Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/24/1779
Pondtail Farm, Hooklands Lane, Shipley, West Sussex, RH13 8PY

DESCRIPTION:
Change of use of buildings and land to residential use, conversion of former agricultural building to 1 bed annexe.

RELEVANT PLANNING HISTORY:

DC/17/0290	Oakwood Farm Prior Notification Change of Use of barns to a single dwelling house	Permit Prior Approval on 06.04.2017
DISC/17/0293	Oakwood Farm Approval of details reserved by condition 2 on DC/17/0290	Application Permitted on 27.10.2017

DESCRIPTION OF THE SITE
Pondtail Farm is situated within the broader site of Oakwood Farmstead, located on Hooklands Lane, Shipley. The site lies outside any designated built-up area boundary, to the north of Ashington, and is considered part of the open countryside. Pondtail Farm itself is regarded as curtilage listed. The building, originally an agricultural structure, was converted into a dwelling under planning reference DC/17/0290.

The application site focuses on the barn that was converted to residential use following prior approval under application DC/17/0290, when the site was still part of Oakwood Farm. Due to the restrictions outlined in Schedule 2, Part 3, Class Q of the GPDO, the domestic curtilage was limited to an area no larger than the footprint of the converted buildings. This resulted in a somewhat constrained red line boundary, which excluded part of the internal courtyard, offering only a small area of domestic curtilage around the buildings. The approved development did not allow for any domestic storage or garaging. To the north of the dwelling, there is a former agricultural building that has been used informally for storage and garaging. This building is accessed from the south and includes several bays with double doors.

DESCRIPTION OF THE APPLICATION
The application seeks approval for the change of use of the building to ancillary domestic purposes, as well as the conversion of the courtyard area and the land between the buildings into domestic curtilage. This will formalise the use of the building for garaging and storage related to the dwelling. Additionally, the proposal includes converting the easternmost two bays of the building into a one-bedroom annex intended for domestic help. The proposed change of use will have no impact on the landscape, as it involves land already enclosed by the existing buildings. All of the land in question is currently hardstanding, so no additional hardstanding will be required. The proposed annex will share access with the existing dwelling and is to be situated approximately 4 metres to the north of the main house.
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 25 - Strategic Policy: The Natural Environment and Landscape Character
Policy 26 - Strategic Policy: Countryside Protection
Policy 28 - Replacement Dwellings and House Extensions in the Countryside
Policy 31 - Green Infrastructure and Biodiversity
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 34 - Cultural and Heritage Assets
Policy 35 - Strategic Policy: Climate Change
Policy 36 - Strategic Policy: Appropriate Energy Use
Policy 40- Sustainable Transport
Policy 41- Parking

Shipley Neighbourhood Plan:
Policy Ship HD3: High quality design

Horsham District Local Plan (2023-40) (Regulation 19):
Strategic Policy 1: Sustainable Development
Strategic Policy 2: Development Hierarchy
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
Policy 21: Heritage Assets and Managing Change within the Historic Environment
Policy 32: Conversion of Agricultural and Rural Buildings to Commercial, Community and Residential Uses
Policy 45: Replacement Dwellings and House Extensions in the Countryside
Policy 46: Ancillary Accommodation

Shipley Parish Design Guidance

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 Conservation: No Objection - satisfied the impact to the setting of the listed building will be neutral.

WSCC Highways: No Objection - 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 115), and that there are no transport grounds to resist the proposal.

Place Services: Further information required - The ecology review of the Bat Roost Potential Report (September 2024) indicates insufficient information to determine the application, particularly regarding bats. Building 1 (farm building) has moderate bat roost potential, requiring two bat emergence surveys between May and September, with results submitted before determination. This is necessary to inform mitigation measures and comply with legal obligations related to protected species. No surveys are required for Buildings 2 and 3, which have negligible bat roost potential. The recommendation for a Wildlife Friendly Lighting Strategy to minimize light disturbance on bats is supported and should be secured by condition. The strategy should include specific lighting measures to reduce impacts on foraging and commuting bats. Additionally, a Biodiversity Enhancement Strategy should be submitted to secure net biodiversity gains, in line with NPPF guidelines. No comments are provided on Great

Crested Newts, as these are being addressed by the NatureSpace Partnership. The holding objection remains until the required bat survey information is provided.

