Hannah Darley
Planning and Development
Horsham District Council
Chart Way
Horsham
RH12 1RL

16 October 2025

Dear Hannah,

OBJECTION TO PLANNING APPLICATION REF: DC/25/1364
Land at Staalcot Farm, Staalhouse Lane, North Heath, RH20 2HR

We write on behalf of our client, [redacted] to object to planning application ref: DC/25/1364. [redacted] is a near neighbour, living at Heathcote, Stallhouse Lane, North Heath, Pulborough, RH20 2HR.

We submitted an objection to the previous three planning applications under references DC/23/2098, DC/24/0356 and DC/24/1573. The applications were refused on the 19th January 2024, 3rd May 2024 and 30th January 2024 respectively with similar reasons for refusal.

We also submitted interested party representations to the appeal, appealing the DC/24/1573 application decision and the enforcement notice appeals, which was recently dismissed on the 10th June 2025 (Appeal refs: APP/Z3825/W/25/3360345, APP/Z3825/C/25/3361550 and APP/Z3825/C/25/3361551).

Since this dismissed appeal, planning permission has been granted for the change of use of land to a travellers caravan site consisting of 1 no. mobile, 1 n. touring caravan and 1 no. utility dayroom and associated development at Peacocks Paddock (ref: DC/25/0150).

The proposed development of this planning application (ref: DC/25/1364) is for the following description of development:

> *"Use of land for the stationing of 2no. caravans for residential purposes, together with the formation of hardstanding and associated landscaping. Construction of associated utility buildings."*

Objection

Countryside Impact

The proposed caravan pitches would represent a ribbon form development, completely at odds with the rural setting and existing built form along Stall House Lane. This is recognised in previous reasons for refusal concerning the quantum and spread of development across the site and including level of hardstanding, which would formalise the rural character of the countryside location.

Although the pitches are shown set back from the road, the area between them and the road would be a vehicle circulation/parking area converting the existing grass area to hardstanding land. The proposal is harmful when compared to the Site's original open and green state. Unless the boundary was planted and maintained with unusually dense vegetation, which is not apparent as part of the submission, the caravans and all the paraphernalia associated with them would inevitably be very visible from Stall House Lane.

The design of the proposed development has not been sensitively amended to mitigate any impact on the character and appearance of the landscape. The proposed development continuously fails to comply with the adopted HDPF Strategic Policy 23 and draft Reg 19 Local Plan Strategic Policy 43 "Gypsy, Traveller and Travelling Showpeople Accommodation".

It should be noted that Paragraph 26 of Planning Policy for Travellers 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. The application Site is a field in the open countryside and is completely detached from any settlement. Allowing development here would be completely at odds with the overarching spatial strategy for the District and National policy, which seeks to concentrate development within the main settlements, and it would set a most undesirable precedent.

Figure 1 below outlines the site location in red on google aerial view taken earlier this year. The photo shows currently unlawful development of caravan pitches on the Site and its impact upon the open countryside.

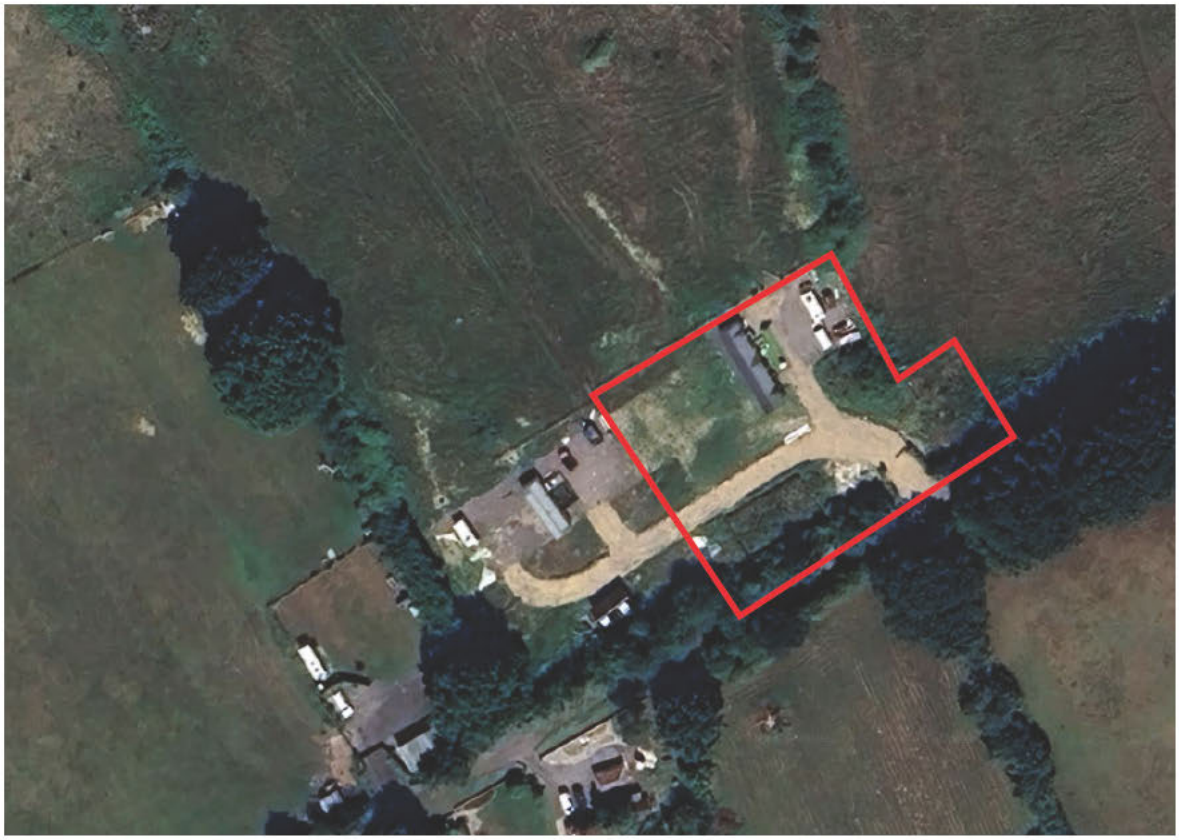


Figure 1: Aerial photo outlined the Application Site in red

We are concerned regarding the cumulative development impact along Stall House Lane, given the planning permission granted at Peacocks Paddock, located directly adjacent west of Staalcot Farm site, for the change of use of land to a travellers caravan site consisting of 1 no. mobile, 1 n. touring caravan and 1 no. utility dayroom and associated development (ref: DC/25/0150).

Additionally, as can be seen on google aerial view works commenced in early summer 2025 constructing a road to accommodate more than x2 caravans, as well as caravan pitches unlawfully. It is not clear whether the applicant is complying with the recent enforcement notice (ref: EN/25/0016) to restore the site back to its original state and indicating the underlying intention to develop the site fully, not just to accommodate two caravans.

Figure 2: Aerial photo of the Site before development

Figure 3: Aerial photo of the Site during unlawful development

Heritage

The Council's previous reason for refusal states the proposed development would result in less than substantial harm to the setting of the adjacent listed dwelling, Laurel Cottage, with no such public benefit that would outweigh this harm. Sensitive design is particularly important where there is potential for adverse effect on Laurel Cottage, statutorily designated Grade II cottage. The application's Planning Statement is insufficient and does not recognise that there will be any harm to the setting of Laurel Cottage. Not only will the proposed caravans be readily visible from the setting of Laurel Cottage, the increase activity associated with their use will also be harmful and this is not outweighed against any public benefit.

Landscape Impact

As recognised in the previous reason for refusal, the proposed development would fail to protect, conserve and enhance the landscape character of the area and would result in unacceptable harm to the character and appearance of the area. The cumulative development in the local area reiterates this concern impacting upon the landscape. Local Plan Policy 26 seeks to protect countryside from inappropriate development. A Landscape Impact Assessment has not been undertaken to assess the likely impacts of the proposed development on the open countryside. This is at odds with the adopted HDPF Strategic Policy 23 and draft Reg 19 Local Plan Strategic Policy 43 "Gypsy, Traveller and Travelling Showpeople Accommodation", requiring such proposed development to be sensitively designed to mitigate any impact on the character and appearance of the landscape.

