



DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/25/1416

Land East of Coolham Road, West Chiltington, West Sussex, RH20 2LT

DESCRIPTION:

Change of use of land to a mixed use of the stationing of caravans for residential purposes and the keeping of horses with a dayroom, hardstanding and an ancillary stable block.

RELEVANT PLANNING HISTORY:

DC/18/1488	Proposed site for settled gypsy accommodation for 1 pitch with associated stable block	Application Refused on 04.03.2019
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DISMISSED ON APPEAL

DESCRIPTION OF THE SITE

The application site comprises an approximately 0.9ha rectangular parcel of land positioned to the west of Coolham Road (B2139) within a rural area between Thakeham and West Chiltington. The land is accessed via an established shared track which runs along the southern boundary, set slightly below the level of the public highway. The site is enclosed by established tree belts and vegetation along the northern, eastern, and western boundaries, providing a high degree of natural screening from Coolham Road and wider views.

The site currently contains a single mobile home, a touring caravan, an area of hardstanding, and a timber stable block comprising two loose boxes and a tack/storeroom. These structures have been in situ since at least December 2020, as confirmed within the Planning Statement. The land was previously in agricultural use.

The nearest settlement is Thakeham, located approximately 750m to the south, with further services available within Abingworth (~0.9km) and Storrington (~3.5km). The site lies outside any defined built-up area boundary and is therefore categorised as countryside for planning policy purposes. As accepted in the previous appeal decision (APP/Z3825/W/19/3228245), the site benefits from reasonable proximity to local services and facilities and is considered visually contained within the landscape.

DESCRIPTION OF THE APPLICATION

The application seeks full planning permission for the material change of use of the land to a mixed use comprising:

- The stationing of caravans for residential purposes to provide one gyp-sy/traveller pitch (one mobile home and one touring caravan);
- The keeping of horses;
- A utility/dayroom building;
- Retention of the existing hardstanding; and
- Retention of the existing timber stable block, comprising two loose boxes and a tack/storeroom.

The proposed dayroom is a single-storey timber structure intended to provide washing, hygiene, and utility facilities. The layout has been prepared with reference to the former national guidance Designing Gypsy and Traveller Sites – Good Practice Guide (2008), as noted in the Planning Statement.

The applicant seeks to regularise the ongoing residential occupation of the site, which commenced in December 2020, and to formalise the associated equestrian use.

RELEVANT PLANNING POLICIES

The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (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 15 - Strategic Policy: Housing Provision
Policy 16 - Strategic Policy: Meeting Local Housing Needs
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 31 - Green Infrastructure and Biodiversity
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 40 - Sustainable Transport
Policy 41 – Parking

Planning Policy for Traveller Sites (August 2015)

Neighbourhood Plan:

Thakeham Parish Neighbourhood Plan has been Made.
Thakeham1 – A Spatial Plan for the Parish
Thakeham6 – Design
Thakeham9 – Development in the Countryside

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

Strategic Policy 1: Sustainable Development
Strategic Policy 2: Development Hierarchy
Strategic Policy 3: Settlement Expansion
Strategic Policy 8: Sustainable Design and Construction
Strategic Policy 9: Water Neutrality
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 37: Housing Provision
Strategic Policy 38: Meeting Local Housing Needs
Strategic Policy 43: Gypsies and Travellers

Supplementary Planning Guidance:

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

Parish Design Statement:

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

Consultations:

HDC Tree Officer: Advice – The proposed location of the day room presents no arboricultural concerns. It is suitably positioned at a safe distance from the ancient woodland to the north, ensuring there will be no adverse impact on the woodland canopy, rooting zones, or its ecological function. The siting complies with buffer requirements and best-practice guidance for development near established tree groups. Existing tree cover and natural screening will remain unaffected, and no tree removal is anticipated to accommodate the building footprint. The only arboricultural consideration relates to the proposed drainage scheme, which should, where possible, be concentrated to the south of the mature tree belt to the east of the day room. This area contains an existing gap that would allow installation works without encroaching on key rooting zones, thereby minimizing disturbance and safeguarding the long-term health and stability of the adjacent trees.