Re-consultation received 20.01.2025: No objection – The ecology review of the Bat Roost Potential Report (September 2024) concludes that no bat surveys are needed for Buildings 2 and 3, as they have negligible bat roost potential. Similarly, no surveys are required for Building 1 as it will not be impacted by the proposed works. The site is located within the wider conservation area of the Mens Special Area of Conservation (SAC), but no significant impact on bat species is expected, as there are no records of Barbastelle bats within 2km of the site. Additionally, there are several bat species recorded within the 2km area, but these are unlikely to be adversely affected. The site has no trees or hedgerows, ensuring habitat connectivity and flight paths for bats are maintained. The review advises that a project-level Habitat Regulations Assessment (HRA) Screening Report should be prepared to confirm no adverse effects on the SAC.

The review also supports the recommended mitigation and enhancement measures, including the implementation of a Wildlife Friendly Lighting Strategy to minimize light disturbance to bats. A condition should be applied to secure these measures, including the use of low UV, warm white lighting, motion sensors, and horizontal mounting to reduce light spill. Furthermore, a Biodiversity Enhancement Strategy should be prepared to secure net biodiversity gains and comply with statutory duties. No comments are provided on Great Crested Newts, as these are being handled by the NatureSpace Partnership. The development can proceed with the appropriate mitigation measures in place, and conditions should be imposed to ensure ecological protection and enhancement.

Natural England: No Objection - We concur with the conclusion of your authority's HRA appropriate assessment insofar that adverse effects on the integrity of the Arun Valley Designated sites can be ruled out, as such: We have no objections subject to the: delivery, management and maintenance of measures identified in the water neutrality statement to achieve water neutrality.

Southern Water: Comment - The applicant should directly consult the Environment Agency regarding the proposed disposal of effluent from the package treatment plant and the use of a septic tank drainage system that disposes of effluent via sub-soil irrigation.

Representations:
None received.

Parish Comments:
Shipley Parish Council: No Objection - If HDC approve the application, Members ask that the building be used solely for purposes incidental to the occupation and enjoyment of the main dwelling and shall not be used as residential accommodation or for commercial purposes.

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 also been considered in accordance with Horsham District Council's public sector equality duty, which seeks to prevent unlawful discrimination, to promote equality of opportunity and to foster good relations between people in a diverse community, in accordance with Section 149 of the Equality Act 2010. In this case, the proposal is not anticipated to have any potential impact from an equality perspective.

PLANNING ASSESSMENT

Principle of Development:

The application site is situated around a barn that was previously converted to residential use under prior approval reference DC/17/0290, when the site formed part of Oakwood Farm. Due to the restrictions imposed by Schedule 2, Part 3, Class Q of the General Permitted Development Order (GPDO), the domestic curtilage was limited to the footprint of the converted buildings. This resulted in a constrained red line boundary, which excluded part of the internal courtyard, leading to a relatively small area of domestic curtilage around the buildings. The approved development also did not include provisions for domestic storage or garaging for the dwelling.

The current application proposes a change of use for a former agricultural building to ancillary domestic use, along with the conversion of the courtyard area and the land between the buildings to domestic curtilage. This would formalise the use of the building for garaging and storage associated with the dwelling, as well as convert the easternmost two bays of the building into a one-bedroom annex for domestic help.

The proposal will not have any significant impact on the landscape, as it involves land contained within the existing building footprint. All the land is already hardstanding, eliminating the need for additional hardstanding. The proposed annex would share access with the existing dwelling and would be situated approximately 4 metres to the north of the main house.

In terms of policy alignment, the proposal is consistent with the principles set out in the National Planning Policy Framework (NPPF). Paragraph 80 of the NPPF supports the conversion of rural buildings to residential use, provided the proposal respects the character of the countryside and avoids negative impacts on the landscape. This application adheres to these principles, as it involves the reuse of existing buildings and hardstanding, helping to maintain the rural character of the area without introducing significant environmental harm. Furthermore, in line with Paragraph 174 of the NPPF, the development ensures the protection and enhancement of biodiversity by incorporating appropriate mitigation and enhancement measures.

The proposal also aligns with the policies of the Horsham District Planning Framework (2015), particularly Policy 33, which seeks to protect the countryside from inappropriate development while permitting the conversion of rural buildings where the proposal is in keeping with the local character and does not result in over-intensification. The application ensures that the development remains in scale with its surroundings, protecting the local environment and maintaining the character of the countryside. As such, the proposal is considered to be sustainable and in line with both national and local planning policy.