As can be seen from the Proposed Block Plan, sufficient details of the proposed design have not been provided. Adopted and draft policy requires the layout of the site, associated facilities and landscaping to be designed to a high standard. The proposed block plan sets out a very basic level of detail, alongside elevations of the bike storage. No further drawings or design information have been submitted.

Unsustainable Location

The location is most unsustainable. It is located well beyond what for most people would be an acceptable distance to urban facilities and public transport, and there is in any event no pavement along Stallhouse Lane, and the network of country lanes does not provide safe cycling conditions. Residents would be totally dependent upon the use of private vehicles, a fact that appears to be acknowledged through the proposed provision of multiple car parking spaces per caravan pitch. This is similarly acknowledged in the submitted Planning Statement, which attempts to justify the scheme comparing to a "not dissimilar" appeal where:

> *"...the Inspector noted at paragraph 18 that future occupiers would prove highly dependent on the use of the private car, though, neither HDPF Policy 23 nor the provisions of the PPTS explicitly require gypsy and traveller sites to be located within reasonable walking and cycling distance of a town or village, or otherwise preclude a high degree of reliance on the private car at paragraph 17."*

Firstly, the Council has to consider each application on a case-by-case basis dependent on the Site's location, surroundings and importantly design. Secondly, Policy 23 expects the site to be located in or near to existing settlements, within a reasonable distance of a range of local services and community facilities.

The applicant's claimed distances to facilities should be viewed with scepticism. According to Google maps, it is a 37 minute walk (1.7 miles) to the Sainsbury's in Pulborough, mostly along a hazardous stretch of the A29.

An appeal for a new residential dwelling along Gay Street (local to the Site) (Appeal Ref: 3188981) was dismissed in 2018 where the inspector stated the NPPF is clear that local planning authorities should avoid new isolated home in the countryside. This is informed through accessibility to public transport and local services that may be used by future occupiers.

More recently, another appeal was dismissed along Stallhouse Lane (Appeal Ref: 3262656) where the inspector notes the walk along the unpaved and quiet Stall House Lane and Gay Street Lane, followed by a narrow paved section along the A29, which is subject to heavy traffic to access the nearest bus stop and considered the journey unsuitable and unsafe. The inspector also recognised the lack of easily accessible local services, which would be reliant on the use of private vehicles.

Accordingly, this proposal for residential development for Gypsy and Travellers has also not demonstrated the Site is within a sustainable location in proximity to public transport and services and should therefore form a reason for refusal.

No refuse strategy has been provided and it is not clear where the proposed primary access is located on the plans. The application is not supported by a Transport Assessment or any technical evidence demonstrating the acceptability of the proposal. Consequently, the proposal is contrary to adopted HDPF Policy 23(d) and draft Strategy Policy 43(d) and (h).

A Technical Transport Note was prepared by Markides Associates in support of the previous planning application objection and is therefore still relevant to this planning application. The Note is provided in Appendix 1 of this objection letter. The letter outlines the Site's poor accessibility to local and community services; the insufficient highways facilities & infrastructure to accommodate safe sustainable modes of travel, consequently resulting in increased vehicle trips; absence of details for works required to the highway access; and lack of adequate assessment.

Flooding and Drainage

No Surface Water Drainage Strategy, prepared by a qualified drainage consultant, has been submitted to support the planning application robustly outlining how surface water will be managed.

The proposed increased hardstanding area will result in increased surface water flooding. No assessment has been provided to demonstrate the mitigation of surface water flood risk. This is imperative, as the local surrounding area is within high risk surface water flooding zones. The Site and Stallhouse Lane frequently experience levels of surface water flooding, particularly after periods of heavy rainfall.

Heavy rainfall patterns are expected to increase as a result of climate change, consequently leading to increased frequency of surface water flooding. The below photos dated February 2024 demonstrate the severity of surface water flooding at the Site and within the local area.

Figure 4: Flooding at the Site

Figure 5: Flooding Along Stall House Lane

Figure 6: Flooding Along Stall House Lane

Figure 7: Flooding Along Stall House Lane

The application's Planning Statement acknowledges the suggestion that there has been localised flooding in the road and indicates this is due to lack of maintenance of the ditches along the lane. The Planning Statement continues to state the ditches will be cleared. This is the only reference to how surface water flooding will be managed, which has not been fully evidenced. Additionally, the maintenance of the ditches is outside the applicant's control and therefore the deliverability of managing the ditches is uncertain.

Moreover, very limited information has been submitted regarding the management of sewage by a qualified drainage consultant and relies on the use of conditions to provide further detailed information. In the Planning Statement the applicant proposes the use of a package treatment plant to process the sewage. It is critical a detailed foul water and surface wate drainage strategy is undertaken by a qualified drainage consultant at this stage and subsequently consulted on with the statutory drainage officer.

It is not clear where the treatment plant is intended to be located and whether excavation would be required within the open countryside to accommodate such a plant, resulting in significant impacts. It is also not clear as to what is happening with foul water whilst the site is currently occupied.

The Council's Environmental Health officer objected to the refused planning application and recommended refusal due to the lack of sewage and surface water drainage details. The objection stated, *"It is not sufficient to state that plans will be produced later: information is required before permission is given in order to assess whether the proposed use is feasible."* The appellant therefore cannot rely on this crucial detail to be dealt with via condition. Additionally, the objection also comments on the surface water flooding noting *"no detail has been provided on the proposal for collection and dispersal of surface water in order to alleviate local flooding. A scheme for this must be provided..."* As stated above no surface water flooding management details have been submitted to support the planning application.

A Technical Drainage and Flood Note was prepared by Markies Associated to object to the previous appeal, raising significant concerns regarding flood risk, surface water drainage, foul water drainage and potential impacts on the environment including groundwater quality. The Note is provided in Appendix 2 of this letter.

Ecology

A Preliminary Ecology Appraisal has been prepared and submitted with the application. The Appraisal states there is only one water body within 250m of the proposed development. Figure 8 below outlines the application Site in red and the nearby ponds in blue, indicating the proximity of suitable GCN habitats, clearly demonstrating there are more bodies of water in proximity to the Site that have been identified by the ecologist. Additionally, at a dismissed appeal on nearby site (c. 200m south) at Gennets Farm (ref: 3342546) the inspector identifies the Site is in a red Impact Risk Zone, indicating highly suitable habitat for Great Crested Newts (GCN) is present in the surrounding landscape. Gennet's Farm is shown below as a yellow star demonstrating the proximity to the application site.

Figure 8: Location of ponds in the surrounding area of the Site. Ponds shown in blue, the Site outlined in red and Gennets Farm outlined as a yellow star

The relevant red risk zone is outlined below extracted from the Horsham District Council: Impact Risk Zones map, prepared by NatureSpace Partnership.

Figure 9: Horsham District Council: Impact Risk Zones Map with relevant red zone the Site is located within outlined in black

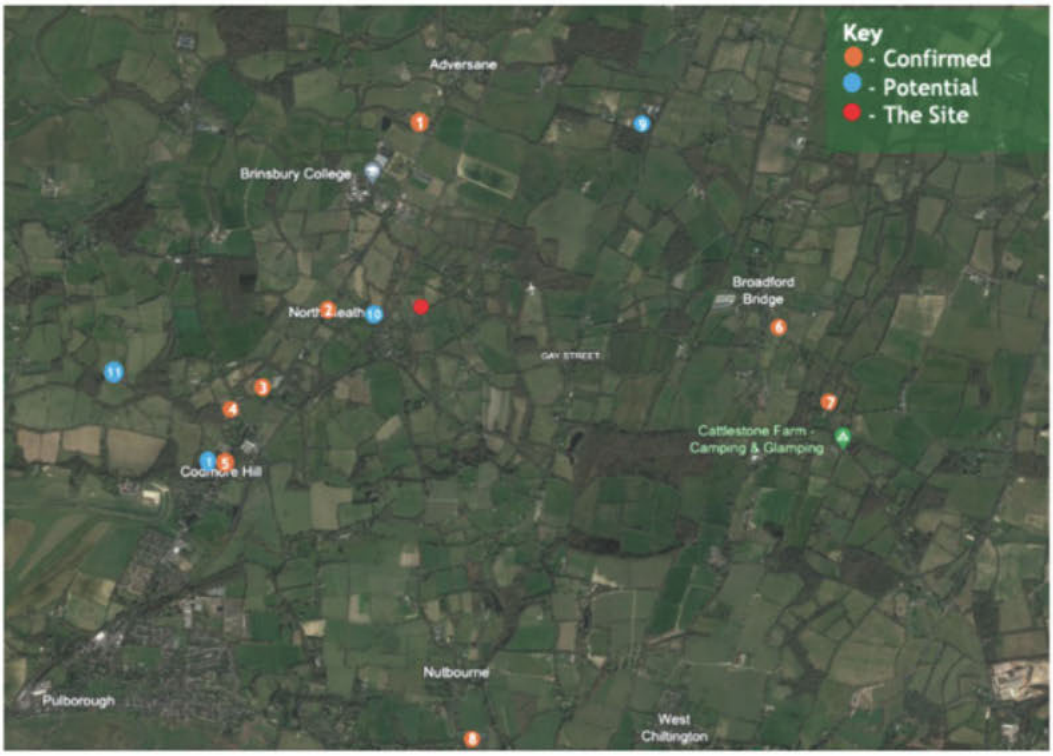
The PEA, which originally supported the planning application, does not reference the application Site being located within a red risk zone, which is of significant concern as GCN and their habitats are protected under the Conservation of Habitats and Species Regulations 2017 (as amended), the Natural Environment and Rural Communities Act 2006 (as amended) (NERCA) and the Wildlife and Countryside Act 1981 (as amended). All native reptiles are listed as rare and most threatened species under Section 41 of the NERCA.