HDC Environmental Health: Comment – More information required - There is currently insufficient sewage and drainage information to confirm whether the proposal is acceptable, and further comments will be required once this data is provided. For sites without a mains drainage connection, full details of the proposed system, its capacity, and the method for disposing of treated effluent must be submitted. Effluent should either discharge to a ditch leading to a river or be absorbed via a soakaway system on-site. As soil conditions may not support the required absorption, percolation tests are essential for any ground discharge scheme, and complete results must be shared with the Council. Additionally, the design and treatment system details must be provided to ensure compliance with Environment Agency requirements and to prevent environmental harm.

HDC Environmental Protection: Comment - Environmental health notes that the applicant plans to use the SNWCS to offset the water usage of the site. We do see that the site is already in use and the application is retroactive so any water currently being used is above the baseline of zero. However, as the applicant is not planning to use water mitigation such as rainwater harvesting or bore holes, Environmental Health does not have any comment at this time. Please reach out to us for comment again should it be decided that alternative water supplies need to be investigated.

Southern Water: Standard comments. Informative below.

WSCC Highways: No Objection [summary]

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 116), and that there are no transport grounds to resist the proposal.

PUBLIC CONSULTATIONS:

Representations:

4 letters of Objection have been received from 2 addresses, objecting to the application on the following grounds:

- The proposed fencing shown on the plans would obstruct or narrow the shared access, preventing lawful access for other landowners.
- The existing easement/right-of-way is said to be too narrow to safely allow vehicle turning, passing or parking.
- The easement is argued to be unsuitable for the level of vehicular activity associated with the proposal.

- Concerns that the proposed layout would restrict turning space once ad-joining land is sold, leaving insufficient room for vehicles to manoeuvre safely.
- General concern about highway safety and access adequacy linked to the shared private track.

While these matters have been carefully considered, the LHA confirms that the proposal raises no safety concerns on the public highway. Issues relating to private access rights, easements, or civil land ownership disputes fall outside the scope of the planning system and do not constitute material highway safety grounds for refusal under national policy.

1 letter for Support have been received from 1 address outside the district.

Parish Comments:

Thakeham Parish Council: Objection –

- **Unauthorised Development:** Applicant moved onto land in 2020 without permission, built stables and hardstanding, and continues to live there in caravans. Previous application refused; appeal dismissed in May 2020.
- **Water Neutrality:** Baseline water usage should be zero (no prior permission). Applicant's claim of 85l/day for offsetting is incorrect. No alternative water supply proposed. Horses require significant water (25–50L/day each).
- **Drainage/Sewerage:** Environmental Health notes insufficient information; current arrangements unknown.
- **Pedestrian Sustainability:** Proposed access to bus stop involves an impractical, circuitous route.
- **Policy Compliance:** TNP Policy 8 resists development on 0.4–5ha plots unless solely for agriculture/horticulture. Applicant's activities (horse trading, fencing enterprise) are commercial.
- **Plot Size & Equine Welfare:** Plot (0.79ha) too small for horses per DEFRA guidelines (0.6–1ha per horse). Proposed site plan further reduces paddock area.
- **Ancient Woodland:** Adjacent woodland incorrectly omitted from application. Required 15m buffer zone not implemented. Concerns about light pollution and wildlife impact.
- **Fire Safety:** Nearest hydrant is 355m away (should be within 150m). Access route must meet width and weight requirements.
- **Commercial Breaches:** Conditions prohibit commercial use; horse trading and fencing operations breach these.
- **Material Circumstances:** Previous permission considerations based on applicant's personal circumstances no longer apply.

Due to unresolved issues—water neutrality, drainage, plot size, equine welfare, Ancient Woodland protection, fire safety, and breaches of planning conditions—the Parish Council strongly objects to the application.

Member Comments:

None received

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 additionally 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. The Council have taken into consideration the Children's Act 2011. In this case, the proposal is not anticipated to have any potential impact from an equality perspective.

PLANNING ASSESSMENT

Policy Background and the Principle of the Development

Policy 23 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). This includes those who: a) meet the (PPTS) definition of 'gypsy and traveller' (79) and b) do not meet the definition (as per a) (20), and; c) are 'undetermined' (29). The Revised Gypsy and Traveller Accommodation Assessment (September 2024, ORS) document details a need to accommodate of 79 (50 in the first five years, and the remaining to 2040).

