minimum buffer of 15m from new development. Although amended plans show this to be the case, it is not clear from site visits that this is the case on the ground. The drainage plans more recently provided do not enable the buffer to be left undisturbed. In order to assess the impacts of the drainage proposals, from both an arboricultural and in particular from an impact pathways (ecological) perspective, further information would be required to make a fair assessment.

It is considered that the retrospective proposal has the potential to have had implications on the health of the adjacent tree belt and potentially the Ancient Woodland to the south of the site. It is therefore considered that this application lacks enough information to determine whether the proposal is in compliance with policy 33 of the HDPF in mitigating against any unnecessary losses or harm to natural features, in this case adjacent trees to the south and west.

### **Amenity Impact:**

Policy 33(2) states that development shall be required to ensure that it is designed to avoid unacceptable harm to the amenity of occupiers/users of nearby property and land. Policy 23(e) is also of material consideration when assessing amenity impact for non-allocated gypsy / traveller sites.

With regard to the impact of the proposed development on neighbouring occupiers, 'Berts Farm' is located immediately to the north of the site. It is considered that given the single storey nature of the caravans/buildings/structures on site, and the distances maintained and the existing boundary treatments, the residential use of the site does not/ will not cause harm to neighbouring amenity and the addition of two pitches and stable blocks would not directly impact the neighbouring residents. However, and in line with previous remarks in relation to the intensification of use in the countryside, the increase in overall level of activity in the countryside location, and additional light and noise pollution incurred as a result of the development, is considered to be contrary to policy 26 of the HDPF and would detract from the tranquillity and sense of place of the rural countryside setting. This could have an impact on amenity for nearby residents and users of the PROW.

### **Highways Impacts:**

Policy 23(b) of the HDPF states that development for non-allocated gypsy / traveller sites must demonstrate that:

- b. The site is served by a safe and convenient vehicular and pedestrian access. The proposal should not result in significant hazard to other road users;

In addition, policy 40 of the HDPF seeks to direct development to areas which are integrated with sustainable transport networks, encourage sustainable transport choices and ensure that new development is safe for all modes of transport, including vehicles, cyclists and pedestrians. In addition, proposals should minimise conflict between traffic, cyclists and pedestrians.

The planning statement outlines that this proposal will utilise an established access point onto Pickhurst Lane. However, the applicant has actually removed a large portion of hedgerow fronting Pickhurst Lane to create a new access point. WSCC Highways have stated in their comments that the applicant intends to close the access to make it narrower but no further information is provided.

The revised red edge block plan now shows a restricted access width to the northern most mobile home, although the plan stipulates that all tracks will be a minimum of 4.8m in width, the access to the northern mobile home narrows to 1.75m and would require a specific manoeuvre to gain access to the individual driveway- with many vehicles not making access at all. WSCC have suggested that the LPA may wish to consider this from an amenity perspective as the alternative would require vehicles to park on grass or within the internal access track. This may further provide difficulties for horseboxes or any associated feed delivery or maintenance vehicles. This is potentially an issue for the occupants of the first pitch as it is unclear how they would access the static or stables with a vehicle.

On balance, and on the basis that Pickhurst Lane at this point is lightly trafficked and with vehicle speeds below the posted speed limit, it is not anticipated that the proposed would have a severe cumulative impact on the publicly maintained highway at this point. As stated earlier in the report, the number of vehicular movements during the peak hours for this proposal is not anticipated to be high. Therefore, the access arrangements as proposed are unlikely to result in detrimental impact.

The addition of Stables would not be anticipated to give rise to a material increase in vehicular movements over that generated by the mobile homes, this is based on the stables being privately held.

## **Other Matters**

### Barriers to Development

Policy 23(a) of the HDPF states that development for non-allocated gypsy / traveller sites states that:

- a. There must be no significant barriers to development exist in terms of flooding, poor drainage, poor ground stability or proximity to other hazardous land or installation where conventional housing would not be suitable.

The site is situated within flood zone 1 with low risk of fluvial flooding. The proposed development is located outside of the surface flow paths. In line with the National Flood Risk Standing Advice and Paragraph 175 of the NPPF the proposal is therefore exempt from being required to carry out a sequential test.

### Services

Policy 23(c) of the HDPF states that development for non-allocated gypsy / traveller sites must demonstrate that:

- c. The site can be properly serviced and is supplied with essential services, such as water, power, sewerage and drainage, and waste disposal. The site must also be large enough to provide adequate vehicle parking, including circulation space, along with residential amenity and play areas;

A Drainage Strategy has been submitted. It is noted that the drainage engineer as suggested that there is insufficient information to determine the application. However it is considered that any outstanding information can be secured via a drainage strategy condition, to be decided in consultation with the drainage engineer as it standard practice. This is particularly as the site is already functioning.