The high risk location requires specific GCN surveys to be undertaken, which have not been actioned or recommended in the PEA. The proposed development does not adequately demonstrate the effect on protected species and the absence of such protection measures is a criminal offense. This is contrary to Local Policy 31 "Green Infrastructure and Biodiversity, which requires appropriate mitigation and compensation for adverse impacts on biodiversity. It should be noted that clearance of potential habitat has already taken place, so it is likely that an offence has already occurred.

Additionally, in the recently dismissed appeal (ref: 3361550 and 3361551) the Inspector raised concerns regarding the lack of GCN surveys undertaken and no District Level Licencing (DLL) had been obtained. The inspector required further survey work should have been undertaken, or the developer should have chosen to use DLL, and that this could not be applied for retrospectively or secured via a planning condition. For this application no further surveys have been undertaken, nor have the DLL been applied for therefore the Inspector's comments and concerns still stand.

Need

The applicant argues that the Council is unable to demonstrate a five year supply of gypsy and traveller sites. However, we note the that the draft New Horsham Local Plan is now well advanced, with the examination in public imminent. Draft Strategic Policy 43 identifies more than sufficient gypsy and traveller and travelling showpeople pitches to meet demand. The application site is not identified as a draft allocated sites and thus is a windfall site, not fundamental to meeting the District's need. Furthermore, this part of the District appears already to have a good supply of gypsy and traveller pitches. Multiple similar developments have been approved or allowed in the area including, but not limited to, Parsons Field Stables development, Harbolets Road development and West Chiltington (Hillside) development. The map below shows the locations of gypsy and traveller pitches within the local area.



Confirmed Sites
1. Adversane Caravan
2. North Heath
3. Toat Cafe
4. Oakenden
5. Hill Farm Lane 1
6. Junipers
7. Harbolets Road
8. Lane Top

Potential Sites
9.Bromlaid
10. Parsons Field Stables (LPA Ref: DC/24/0256)
11. Land at Girder Street Draft Site Allocation
12. Land at Junction of Hill Farm Lane and Stane Street Draft Site Allocation

Figure 10: Confirmed and Potential Gypsy and Traveller Sites within the Local Area

Insufficient supply is in any event only one factor to be taken into account, and in this case it is clearly outweighed by the policies of the development plan and the other material considerations outlined above.

Summary

In summary, the proposed development has not sufficiently responded to the previous reasons for refusal and there are an outstanding number of technical issues which have not been addressed. We trust you will take these matters fully into account, and that the planning application will be refused. If you would like to discuss the objection further, please do not hesitate to contact me or my colleagues Alfie Yeatman and Rose Adams.

Yours sincerely

[redacted]

Alfie Yeatman
Director

Appendix 1: Transport Technical Note

Planning Department
Horsham District Council,
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By Email

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http://markidesassociates.co.uk
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Your ref:
Our ref: 24045-MA-L-D-LT01 - P01.docx

27th March 2024

Dear Sir/Madam,

Objection to planning application DC/24/0356
Land at Staalcot Farm, Stallhouse Lane, North Heath, RH20 2HR

We write on behalf of our clients, the North Heath Residents Group, to object to the above planning application. The North Heath Residents Group are a collection of near neighbours to the site located on and around Stallhouse Lane, North Heath, Pulborough, RH20 2HR. The application site is located within Horsham District Council (HDC) whilst West Sussex County Council (WSCC) are the local highway authority.

The proposal is for the use of land for the stationing of 4 static caravans and 4 touring caravans for residential purposes, together with the formation of hardstanding and associated landscaping. From a transport perspective, we have identified numerous concerns in relation to the site's suitability for development and its compliance with relevant local and national planning policy which is outlined further below.

Planning Policy Context

The Horsham District Planning Framework (HDPF) adopted in November 2015 contains numerous policies which related to the site and the transport components of development more generally.

Adopted HDPF Policy 23 states that the following criteria for Gypsy and Traveller Accommodation will be undertaken in the review of such proposals:

(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;

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

Adopted HDPF Policy 40 (Sustainable Transport) states that development will be supported by the Council if it:

(5) is located in areas where there are, or will be a choice in the modes of transport available.

(6) minimizes the distance people need to travel and minimizes conflicts between traffic, cyclists and pedestrians.

(9) provides safe and suitable access for all vehicles, pedestrians, cyclists, horse riders, public transport and the delivery of goods.

Further to the above, HDC are undergoing Regulation 19 consultation regarding an updated Local Plan for the period 2023-2040. The emerging Regulation 19 Local Plan also provides numerous emerging policies that relate to the site.

Strategic Policy 43 of the emerging Local Plan states that proposals brought forward for Gypsy and Traveller pitches and Travelling Show people plots will be required to demonstrate all of the following, including:

(b) the site has safe and convenient access to the highway and public transport services.

(d) the site is situated within a reasonable distance of local services and community facilities such as healthcare, schools and shops.

Strategic Policy 24 (Sustainable Transport) states that development will be supported provided the following is demonstrated:

(a) For residential development, the need for travel is minimised through provision in all homes for home working, including bespoke design space within the home and gigabit capable broadband connection;

(b) the layout design and location of facilities and infrastructure prioritises the ability of residents and workers to safely and conveniently walk and cycle to mee their day-to-day work, shopping and leisure needs.

Strategic Policy 27 (Inclusive Communities, Health and Wellbeing) states that development proposals should demonstrate consideration of the following:

(a) how design and layout will promote active transport (such as walking and cycling) to local services and facilities, including public transport hubs;

(c) access to green space, community facilities, services and healthy food.

In addition to the above, the National Planning Policy Framework (2023) provides an overarching framework for planning and development. Paragraph 115 of the NPPF states that:

Development should only be prevented or refuse on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Paragraph 116 of the NPPF states goes on to state that:

Within this context, applications for development should:

(a) give priority to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layout that maximise the catchment area of bus or other public transport services, and appropriate facilities that encourage public transport user;

(c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and response to local character and design standards.

Considering the planning context within which the planning application has been made, the remainder of this letter considers the means for objection on behalf of our client.

Reasons for Objection 1 – Site Accessibility

Guidance published by the Chartered Institution of Highways & Transportation provides suggests maximum recommended walking distances for pedestrians without mobility impairment for some common trip purposes. These recommended distances are summarised in Table 1.

Table 1 Recommended Walking Distances

Distance	Town Centres (m)	Commuting / School and Sight-seeing (m)	Elsewhere (m)
Desirable	200m	500m	400m
Acceptable	400m	1000m	800m
Maximum	800m	2000m	1200m

As clearly outlined in Table 1, the recommended maximum walking distance for various purposes is desirable at less than 500m, Acceptable at 1,000m and an absolute maximum at 2,000m. This is for entirely sensible reasons, with the nearer any facility is to anyone's journey starting point, the greater likelihood they would be to walk to any given destination.