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 Horsham District Local Plan Regulation 19 document was approved at the meeting of full Council on 11 December 2023. Consultation on the draft document is took place between 19 January to 1 March 2024, and was formally submitted to the Planning Inspectorate on Friday 26 July 2024. Public hearings on the contents of the draft plan will be undertaken at the Council's Offices in January 2025, and it is expected adopted in the Autumn of 2025. The draft Local Plan has yet to be adopted and is of limited weight. It does however provide guidance with respect future policy direction, demonstrating that the identified need (as above) will be met through the democratic allocation process.

In terms of the Council's current policy position: Policy 23 is now out of date, thus the Council is unable to demonstrate a five year supply of pitches. Paragraph 27 of the Planning Policy for Traveller Site

(PPTS) (2023) states that if a local planning authority cannot demonstrate an up-to-date five-year supply of deliverable sites, this should be a significant material consideration in any subsequent planning decision when considering applications for the grant of temporary planning permission. In the absence of an adopted DPD, the Council is unable to demonstrate a five-year supply of Gypsy and Traveller pitches. In accordance with Paragraph 27 of the PPTS, the absence of such a supply is a significant material consideration, and this weighs in favour of granting planning permission for the proposed development, subject to compliance with other relevant planning policies (further detailed and assessed below).

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 25 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”.

Paragraph 13 of the PPTS states that Local Planning Authorities should ensure that traveller sites are sustainable economically, socially and environmentally. Paragraph 25 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 Regulation 19 HDLP presently holds limited weight in the determination of applications, policies contained within the HDLP remain relevant for consideration. As above, as the Council cannot currently demonstrate a five-year housing land supply for traveller sites, restrictive housing policies are afforded reduced weight in the overall planning balance (further detailed below). However, Policy 23 (Gypsy and Traveller Accommodation) seeks to resolve specific issues regarding sites (rather than the principle of a development), and states that the following criteria (a-e in subsequent sections of this report) will be taken into consideration when determining the allocation of land for Gypsies, Travellers and Travelling Showpeople and any planning applications for non-allocated sites. In terms of the site’s location, the Policy states that it must be demonstrated that:

- d. The site is located in or near to existing settlements, or is part of an allocated strategic location, within reasonable distance of a range of local services and community facilities, in particular schools and essential health services;

A number of recent appeal decisions for gypsy and traveller sites have considered the location of these 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 HDLP 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 the designated area for new developments, 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.

The planning history of the site is also highly relevant. In Appeal Ref. APP/Z3825/W/19/3228245, the Inspector concluded that the principle of the site's use for a single traveller pitch was acceptable in planning terms, noting that the development was "small in scale and does not have an unacceptable impact on the character and appearance of the landscape" and that the site's location, approximately 0.77–0.9km from Thakeham and Abingworth, placed it within "reasonable distance of a range of local services and community facilities". The Inspector further confirmed that the proposal did not conflict with HDPF Policy 23(d) regarding access to services and facilities, and that the site's low-key residential use aligned with the PPTS objective of providing suitable rural accommodation for the Gypsy/Traveller community. Importantly, the Inspector stated that "the development was otherwise acceptable in planning terms" and identified only one issue, water neutrality as preventing approval. All other matters raised by the Council at that time were found to be resolved or outweighed by need.

In light of this, the principle of a single Gypsy/Traveller pitch in this countryside location has effectively been established as acceptable by the Planning Inspectorate, subject to water neutrality. The current application is accompanied by a Water Neutrality Statement seeking to address the only outstanding matter identified at appeal. Given the persistent and significant unmet need for traveller accommodation, the acknowledged lack of a five-year supply, the rural context being appropriate for traveller sites under national policy, and the Inspector's clear findings that the location, scale, and landscape impact of the development are acceptable, the proposal is considered to comply with the aims of HDPF Policy 23 and the PPTS.

Furthermore, the equestrian use and stable block form a typical and appropriate countryside activity supported by HDPF Policy 29. The stables are modest, rural in character, and were previously accepted by the Inspector as compatible with the site's landscape setting.

Taking these factors together and noting that the only previously identified policy conflict (water neutrality) is now addressed through technical submission, the principle of the development is considered acceptable. The proposal contributes to meeting an unmet and pressing identified need in the District and accords with national policy expectations for the delivery of gypsy and traveller accommodation.