### Ecology

Policy 31 of the HDPF states that development will be supported where it demonstrates that it maintains or enhances the existing network of green infrastructure. Development proposals will be required to contribute to the enhancement of existing biodiversity, and should create and manage new habitats where appropriate.

The site comprises horse grazed modified grassland, buildings and hardstanding with a native species hedgerow comprising Blackthorn, Hawthorn, Beech, Goat Willow, Pedunculate Oak and bramble, approximately 4m in height and 3m in width to the north.

The submitted Ecology survey (Sylvatica Ecology Ltd., February 2025 ) states that no trees or hedgerow will be impacted. This is clearly wrong as at least 14 metres of native hedgerow has been removed to create the new entrance to the site- and this is shown on the submitted plans. The plans also show native hedge planting within the site, but a site visit shows newly planted cherry laurel which is invasive and unlikely to be supported near to the Ancient Woodland. The Councils Ecologists have taken the ecology report at face value and their 'no objection' response is based on this. They state:

*'We understand from the submitted documents that the site comprises horse grazed modified grassland with a native species rich hedgerow boundary to the north which has been retained. Therefore, there will be no severance to the flight lines of foraging or commuting bats from the SAC and habitat connectivity within the site will be maintained.'*

*We therefore believe there will be no Likely Significant Effect on the designated features (Barbastelle and Bechstein's bats) of the SACs.*

*As there is potential for Hazel Dormouse to be present in the native species hedgerow, we support the recommendation in Section 6.12 of the Preliminary Ecological Assessment (Sylvatica Ecology Ltd., February 2025) for the implementation of a 20m buffer zone between the hedgerow and woodland and the development. This should be secured by a condition of any consent.'*

The site has / had the potential to be used as habitat and a connector for various species. The applicant has provided insufficient/ incorrect ecology information and it has not therefore been demonstrated that the proposed development would have no adverse impact on protected species and its habitat, , contrary to Policy 31 of the Horsham District Planning Framework (2015) and the NPPF.

### **Biodiversity Net Gain (BNG)**

Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) mandates that every development must achieve at least a 10% Biodiversity Net Gain (BNG), unless the development qualifies as exempt under the Biodiversity Gain Requirements (Exemptions) Regulations 2024, and that every planning permission granted for the development of land in England shall be deemed to have been granted subject to the condition that development may not be begun unless a Biodiversity Gain Plan has been submitted to the planning authority and the planning authority has approved the Plan.

The Biodiversity Gain Plan must show how the development will achieve the required minimum 10% BNG using the statutory biodiversity metric tool and must demonstrate how the habitats will be managed and maintained for 30 years, starting from the date the development is completed. Off-site gains and significant on-site enhancements will be secured over this period by way of a Legal Agreement.

The application is retrospective made under Section 73(A) of the Town and Country Planning

### **Water Neutrality**

The application site falls within the Sussex North Water Supply Zone as defined by Natural England which draws its water supply from groundwater abstraction at Hardham. Natural England has issued a Position Statement for applications within the Sussex North Water Supply Zone which states that it cannot be concluded with the required degree of certainty that new development in this zone would not have an adverse effect on the integrity of the Arun Valley SAC, SPA and Ramsar sites.

Natural England advises that plans and projects affecting sites where an existing adverse effect is known will be required to demonstrate, with sufficient certainty, that they will not contribute further to an existing adverse effect. The received advice note advises that the matter of water neutrality should be addressed in assessments to agree and ensure that water use is offset for all new developments within the Sussex North Water Supply Zone.

Each caravan will have an actual occupancy of 5 people giving a total occupancy of 10 people. This equates to a total water use of  $64.3 \times 10 = 643$ pd or 234,695 litres per year.

The strategy seeks to ensure the proposal is water neutral through the installation of rainwater harvesting to provide 100% of the required water. The calculations submitted and set out in the WNS show there is sufficient roof area on the site to collect the required amount of rainwater. This includes rainwater being collected from the utility building, stables and static caravan from each pitch.

The calculation in the submitted WNS show sufficient water available with a 60 day drought assurance based on the collectable roof area above. However, it is not considered to be reasonable to apply a condition to a permission requiring each occupier to have a mobile home of a certain size and enforceability would be a barrier. Ensuring the scheme was retained for the lifetime of the development would not be reasonable given the likely transient nature of the occupiers of the site over its lifetime and given that planning permission would not be required to replace either mobile home with an alternative mobile home. A replacement mobile home could have a much smaller roof area and therefore not be able to collect enough rainwater to serve the development.

This matter was considered at combined appeals at Oaks Farm, Wineham Lane, Wineham under references APP/Z3825/C/24/3350120/121/122/123/124/125/126/127/128, where the Inspector considered that there was no surety over the size of caravans to be installed on each plot, where the calculations for water collection, based on a certain area of roof, would not reflect the capacity on site. The Inspector therefore considered that a condition requiring each occupier to have a mobile home of a certain size would not be reasonable. Furthermore, the Inspector noted that ensuring the scheme was retained for the lifetime of the development would not be reasonable given the likely transient nature of the occupiers of the site over the lifetime of the development.