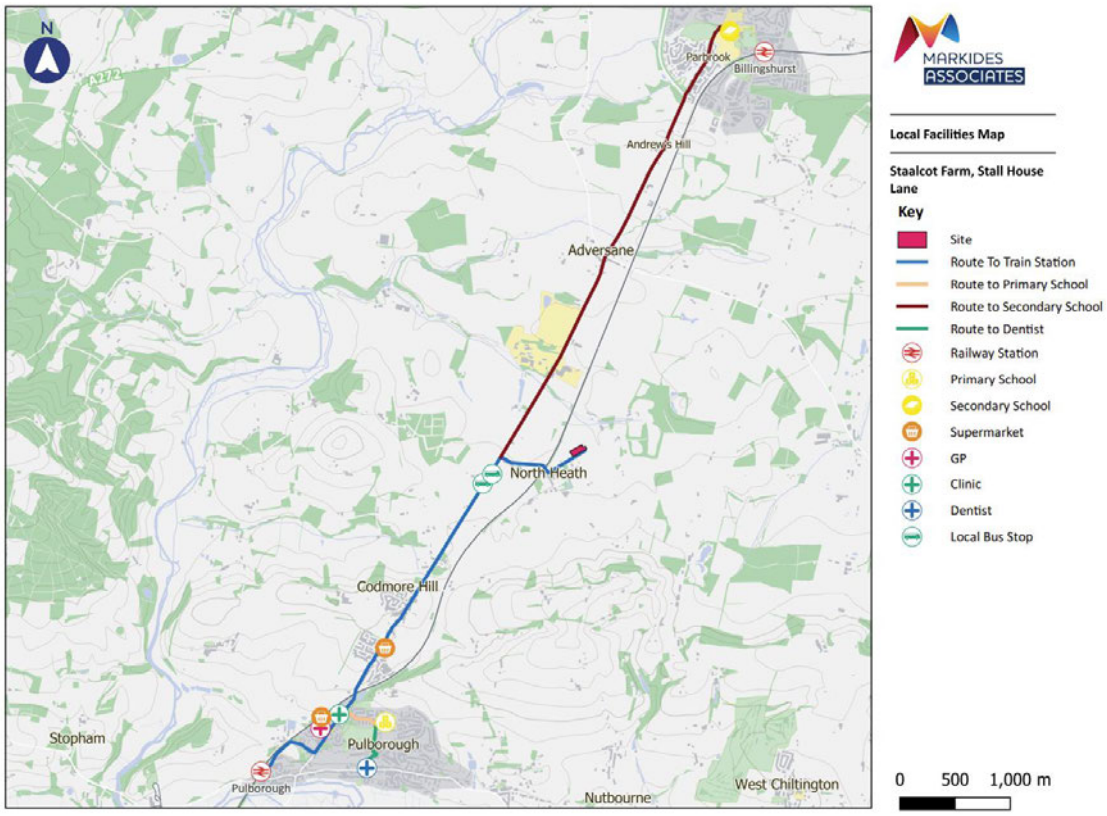
Table 2 summarises the key local facilities, the journey distance and walking time from the proposed centre of the proposals using existing available routes (via Stall House Lane, Gay Street Lane and the A29).

Table 2 Distances Local Facilities

Facility	Distance (m)	Average Walk Time (mins)
Primary School	3800	48
Secondary School	5300	66
Supermarket – Sainsbury's	2900	36
Supermarket Tesco	3800	48
Clinic	3200	40
GP	3400	43
Dentist	4400	55
Bus Stops – Northbound	1000	13
Bus Stops – Southbound	1100	14
Train Station	4600	58

The destinations and walking routes above are similarly summarised in Figure 1.

Figure 1 **Local Facilities Map**



Based on the walk distance and average walk time in **Table 2**, it can be seen that the site is located well beyond the recommended acceptable walk distance to a range of local services and community facilities, in particular schools and essential health services as well as the nearest bus and train station.

The site cannot therefore be determined as being appropriately accessible with almost all facilities located well beyond the Acceptable recommended walking distances and the majority far beyond the Maximum recommended walking distances. As a result, the sites suitability for development, regardless of the number of trips that would be generated, is considered highly likely to result in a significant Car Driver and Car Passenger mode share and cannot be considered to be providing development in an area that is readily accessible to a range of transport modes. Accordingly, the proposed development is considered to not be complaint with:

- Policies 23 (d), 40 (5) and (6) of the adopted Local Plan;
- Policies 43 (d), 24 (b) and 27 (a) of the emerging Local Plan;
- Paragraph 116 (a) of the NPPF.

Reason for Objection 2 – Highway Facilities & Infrastructure

Stall House Lane is currently a single carriageway width road (approximately 3.5m in width at the point of the application site) and does not currently provide a footway on either side of the carriageway, as shown in Figure 2 meaning that pedestrians would be required to walk either on the carriageway or grass. It is also notable that the edge of carriageway for a significant portion of Stall

House Lane on both sides are ditches, which equally are frequently prone to flooding. This clearly creates the potential for an unsafe environment for both vehicles and pedestrians.

Figure 2: Stall House Lane (photographed 23 January 2024)

Gay Street Lane, whilst sufficiently wide enough for two vehicles to pass along most of the route, only one vehicle can pass under the bridge shown in figure 3 at a time. Gay Street Lane, which is required for access to Stall House Lane, is similarly without a footway on either side of the carriageway as also shown in Figure 3.

As a result, any additional pedestrian trips generated by the proposed development would be required to walk on roads without any dedicated pedestrian infrastructure with a requirement to use either the exiting grass verge (where available) or walk directly within the carriageway. This represents particular concerns for any persons with mobility issues.

In addition to the above, the visibility at the junction of Stall House Lane and Gay Street is considered to be substandard with the appropriate visibility splays for a 60mph road not met. The required visibility splay at the priority junction (210m in either direction) cannot be met without the need for third party land and it is therefore considered to be highly unlikely that sufficient visibility at the junction can be met. Increasing traffic movements through a junction that does not have sufficient visibility clearly presents a potential highway safety issue.

Figure 3: Gay Street Lane (photographed 23 January 2024)

As outlined previously, the location of the site, alongside the pedestrian infrastructure, is likely to result in significant Car Driver mode share and a resulting increase in vehicle trips. Stall House Lane is in relative frequent use by pedestrians due to the arrangement of public footpaths that are located to both the north and south between the junction with Gay Street Lane and Heathcote. Any proposal that leads to an increase in traffic along Stall House Lane, no matter how small, without the provision of sufficient pedestrian facilities, would also clearly be increasing the risk of unnecessary conflict between existing pedestrian trips and vehicles.

It should also be noted that both Stall House Lane and Gay Street Lane are unlit and have a speed limit of 60mph, this would be a particular concern as pedestrians would have to walk to and from the site along the verge during hours of darkness with traffic potentially, legally, travelling at a speed that is not commensurate with pedestrians walking within the carriageway.

Given that the proposed development is considered likely to increase the number of conflicting movements between pedestrians and cyclists on a stretch of road that has no dedicated pedestrian facilities, the proposed development is not considered to be compliant with:

- Policies 23 (b) and 40 (6) (9) of the adopted Local Plan;
- Policies 43 (b) and 24 (b) of the emerging Local Plan;
- Paragraph 116 (c) of the NPPF.

Reason for Objection 3 – Highway Access

The plans submitted with the planning application fail to recognise that works are required within the public highway to achieve a safe and reliable access. The application does not include any detail regarding how access from the permeable hardstanding would be made, nor does it demonstrate that the access into the highway would meet the various highway standards, including necessary visibility.

Whilst the comments received from WSCC Highways in relation to the application are noted, the proposed point of access is understood to be a gate to an existing agricultural field requiring limited and infrequent access to vehicles.

The proposed development would clearly require increased use of this access, with a minimum of eight vehicles parked on site (excluding the static and touring caravans) and space provided to allow for the turning of a LGV (Rigid Axle) Vehicle as identified in Drawing 2311ST_R0.0_001. All of these vehicles would require use of this existing grass verge within the public highway which in the context of the proposals would be untreated. It is therefore our view that the proposals in their current form cannot be adequately accessed from the public highway.

As noted above, the proposed point of access is located on Stall House Lane which has a 60mph speed limit requiring 215m of visibility in either direction 2.4m back from the edge of the carriageway to be compliant with relevant highway standards. The application does not demonstrate this is achievable. Contrary to the view of WSCC Highways, we believe it is unlikely to be achievable without loss to the hedgerows to the north and south of the site. It is understood that the loss of these hedgerows could have significant biodiversity impact.