As 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. In addition, the Planning Inspectorate previously concluded in the case of this site that the development would (on balance) be located within

a sustainable location. 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, the proposed development is considered acceptable in principle, subject to all other considerations as discussed below.

Character 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 site is located within open countryside characterised by agricultural fields, hedgerows and sporadic equestrian and rural residential uses. The plot itself is well contained and benefits from established vegetation and mature tree belts along its boundaries, providing an effective and natural visual buffer from Coolham Road and the wider rural landscape. The existing access track sits lower than the level of the road, further reducing visibility into the site. As such, the site has limited public vantage points, and any existing or proposed structures are largely screened from public views.

The proposal comprises the retention of a single mobile home, a touring caravan, hardstanding, and an existing timber stable block, together with the proposed addition of a single-storey dayroom. The dayroom is modest in scale and height, constructed of timber cladding with a simple pitched roof profile. Its domestic appearance is subdued and rural in character, ensuring it sits comfortably within the site's equestrian and countryside context. The stable block, at 76.21sqm, is similarly of timber construction, utilitarian in form, and reflective of typical equestrian buildings commonly found in rural settings. Together, the structures are low-rise and of a scale proportionate to the size of the plot, ensuring they do not appear visually dominant.

The layout follows the general arrangement normally endorsed for Traveller sites, with the residential unit positioned towards the inner part of the plot, the stable block located between the access and the pitch, and the dayroom sited to minimise visual spread. Hardstanding is limited to what is required for vehicle manoeuvring, and its retained extent is not excessive given the size of the site. The proposal includes adequate spacing around the units such that the development remains visually open and avoids the sense of overdevelopment. No boundary treatments of concern are proposed, and existing landscaping is retained, which assists in further softening the visual presence of the development.

The Planning Inspectorate has previously assessed the impact of the same form of development on this site. In Appeal Ref. APP/Z3825/W/19/3228245, the Inspector concluded that "the development is small in scale and does not have an unacceptable impact on the character and appearance of the landscape" and that the mobile home and stable block, being positioned against the site's natural screening, did not give rise to any harmful rural landscape effects. He further noted that the site is sufficiently spacious to accommodate the pitch, stables and associated activity without causing visual clutter or activity that would conflict with the rural setting. This professional assessment remains directly relevant and continues to carry significant weight, as there have been no material changes in site conditions since the appeal.

Given the low-key nature of the development, the rural and recessive appearance of the buildings, the considerable natural screening, and the small over-all scale of the proposal, it is considered that the scheme would not result in unacceptable visual harm, suburbanisation, or erosion of the rural

landscape character. The proposal is therefore compliant with HDPF Policies 25, 26, 32 and 33, the design objectives of the NPPF, and the expectations of the PPTS that Traveller sites should respect and integrate into their surroundings.

Trees and Landscaping

Policy 25 of the Horsham District Planning Framework (HDPF) seeks to protect, conserve and enhance the natural environment, including woodlands, hedgerows and significant landscape features. Policy 33 requires development to ensure that landscaping and natural features are retained and integrated into the design wherever possible. Paragraph 180 of the NPPF further emphasises the need to safeguard irreplaceable habitats, including ancient woodland, and to avoid harm to important trees and ecological networks.

The site benefits from substantial existing tree cover, with a dense mature tree belt positioned along the northern and eastern boundaries, and the southern section of the plot containing clusters of semi-mature trees that contribute positively to local rural character. Notably, ancient woodland lies immediately north of the application site, though separated by an established natural buffer. The proposal does not require the removal of any trees and does not encroach upon the canopy spread or root protection areas of the woodland.

The Council's Arboricultural Officer reviewed the original drawings and raised no objection to the siting of the dayroom, confirming that its location sits at an appropriate stand-off distance from the ancient woodland to the north. The Officer noted "no adverse impacts on the woodland canopy, rooting zones, or overall ecological function", and confirmed that no tree removal would be required to facilitate construction.

The only arboricultural concern raised related to the alignment of the proposed foul drainage route. The Officer advised that drainage infrastructure should avoid the mature tree belt east of the dayroom and, where possible, be directed through the existing gap within the tree line to the south of that belt. This adjustment would prevent disturbance to key rooting areas and maintain the long-term health and stability of the tree group.