Without the proposed static caravans this would reduce the yearly collectable amount of rainwater to 18,370 litres which is 20,000 litres less than is shown as required within the Water Neutrality Statement.

As it is not considered to be reasonable to apply a condition to limit the size of the caravan to a minimum size, it has not been proven beyond reasonable scientific doubt that the proposal is water neutral. It is therefore concluded that insufficient evidence has been provided to ensure that the project will not have an Adverse Effect on the Integrity of the Arun Valley SAC/ SPA /Ramsar site, either alone or in combination with other plan and projects. Natural England have been consulted on this position, and have raised similar concerns.

### **Conclusions and Planning Balance:**

The Council cannot currently demonstrate a five-year land supply for gypsy sites, and at present there remains an identified undersupply of available sites within the District. Paragraph 11(d) of the NPPF states that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, planning permission should be granted unless the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. It is therefore recognised that the proposal would go a small way to addressing the identified need, but two pitches are considered limited in their contribution. This is a material consideration of *significant weight* in the overall planning balance.

As the Council cannot currently demonstrate a supply for gypsy / traveller sites, it is considered that the relevant policies would be considered 'out of date' as per Footnote 8 (FN8) associated with this paragraph of the NPPF. However, footnote 7 of paragraph 11 confirms that the policies referred to in the Framework are those relating to, among others, habitat sites. Insufficient information has been provided to

demonstrate that the development would not contribute to an existing adverse effect upon the integrity of the internationally designated Arun Valley Special Area of Conservation, Special Protection Area and Ramsar sites. Paragraph 11(d) is not therefore engaged in this instance. As the proposal would result in adverse harm to the Arun Valley protected sites, in addition to the Mens SAC, Footnote 7 would be triggered. Accordingly, whilst the tilted balance in favour of sustainable development as per Paragraph 11(d) is engaged, this is reset to the neutral position and not in favour of granting the permission.

Whether or not the harm identified would significantly or demonstrably outweigh the benefits of meeting the unmet need is a matter of consideration in the planning balance. The benefits of the proposal include a number of pitches (two), which would have a welcomed but *small benefit* in terms of the extent to which it would alleviate the shortage.

It is considered that the proposal would result in a sense of domestic sprawl to the detriment of the undeveloped character and quality of the local landscape. Due to extensive hedgerow removal, the site is now visually open to the wider countryside, therefore it is particularly sensitive to views from the north. The proposal and retrospective works are at odds with the undeveloped nature of the surrounding area and do not relate sympathetically to the local landscape. In the absence of a landscape and visual appraisal (LVA), it is considered that the urbanising form, in particular the amount of hard standing and the close-boarded fencing, and further loss of existing boundary vegetation has an adverse effect on visual amenity of the nearby public right of way (PRoW) and receptors on Pickhurst Lane, as well as an eroding effect on the rural landscape character of the area, contrary to policy 23 (e), 25 and 33 of the HDPF.

The proposal in its current form equally does not conserve or enhance the key features and characteristics of its landscape character area, contrary to policies 26 and 23. The increase in overall level of activity in the countryside location, and additional light and noise pollution incurred as a result of the development, is also considered to be contrary to policy 26 of the HDPF and would detract from the tranquillity and sense of place of the rural countryside setting.

The site also has / had the potential to be used as habitat and a connector for various species. The applicant has provided an inaccurate ecological statement that states no hedgerow is to be removed, and it has not therefore been demonstrated that the proposed development would have no adverse impact on protected species and its habitat, and to establish how the development will contribute to measurable Biodiversity Net Gain, contrary to Policy 31 of the Horsham District Planning Framework (2015) and the NPPF.

With the above in mind, it is considered that the provision of two additional gypsy pitches on this site is not justified when balanced against the lasting harm that the development would cause by virtue of the issues outlined above. It is considered that given the nature of harm identified, including the position in respect of water neutrality and the protected Arun Valley sites, that a temporary or personal permission would not overcome or alter the above planning balance. It is therefore recommended that planning permission be refused.

### **Recommendation: Application Refused**

#### **Reason(s) for Refusal:**

- 1 Insufficient information has been provided to demonstrate with a sufficient degree of certainty that the development would not contribute to an existing adverse effect upon the integrity of the internationally designated Arun Valley Special Area of Conservation, Special Protection Area and Ramsar sites by way of increased water abstraction, contrary to Policy 31 of the Horsham District Planning Framework (2015) and the National Planning Policy Framework (2024), thus the Local Planning Authority is unable to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority Habitats & Species).