As a result, it is our belief that regardless of the above, the proposals should not be granted permission until such time as the applicant is able to demonstrate that safe and appropriate access to the site is achievable. As a result, the proposed development is not considered to be compliant with:

- Policies 23 (b) and 40 (6) (9) of the adopted Local Plan;
- Policies 43 (b) and 24 (b) of the emerging Local Plan;
- Paragraph 116 (c) of the NPPF.

Reason for Objection 4 – Lack of Adequate Assessment

The planning application is not supported by a Transport Assessment demonstrating the acceptability of the proposal in transport and highway terms. A Transport Assessment seeks to identify the transport related impacts of any proposed development, including any safety issues and provide mitigation measures to limit the overall impact of the scheme. As none have been proposed for this site, we do not believe that the application has been adequately assessed in transport terms, nor does it provide an opportunity to present possible means of mitigation.

As a result, it is our belief, and that of our clients, that the planning application poses a number of issues of compliance with local and national planning policy and as such should be refused on these grounds.

We would welcome the opportunity to discuss any of the above in further detail should this be necessary.

Yours sincerely,

Matthew Harris
Director
Markides Associates

Appendix 2: Technical Drainage and Flood Note

MARKIDES ASSOCIATES

Flood Risk and Drainage Statement

Staalcot Farm, Stall House Lane, West Sussex, RH20 2HR

10 April 2025

Prepared for HGH Consulting

Prepared for:
HGH Consulting

Prepared by:
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Project Number: 25045
Doc Number: 25045-MA-XX-XX-RP-C-0001

Rev	Issue Purpose	Author	Reviewed	Approved	Date
P01	For Information	HJ	BB	AS	10/04/2025
P02	For Information	HJ	BB	AS	14/04/2025

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Figures

1. Introduction

1.1 Planning Context (Application DC/24/1573)

1.1.1 On the 8th of October 2024, Mr W Hughes (the Appellant) submitted a planning application to Horsham District Council (HDC) (application reference DC/24/1573) for a development proposal at a site, Staalcot Farm, Stall House Lane, North Heath, West Sussex, RH20 2HR, for a development proposal with description:

Use of land for the stationing of 4no. static caravans for residential purposes, together with the formation of hardstanding and associated landscaping and the construction of associated utility buildings (part retrospective)

1.1.2 On 30th of January 2025, the planning application was refused by HDC for the following reasons:

1. The proposed development, due to the quantum and spread of development across the site, and including the level of hardstanding and amount of development, would formalise the rural character of the countryside location, and would result in less than substantial harm to the setting of the adjacent listed dwelling, Laurel Cottage. The proposal would therefore fail to protect, conserve and enhance the setting of the adjacent designated heritage asset, contrary to Policies 23, 32, 33 and 34 of the Horsham District Planning Framework (2015) and Paragraph 215 of the National Planning Policy Framework (2024).

2. The proposed development, due to the quantum and spread of development across the site, and including the level of hardstanding and amount of development, would formalise the rural character of the countryside location, would adversely impact on the user amenity and experience of the adjacent Public Right of Way 2298 (footpath). The proposal would therefore fail to protect, conserve and enhance the landscape character of the area, and would result in unacceptable harm to the character and appearance of the area, contrary to Policies 23, 25, 26, 32 and 33 of the Horsham District Planning Framework (2015).

1.1.3 Expanding upon these reasons for refusal, with regards to flood risk, surface water drainage and foul drainage, the Officer's Report summarised a response prepared by HDC's Environmental Health officer, which recommended refusal based a lack of information in relation to proposed collection and disposal of foul and surface water.

1.1.4 Subsequently, an appeal against the refusal has been lodged by the Appellant on the 9th of February 2025 (appeal ref: APP/Z3825/W/25/3360345).

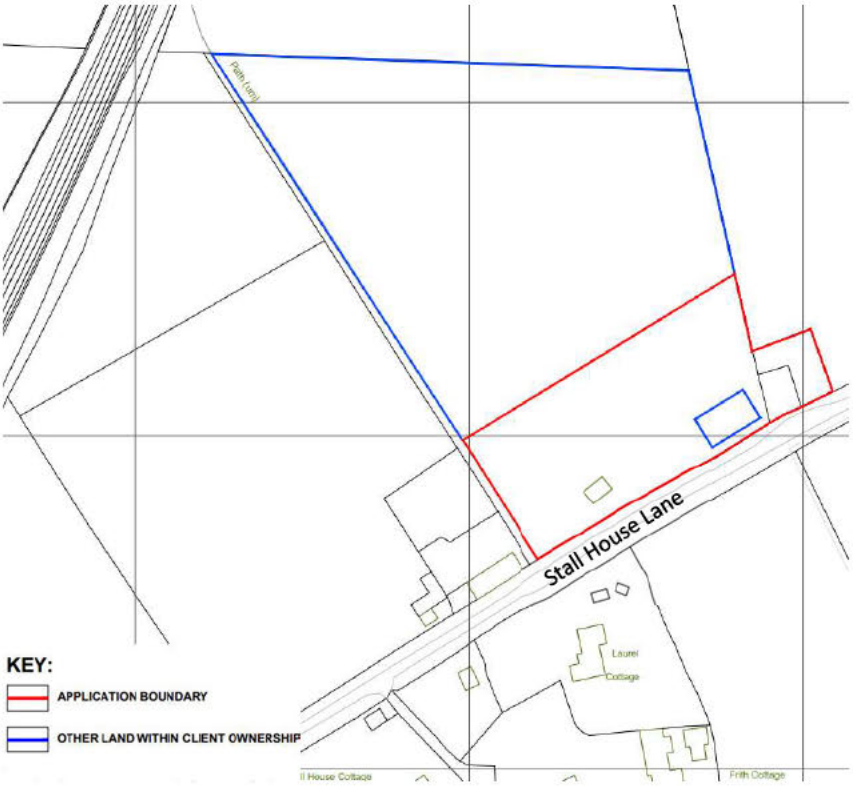
1.2 Report Scope and Structure

1.2.1 The Appellant's have prepared a Statement of Case, though in our view this does not address the concerns raised by HDC officers in relation to flooding and drainage.

1.2.2 Markides Associates (MA) have therefore been instructed to prepare this Appeal Statement, which seeks to review information which has been submitted in relation to flood risk, surface water drainage and foul drainage for the proposed development and demonstrate that there are material concerns in relation to these aspects that would be grounds for the Appeal to be dismissed.

1.2.3 The site location is indicated in Figure 1.1 below, which highlights its position in relation to Stall House Lane.

Figure 1.1 Site Location Plan



Source: Manorwood Construction Limited (drawing ref: 2311ST_R0.2 _000)

1.2.4 The documents and information relevant to this report which have been reviewed are listed below:

- Planning Statement (dated 17/08/2024)
- Location Plan - 2311ST_R0.2 _000 (dated 29/08/2024)
- Site Plan - 2311ST_R0.2 _002 (dated 29/08/2024)
- Proposed floor, elevations, bin and bike store - 2311ST_R0.2 _100 (dated 29/08/2024)
- Proposed Block Plan - 311ST_R0.4_001.2 (dated 30/10/2024)
- Consultation Response (Environmental Health) (dated 19/11/2024)
- Appeal Statement (dated 10/02/2025)

1.2.5 Following this Introduction, the Appeal Statement is structured as follows:

- Section 2 - Flood Risk: A review of information provided by the Appellant in relation to flood risk both to the site and to the surrounding area as a result of the proposed development
- Section 3 - Surface Water Drainage: A review of the information provided by the Appellant in relation to the proposed surface water drainage strategy for the proposed development
- Section 4 - Foul Water Drainage: A review of the information provided by the Appellant in relation to the proposed foul water drainage strategy for the proposed development
- Section 5 – Environmental Considerations: A high-level review of environmental impacts as they relate to flood risk and drainage for the development

2. Flood Risk

2.1.1 Strategic Policy 23 (Gypsy and Traveller Accommodation) (SP23) from the adopted Horsham District Planning Framework (HDPF) states the following relevant to flood risk:

Strategic Policy 23 (SP23): Gypsy and Traveller Accommodation

The following criteria 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:

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;...
c. The site can be properly serviced and is supplied with essential services, such as water, power, sewerage and drainage and waste disposal...