In direct response to these comments, the applicant submitted a revised Proposed Site Plan (Rev P04), dated 02.12.2025, showing the drainage system has been fully relocated away from the root protection zones and rerouted to the south of the tree belt, utilising the open corridor recommended by the Tree Officer. The updated plan clearly removes any drainage runs adjacent to the boundary trees and confirms the package treatment plant and associated piping are positioned outside sensitive arboricultural zones.

This amendment fully resolves the Tree Officer's concerns. As a result, there are no outstanding arboricultural objections, and the development is considered to protect and retain all existing tree cover. The scheme achieves full compliance with HDPF Policies 25 and 33 and the relevant parts of the NPPF relating to the safeguarding of trees, ancient woodland buffers, and the wider landscape setting.

Residential Amenity:

Policy 33 of the Horsham District Planning Framework (HDPF) requires development to ensure that it does not result in unacceptable harm to the amenity of existing or future occupiers of land and property. Relevant considerations include privacy, outlook, noise, disturbance, lighting and general activity levels. Policy 24 also requires that development does not result in unacceptable environmental or amenity impacts.

The site is located within a rural area characterised by dispersed agricultural and equestrian uses, with no immediate residential neighbours bordering the application boundary. The nearest dwelling is located a significant distance away, separated by woodland, open fields, and boundary vegetation. As a result, there is no potential for the proposal to cause overlooking, loss of privacy, or overshadowing of any habitable rooms or private garden areas. The modest scale of the mobile home, touring caravan, and the small dayroom means the impact on the wider visual outlook from remote dwellings is

negligible, particularly given the well-established tree belts that enclose the site and screen it from public and private viewpoints.

The residential use of a single gypsy/traveller pitch is small in scale and would not generate activity levels beyond what is expected in a rural location containing stable blocks and equestrian activity. Vehicle movements would be modest and are considered proportionate to one household. No external lighting is proposed, and a condition restricting lighting is recommended to prevent any amenity or ecological impacts.

Objections received raise concerns that the proposed development and fencing arrangement would obstruct private access rights, reduce manoeuvring space, and impact adjoining landowners' ability to reach their land. It is noted that the applicant has submitted an updated Proposed Site Plan (19_1022A-003 REV P04), removing the fencing, as such these concerns, while acknowledged, relate to private easements and landownership disputes has been resolved. The Council further acknowledges these matters fall outside the scope of amenity considerations under the planning system and are instead civil issues to be resolved between landowners. The proposal itself does not introduce any additional structures or activities that would adversely affect the living conditions of neighbouring residential occupiers, nor would it materially intensify noise or disturbance levels beyond a typical low-key rural domestic and equestrian use.

The Parish Council also raises concerns regarding "loss of general amenity" and operational activities. However, the Planning Inspector previously concluded that the use of the site for one traveller pitch and equestrian purposes did not generate harmful levels of activity or disturbance and was an acceptable low-key form of rural occupation. There have been no material changes since that decision that would alter this conclusion.

Overall, the proposal would not result in unacceptable adverse impacts to existing or future residents' amenity and complies with HDPF Policies 24 and 33.

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 application proposes to utilise the existing private access track that connects to Coolham Road (B2139), a classified road subject to the national speed limit. The Local Highway Authority (LHA) has reviewed the proposal and confirms that the access arrangements remain materially unchanged from those considered under the earlier application DC/18/1488. In that case, no highway safety concerns were identified, and the subsequent appeal was dismissed for reasons unrelated to highways. The LHA's latest formal response again raises no objection, confirming that although visibility at the junction appears constrained, police-recorded collision data for the most recent five-year period shows no injury accidents at the point where the private track meets Coolham Road, giving no evidence of the junction operating unsafely. The LHA further states that the addition of one residential pitch and associated equestrian use would not create an unacceptable or severe impact on the local highway network and therefore does not conflict with paragraph 116 of the NPPF.

The submitted plans demonstrate that two on-site parking spaces are provided, with sufficient room for vehicles (including a towing vehicle for the touring caravan) to turn and leave the site in a forward-facing gear. The level of provision is proportionate to the small-scale nature of the development and satisfies the functional requirements of HDPF Policy 41. As the access track is privately owned and shared, any rights-of-way, easements or civil access disputes between landowners fall outside the

remit of the Local Highway Authority and are civil matters not determinative under highway safety policy.

The Planning Inspector for Appeal Ref. APP/Z3825/W/19/3228245 also assessed the site's access arrangements and concluded that the use of the established agricultural access did not give rise to harmful highway safety impacts. The Inspector noted that the absence of a pedestrian footway along Coolham Road, while inconvenient, did not in itself render the proposal unacceptable, and that the access had a long-established lawful use without evidence of safety concerns.

Accordingly, the proposal is considered to comply with Policies 40 and 41 of the HDPF and the requirements of the NPPF. No highway-related reason for refusal can be sustained based on the professional advice of the Local Highway Authority.

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 not located within an area designated at risk of flooding. The Council's Environmental Health Officer has raised concerns regarding drainage and treatment / storage of waste water. However, Officers are of the view that these are not significant barriers to establishing whether the principle of the development is acceptable, and are content that these matters can be adequately addressed by way of condition.

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;

As above, matters relating the treatment and storage of waste water can be deal with by way of condition. Given the site's location off of a 'B road', and relative proximity to established development that would benefit from mains water and electricity connections, it is entirely feasible that the application site could also benefit from necessary infrastructure. As such, no objection is raised on these grounds.

Water Neutrality:

A 2021 Position Statement from Natural England identified that it could not be concluded with the required degree of certainty that new development in the Sussex North Water Supply Zone would not have an adverse effect on the integrity of the Arun Valley SAC, SPA and Ramsar sites. As a consequence, and to comply with the legal duties set out in the Conservation of Habitats and Species Regulations 2017 (known as the Habitat Regulations), all new development since has been required to demonstrate water neutrality.

On 31st October 2025 Natural England formally withdrew the 2021 Position Statement, citing a package of measures that they were satisfied would safeguard the Arun Valley sites. Principal amongst these measures is a reduction in the Southern Water abstraction licence 'by March 2026'. However, given the licence change has not yet taken place Horsham District Council, as competent authority

under the Habitats Regulations, cannot yet be certain that new development will not result in adverse impacts on the Arun Valley sites.

To ensure development can come forward as water neutral in the meantime, the Council has agreed with Natural England to use the significant water savings made by Southern Water in 2024/25 through their programme of leakage reduction (amongst other measures). This has generated some 3,240,000 litres per day of water savings that can now be attributed to new development without increasing water abstraction in the Arun Valley beyond baseline. These savings were previously to be used to launch the Sussex North Water Certification Scheme (SNWCS), however following the withdrawal statement SNWCS will no longer be launching. Natural England standing advice dated 10 November 2025 raises no objection to using these savings to enable development to come forward. The standing advice clarifies that it functions as Natural England's formal response pursuant to Regulation 63(3) of the Conservation of Habitats and Species Regulations 2017 to all relevant planning applications which seek to achieve water neutrality using the above Southern Water savings.

Officers have undertaken an Appropriate Assessment which demonstrates that the anticipated increase in mains water consumption from this development, alongside all other development granted since the 31st October 2025, will not exceed 3,240,000 litres per day.

Accordingly, Officers consider that the proposed development will not have an Adverse Effect on the Integrity of the Arun Valley Site, either alone or in combination with other plan and projects, thereby complying with Regulations 63 and 70 of the Conservation of Habitats and Species Regulations 2017, HDPF Policy 31, and paragraph 193 of the NPPF.

Climate Change:

Policies 35, 36 and 37 require that development mitigates to the impacts of climate change through measures including improved energy efficiency, reducing flood risk, reducing water consumption, improving biodiversity and promoting sustainable transport modes. These policies reflect the requirements of Chapter 14 of the NPPF that local plans and decisions seek to reduce the impact of development on climate change. The proposed development includes the following measures to build resilience to climate change and reduce carbon emissions:

- o Water consumption limited to 110litres per person per day
- o Requirement to provide full fibre broadband site connectivity
- o Dedicated refuse and recycling storage capacity
- o Cycle parking facilities

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 must 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 development is retrospective.

Conclusion 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) 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 some way to addressing the identified need. This is a material consideration of *significant weight* in the overall planning balance.