2.1.2 Furthermore, Strategic Policy 38 (Flooding) (SP38) states:

Strategic Policy 38 (SP38): Flooding

1. Development proposals will follow a sequential approach to flood risk management, giving priority to development sites with the lowest risk of flooding and making required development safe without increasing flood risk elsewhere. Development proposals will;

- A. Take a sequential approach to ensure most vulnerable uses are placed in the lowest risk areas.
- B. Avoid the functional floodplain (Flood zone 3b) except for water-compatible uses and essential infrastructure.
- C. Only be acceptable in Flood Zone 2 and 3 following completion of a sequential test and exceptions test if necessary.
- D. Require a site-specific Flood Risk Assessments for all developments over 1 hectare in Flood Zone 1 and all proposals in Flood Zone 2 and 3.

2. Comply with the tests and recommendations set out in the Horsham District Strategic Flood Risk Assessment (SFRA).

3. Where there is the potential to increase flood risk, proposals must incorporate the use of sustainable drainage systems (SuDS) where technically feasible, or incorporate water management measures which reduce the risk of flooding and ensure flood risk is not increased elsewhere.

4. Consider the vulnerability and importance of local ecological resources such as water quality and biodiversity when determining the suitability of SuDS. New development should undertake more detailed assessments to consider the most appropriate SuDS

methods for each site. Consideration should also be given to amenity value and green infrastructure.

5. Utilise drainage techniques that mimic natural drainage patterns and manage surface water as close to its source as possible will be required where technically feasible.

6. Be in accordance with the objective of the Water Framework Directive, and accord with the findings of the Gatwick Sub Region Water Cycle Study in order to maintain water quality and water availability in rivers and wetlands and wastewater treatment requirements.

2.1.3 In relation to SP23 and SP38 the following information regarding flood risk was provided on page 24 of the Planning Statement:

'The site is not within a flood zone as identified by the Environment Agency and no concerns have been previously raised in relation to surface water drainage from the LLFA. Whilst anecdotally there has been suggestion that there has been localised flooding in the road in a storm event it would appear that this is due to lack of maintenance of the ditches along the lane. With these ditches cleared along their full length there would be sufficient capacity for surface water run-off from the site.'

2.1.4 In addition, in the 'Factors weighing in favour of the appeal' section of the Appeal Statement (page 10), the following is stated:'

'... The site is outside of a flood zone with no known drainage issues...'

2.1.5 In response to this, although the Envirnmental Agency (EA) Flood Maps do not indicate any risk of flooding within the site boundary or directly adjacent to the site, as noted in the Planning Statement, there is evidence of localised flooding in close proximity to the site on Gay Street Lane and Stall House Lane. Evidence of such an occurrence is presented in the photographs below:

Figure 2.2 Photographs of Surface Water Flooding at Stall House Lane

Source: Photos provided by the local residents of Stall House Lane, West Sussex. Dates of photos in order shown: 5/1/25, 5/1/25, 4/1/24, 4/1/24

2.1.6 Whilst the Planning Statement does acknowledge the known surface water drainage issues, the Appeal Statement does not.

2.1.7 Due to the lack of a surface water drainage strategy which demonstrates that surface water run-off will be managed on site for all storm events up to and including the 1 on 100-year event plus an allowance for climate change, and based on the above photographs indicating that the proposed development at Staalcot Farm is located in an area which is known to have flooding issues and poor surface water drainage, it is considered that the proposed development is in an area with known surface water drainage issues and has the potential to increase the risk of flooding both on and off site.

2.1.8 Therefore, the proposed development is considered to not comply with SP23 or SP38. Refer to Section 3 for further information relating to surface water drainage and compliance with SP38.

3. Surface Water Drainage

3.1.1 The information provided as part of the original application in the Planning Statement relating to the surface water drainage strategy for the proposed development is as follows:

'Surface water will be provided in discharged by infiltration. This will be designed following infiltration testing in accordance with BRE365, at the location and depth of proposed devises.

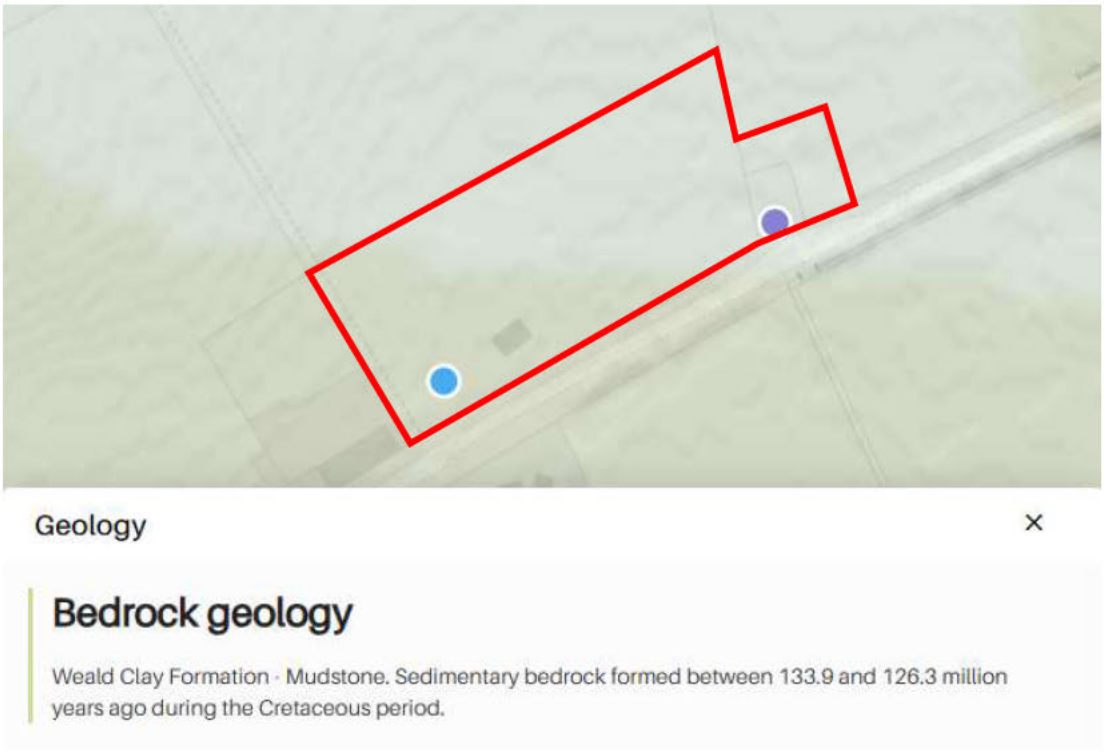
Infiltration devices will be located 5m from structures and boundaries, in addition to avoiding Root Protection zones.

Should infiltration not be possible there is a watercourse that runs the full length of Staalcot fields which surface water can be discharged to.

The application expects a detailed drainage design will be required prior to commencement of the development and is happy to accept a drainage condition requiring further details.'

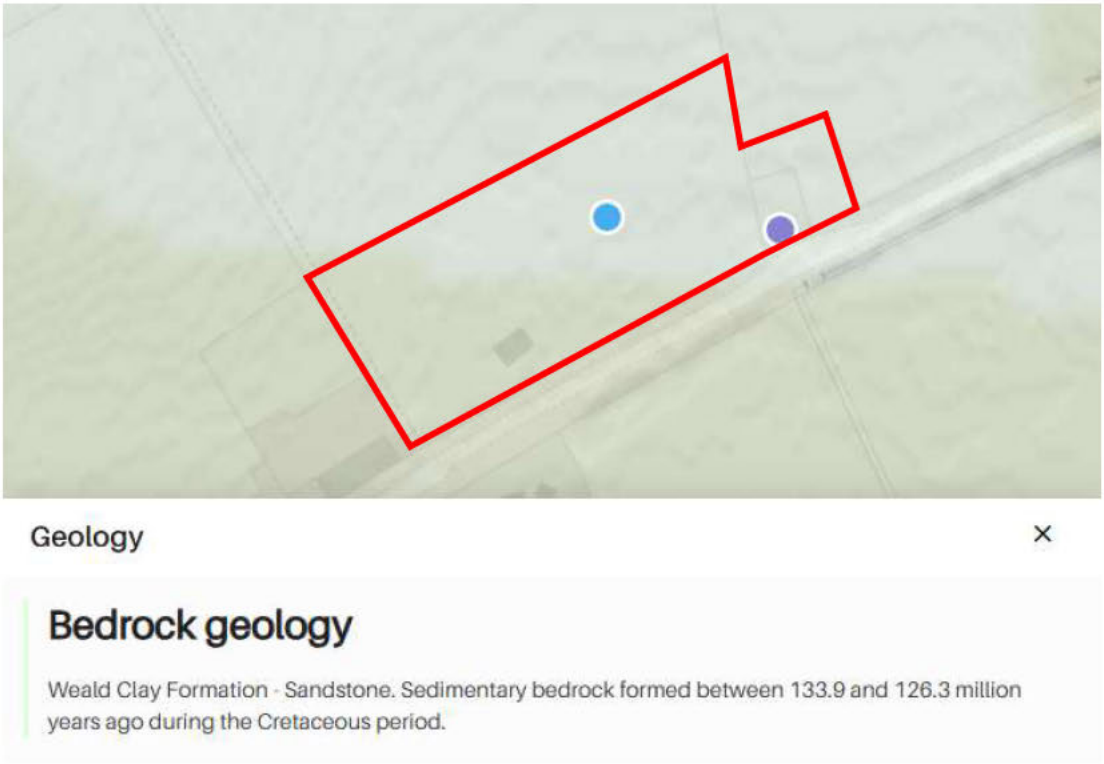
3.1.2 In response to this, a review of the underlying geology for the site shows that the site is underlain entirely by the Weald Clay Formation, with no superficial deposits (refer to Figures 3.1 and 3.2 below). The general permeability of the Weald Clay Formation is expected to be very low, despite a potential of moderate porosity, in particular in the area to the north which may include interbedded sandstones. Therefore, infiltration would not be considered feasible and would not normally be recommended for sites with this underlying bedrock.

Figure 3.1 Bedrock geology in the south of the site



Source: BGS Geology Viewer (Purple dot = Postcode location. Blue dot = Location relating to bedrock type)

Figure 3.2 Bedrock geology in the north of the site



Source: BGS Geology Viewer (Purple dot = Postcode location. Blue dot = Location relating to bedrock type)

3.1.3 Chapter 25 of the CIRIA SuDS Manual recommends that infiltration rates lower than $1x10^{-5}$ m/s should not be utilised for infiltration design. Infiltration rates in areas of clay are expected to fall well below this minimum. However, should infiltration testing demonstrate that a rate of $1x10^{-5}$ m/s or higher is achievable, this is still a very low infiltration rate which will require attenuation on site to prevent flooding. No indication has been given as to what form this attenuation will take and whether the required volume will be able to fit within the suitable areas of the site.

3.1.4 The alternative discharge option given on the Planning Statement is to discharge the surface water run-off into the ordinary watercourse which runs along the southern boundary of Stall House Lane towards the east and then crosses the road approximately 180m to the east of the proposed development site and continues on towards the north.

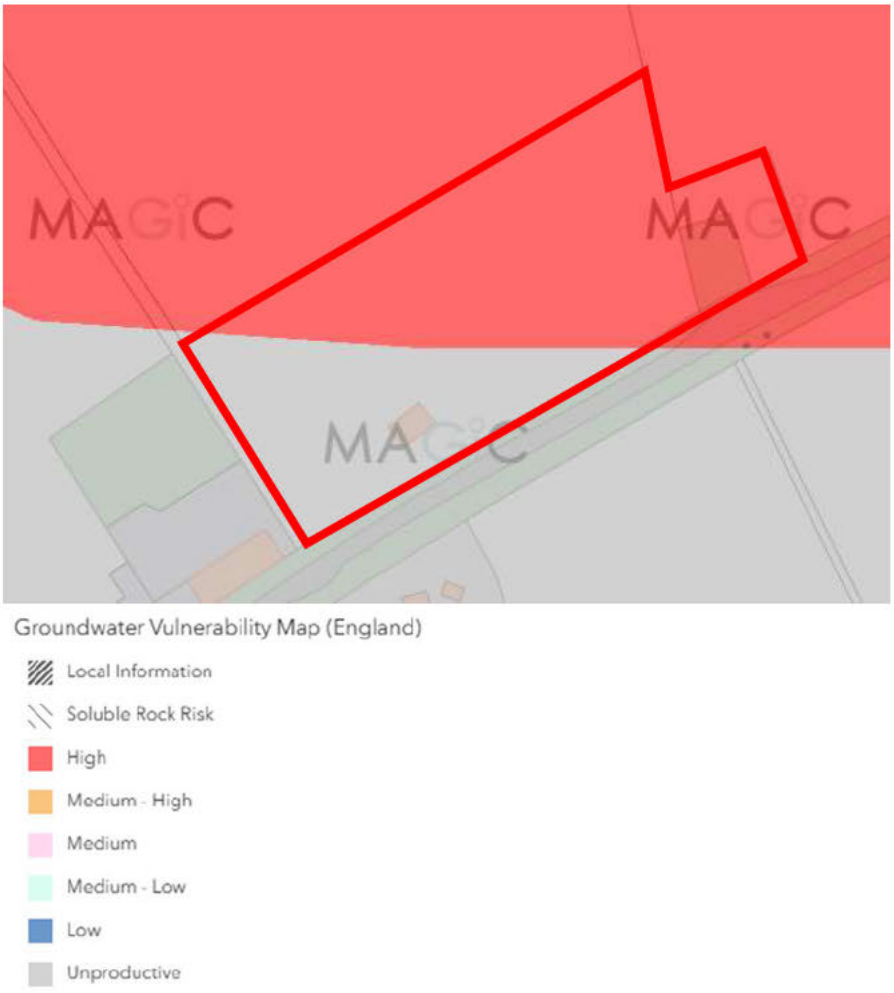
3.1.5 Discharge into this ordinary watercourse would be possible however it would be subject to approval by the Lead Local Flood Authority and there is a requirement to either cross third-party land or the highway to connect into the watercourse. The information provided within the Application does not clarify how this option would be achieved. In addition, this option would also require surface water run-off to be attenuated on site to prevent flooding and to allow surface water to be discharged at greenfield run-off rates, which poses the same issues in relation to there being adequate space on site for the attenuation to fit.

3.1.6 It is also important to note that discharging to the watercourse may increase the risk of flooding within an area already identified as being susceptible to such issues, as outlined in

Section 2 above. Furthermore, there is a potential risk to the development site itself, should the outfall become obstructed, thereby compromising its operational efficiency.

3.1.7 Should infiltration be found to be feasible, the northern part of the site is within an area with high groundwater vulnerability and shown in Figure X below, and therefore discharge to the ground may be subject to receiving the relevant permits from the Environment Agency (EA). It will be necessary to prove that the discharge will not pose a risk to groundwater quality and that appropriate treatment and pollution mitigation measures are in place, including the use of SuDS, which is also a requirement under SP38. Refer to Section 5 for more information on groundwater vulnerability.

Figure 3.3 Groundwater Vulnerability Map



Source: Defra Magic Map

3.1.8 It is not possible, based on the information provided in the planning statement regarding surface water drainage, to establish whether the proposed surface water drainage strategy is feasible in terms of discharge, there being adequate space on site for the required volume of attenuation, or that the required amount of treatment and pollution mitigation will be provided prior to discharge of the surface water. In addition, the information provided does not provide any information relating to the provision of SuDS.

3.1.9 In order to establish whether the surface water drainage strategy is feasible it would be expected that the strategy should include the following information:

- Greenfield run-off rate calculations
- Assessment of proposed permeable and impermeable areas
- Infiltration test results
- Groundwater levels/monitoring
- Calculation of required attenuation (for both discharge options)
- Assessment of suitable SuDS components
- Pollution mitigation calculations
- Plan showing location of SuDS components, attenuation and discharge location
- Hydraulic calculations
- Maintenance and management plan for all SuDS components

3.1.10 In the absence of the necessary supporting information, there is currently insufficient evidence to demonstrate the feasibility of the proposed surface water drainage strategy. As such, the strategy does not comply with the requirements of Policy SP38. Furthermore, given the potential for the development to increase flood risk, the proposed strategy is also not considered to be in accordance with Policy SP33.