The Planning Inspector for appeal APP/Z3825/W/19/3228245 is an important material consideration. The Inspector concluded that the development was acceptable in principle, small in scale, low key, well related to services, and not harmful to landscape character, residential amenity, or highways safety. The only reason for dismissing the appeal was the absence of a water neutrality solution at that time. That single issue has now been addressed through the Council's agreed use of Southern Water's leakage-reduction water savings, and an Appropriate Assessment confirms no adverse effect on the Arun Valley designated sites.

The proposal would regularise an existing small pitch, make efficient use of land, provide lawful accommodation for a gypsy family, and formalise the equestrian use in a way that respects local landscape character. The dayroom and stable block are modest, well-designed, and rural in appearance. There are no highways objections, no tree or landscape objections, and no harmful amenity impacts. Matters relating to private rights of access and easements raised by objectors are civil matters and cannot be determinative in the planning balance.

Weighing all matters in the round, the significant unmet need for Gypsy and Traveller pitches, the strong support from national policy, and the Inspector's clear previous findings carry substantial positive weight. The proposal complies with the development plan when read as a whole, and no material considerations indicate that permission should be withheld.

Accordingly, the application is recommended for approval, subject to the conditions listed below.

Recommendation: Application Permitted

Conditions:

- 2 Pre-occupation Condition:** No part of the development shall be first occupied until the vehicle parking and turning spaces have been constructed in accordance with the approved plan. These spaces shall thereafter be retained for their designated use.

Reason: To provide adequate on-site car parking and turning space for the development in accordance with policy 40 of the Horsham District Planning Framework (2015).

- 3 Regulatory Condition:** Within three months of the date of the decision hereby granted, details for the provision for the storage of refuse and recycling facilities shall be submitted to and approved in writing by the Local Planning Authority. These facilities shall be retained for use at all times.

Reason: To ensure the adequate provision of recycling facilities in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 4 Regulatory Condition:** Within three months of the date of the decision hereby granted, the necessary in-building physical infrastructure and external site-wide infrastructure to enable superfast broadband speeds of 30 megabits per second through full fibre broadband connection shall be provided to the premises.

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

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

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

- 6 **Regulatory Condition:** There shall be no more than one pitch on the site with no more than one mobile home/static caravan (as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968) stationed on each pitch at any time. There shall be no more than one touring caravans stationed on site at any time and these shall not be occupied by any person at any time whilst stationed on the application site.

Reason: To avoid an overcrowded appearance and to secure satisfactory standards of space and amenity and to enable the Local Planning Authority to control the use of the site, in accordance with Policy 21, 22, 23 and 26 of the Horsham District Planning Framework (2015).

- 7 **Regulatory Condition:** This permission does not authorise use of the land as a caravan site by any persons other than Gypsies and Travellers, as defined in Annex 1 of Planning Policy for Traveller Sites (Department for Communities and Local Government 2015).

Reason: To enable the Local Planning Authority to control the use of the site and in accordance with Policy 21, Policy 22 and Policy 23 of the Horsham District Planning Framework (2015).

- 8 **Regulatory Condition:** No industrial, commercial or business activity shall be carried on from the site, including the storage of materials.

Reason: In the interests of amenity and in accordance with Policies 26 and 33 of the Horsham District Planning Framework (2015).

- 9 **Regulatory Condition:** The pitch hereby approved shall meet a water usage of no more than 110 litres per person per day. The subsequently installed water limiting measures shall thereafter be retained.

Reason: To limit water use in order to improve the sustainability of the development and to ensure the development is water neutral to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites in accordance with Policies 31 and 37 of the Horsham District Planning Framework (2015), Paragraph 193 of the National Planning Policy Framework (2024), and to allow the Local Planning Authority 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).

- 10 **Regulatory Condition:** Within three months of the date of this decision notice, a drainage strategy detailing the proposed means of foul and surface water disposal shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

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

- 11 **Regulatory Condition:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (and/or any Order revoking and/or re-enacting that Order, no development falling within Class A of Part 2 of Schedule 2 of the order shall be erected, constructed or placed within the curtilage of the development site hereby permitted without express planning consent from the Local Planning Authority first being obtained.

Reason: In the interest of visual amenity and due to control the development in accordance with Policy 33 of the Horsham District Planning Framework (2015).