3.1.11 This conclusion is supported by the consultation response received from HDC's Environmental Health and Licensing team, who raised an objection to the original application. Their objection included the following comments regarding surface water drainage:

'No detail has been provided on the proposal for collection and dispersal of surface water in order to alleviate local flooding. A scheme for this must be provided and we recommend that this is then assessed by a representative of the Lead Local Flood Authority to determine the practicality of this in terms of flood prevention for the site.'

4. Foul Water Drainage

4.1.1 The information provided as part of the original application in the Planning Statement relating to the foul water drainage strategy for the proposed development is as follows:

'The applicant proposes foul water disposal by a highly efficient package treatment plant.

In the absence of mains drainage this is considered to be an appropriate means of foul water disposal which would avoid harm to the quality of soils.

The new package treatment plant will be a Rewatec Solido Smart 2-8 Person Sewage Treatment Plant, manufactured by Premier Tech Aqua, 2 Whitehouse Way, South West Industrial Estate, Peterlee, Co Durham, SR8 2RA.

The package treatment plant will be installed and fully operational prior to occupation of the development. The package treatment plant will be installed in accordance with the manufacturer's recommendations and instructions, and in accordance with the Building Regulations.

The package treatment plant will be serviced by a qualified British Water accredited engineer on an annual basis in accordance with the manufacturer's servicing and maintenance guide to ensure it is operating efficiently and effectively.'

4.1.2 A package treatment plant must be correctly sized and designed to accommodate the expected sewage volume. Having reviewed the manufacturer's website the proposed unit (for 2-8 people) could not be located, however there are two alternative options shown on the website which can accommodate different numbers of people.

4.1.3 The proposed foul drainage strategy does not include any calculations relating to the proposed number of occupants for the site, however the Water Neutrality Report prepared by Promethean Planning (dated 17th of August 2024) states that each unit will have 3 bedrooms and that an average of 3.5 people per unit has been used for the water neutrality calculations. This makes the proposed number of occupants 14, however, given that each unit has 3 bedrooms it is felt that is still on the low side.

4.1.4 As a guide, British Water Code of Practice Flows and Loads 4 states the following in relation to domestic housing:

A treatment system for a single house with up to and including 3 bedrooms shall be designed for a minimum population (P) of 5 people.

4.1.5 The current suggestion of catering to 2-8 people will likely result in the package treatment plant being undersized.

4.1.6 In order to properly assess whether the proposed package treatment plant will be adequate it will be necessary for the applicant to provide relevant calculations for the daily flow and organic load which the package treatment plant will need to treat. Without this information, there is no assurance that the system will be sufficient to treat wastewater to the required

standard. An undersized or poorly designed system risks pollution and non-compliance with environmental legislation.

4.1.7 In regard to discharging the treated effluent from the package treatment plant, the Planning Statement states:

'Run-off from the treatment plant will be taken to a soakaway drainage field.'

4.1.8 No calculations relating to required size of the drainage field, including percolation testing, have been carried out and based on some general requirements for drainage fields as set out Building Regulations Part H, such as the required 15m offset from buildings, it is not clear as to whether there is space on the proposed development site for a drainage field, bearing in mind that the site will also need to accommodate the required attenuation for the surface water drainage.

4.1.9 Furthermore, as discussed in Section 3 above, the underlying geology is clay which is unlikely to have the required permeability to support a drainage field.

4.1.10 Should infiltration be found to be feasible, package treatment plants, while capable of treating wastewater and significantly reducing pollutants, still discharge effluent containing nitrogen, phosphorus, and other nutrients. As noted in Section 3 above, the proposed development site sits within an area with high groundwater vulnerability and therefore any discharges to the ground may be subject to receiving an Environmental Permit from the EA, refer to Section 5 for further information.

4.1.11 Package treatment plants require continuous maintenance, including servicing and checks, to function properly and prevent failures such as overflows or contamination. The Planning Statement states that the package treatment plant will be serviced annually in line with the manufacturer's servicing and maintenance guide, however given the rural location of the site, ensuring long-term maintenance access and reliability is a significant concern. Without a robust maintenance strategy, there is a risk of untreated sewage entering the environment, impacting ground water, watercourses and public health.

4.1.12 The absence of a detailed foul drainage strategy and maintenance plan raises concerns about the sustainability of the proposed system. Without these assurances, the development may not comply with environmental regulations which include EA's General Binding Rules (GBRs) and relevant British Standards depending on the treatment plant specification and discharge location and could pose a risk to local water quality.

4.1.13 It is therefore not possible, based on the information provided in the planning statement regarding foul water drainage, to establish whether the proposed foul water drainage strategy is feasible in terms of the package treatment plant being adequately sized, discharge via infiltration being possible or there being adequate space on site for the proposed drainage field.

4.1.14 In order to establish whether the foul water drainage strategy is feasible it would be expected that the strategy should include the following information:

- Calculations for daily flow and organic load based on confirmed number of occupants
- Specification for the correct product based on the calculations
- Percolation test results
- Groundwater levels/monitoring
- Calculations to ascertain the size of the required drainage field
- Maintenance and management plan
- Plan showing location of all components including the drainage field

4.1.15 In the absence of the necessary supporting information, there is currently insufficient evidence to demonstrate the feasibility of the proposed foul water drainage strategy. As such, the strategy does not comply with the requirements of Policy SP23 or the requirements of Building Regulations Part H.

4.1.16 This conclusion is further supported by the consultation response received from HDC's Environmental Health and Licensing team, which raised an objection and included the following comments regarding foul drainage:

'No detail of the proposed plant, soakaway or other parts of the system have been provided, percolation testing does not appear to have been undertaken and the method of disposal does not appear to have been given serious consideration.'

5. Environmental Considerations

5.1 Groundwater Vulnerability

5.1.1 As noted in Section 3, part of the site is located in an area with high groundwater vulnerability. The discharge of effluent from a package treatment plant in areas of high groundwater vulnerability presents a considerable concern due to the potential risks of groundwater contamination and adverse effects on water quality. In areas with high groundwater vulnerability the groundwater is often shallow, unprotected, or highly susceptible to surface water influence, increasing the likelihood of pollutants such as nitrates, phosphates, and microbiological contaminants entering the groundwater system.

5.1.2 If infiltration is found to be feasible, to discharge treated effluent from the package treatment plant to the ground via the proposed drainage field, the relevant Environmental Permit will need to be obtained from the EA. Discharge quality standards will need to be met and there may be a requirement for ongoing monitoring.

5.2 Environmental Compliance

5.2.1 Proposals for infiltration to the ground for both surface water and foul water should be designed in accordance with the relevant regulations, policies and guidance, which include but are not limited to The Water Resources Act 1990, The Groundwater Regulations 2009, The Water Industry Act, The Flood and Water Management Act 2010, Building Regulations Part H, The Sewage Treatment Plants Regulations 2015, The CIRIA SuDS Manual, EA's Groundwater Protection Guidance and GBRs, relevant British Standards, National Planning Policy Framework and Local Authority Policies and Guidance.

5.2.2 At present the Appellant has not demonstrated that the proposed surface water and foul water drainage strategies will comply with the relevant regulations, policies and guidance.

6. Summary

6.1.1 The proposed development at Staalcot Farm raises significant concerns regarding flood risk, surface water drainage, foul water drainage and the potential impacts on the environment including groundwater quality.

6.1.2 While the Environment Agency flood risk maps do not indicate any official flood risk, anecdotal evidence, including photographic documentation provided in this report, demonstrates that the proposed development is situated in an area with known flooding and drainage issues.

6.1.3 The absence of a surface water drainage strategy prevents an assessment of the flood risk associated with the proposed development, both on-site and off-site. As a result, there is a potential risk that the development could exacerbate flooding conditions. Furthermore, without an adequate surface water drainage strategy and the necessary supporting information, it is not possible to determine the feasibility of the proposed development.

6.1.4 Whilst information has been provided regarding the proposed foul drainage strategy, this does not include the required level of detail, and it is therefore not possible to confirm whether the proposals are feasible.

6.1.5 The absence of detailed assessments, calculations and strategies to assess these issues means that the development may not comply with the National, Regional and Local regulations, policies and guidance for flood risk management, surface water management, sustainable drainage and environmental protection, and it has been demonstrated that due to the lack of drainage strategies the proposed development does not comply with SP33 and SP38 from the HDPF.

6.1.6 In light of these unresolved issues, it is recommended that the planning appeal be dismissed.

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