Design and Appearance:

Policy 28 of the HDPF relates to house extensions and outbuildings in the countryside, stating that ancillary accommodation and garaging must demonstrate that the need for additional space cannot be met from an existing dwelling or buildings suitable of conversion on the site, with new outbuildings sited to have regard to the dwelling they serve and be grouped with the house. The policy also states that the use of ancillary accommodation as a separate dwelling will not be supported.

Policies 32 and 33 of the HDPF seek to ensure that the development in the district promotes high standard/high quality design in order to enhance and protect locally distinctive characters such as landscaping (both within a scheme and having regard to the impact on surrounding landscapes) and considerations on the local, social, and environmental characteristics. It also seeks to ensure that the scale, massing and appearance of the development and layout (where relevant) relates sympathetically with the built surroundings, landscape, open spaces and routes within and adjoining the site, including any impact on the skyline and important views.

Policy Ship HD3 of the Shipley Neighbourhood Plan states new development in Shipley Parish should align with the local design characteristics outlined in the Shipley Parish Design Guidance (Appendix 2 of the Neighbourhood Plan). Proposals must respect and, where possible, enhance the area's character and scale, using materials typical to the locality. Applicants are encouraged to demonstrate how their scheme responds to these design guidelines. For affordable housing, it must be ‘tenure-

blind,' meaning it should be of equal quality in design and materials as the market housing and integrated seamlessly into the overall development.

Planning permission is sought for the change of use for a former agricultural building to ancillary domestic use, along with the conversion of the courtyard area and the land between the buildings to domestic curtilage. This would formalise the use of the building for garaging and storage associated with the dwelling, as well as convert the easternmost two bays of the building into a one-bedroom annex for domestic help.

The proposal will not have any significant impact on the landscape, as it involves land contained within the existing building footprint. All the land is already hardstanding, eliminating the need for additional hardstanding. The proposed annex would share access with the existing dwelling and would be situated approximately 4 metres to the north of the main house.

It is considered that the works would be clearly subservient to the host building and would not appear unduly prominent or intrusive in views from surrounding properties. It is also noted that apart from the addition of windows, and front door, no other external changes have been proposed and no fundamental alterations to the building in terms of form or appearance are proposed. The proposed works are therefore considered to be acceptable in this regard, subject to an appropriate condition in relation to specific materials to be used for the proposed development.

Residential Amenity:

Policy 33 of the HDPF states that development should be designed to avoid unacceptable harm to the amenity of the occupiers/users of nearby property and land, whilst having regard to the sensitivities of surrounding development.

It is considered that the nature of the annexe and the distances maintained to neighbouring properties, is sufficient to ensure that there would no adverse impact on neighbouring amenity. The use of the building for purposes connected to the occupation of the main dwelling would not be expected to result in significant potential for harmful levels of noise or disturbance, and no harm in this regard is envisaged.

Highways Impacts:

Policies 40 and 41 of the Horsham District Planning Framework require development to provide safe and adequate access and parking for all users. This application seeks to change the use of buildings and land to residential use, including converting a former agricultural building into a 1-bed annex. The site is located on Hooklands Lane, an unclassified road with a 60-mph speed limit. No changes are proposed to the existing access, which is via a private track with two access points onto Hooklands Lane. The proposed change of use is not expected to significantly increase traffic or intensify use of the access points. Collision data from the past five years reveals no recorded injury accidents in the area, suggesting the access points are safe and that the proposed development will not exacerbate any safety concerns. The site offers sufficient space for parking for both the main dwelling and the annex, with part of the building to be retained as garage/storage, providing adequate space for modern vehicles and on-site turning.

Ecology:

Policy 31 of the HDPF states that proposals will be required to contribute to the enhancement of existing biodiversity and should create and manage new habitats where appropriate. The Council will support new development which retains and/or enhances significant features of nature conservation on development sites.

The Bat Roost Potential Report (Sylvatica Ecology Ltd., September 2024) has been reviewed, and the proposed development is not expected to have significant ecological impacts. Buildings 2 and 3 are considered to have negligible bat roost potential, and no further bat surveys are required. The site is located near several Special Areas of Conservation (SAC) but is not expected to adversely affect bat habitats or flightlines. The development complies with relevant regulations, with no adverse effects on

biodiversity identified. Mitigation measures outlined in the report, including a Wildlife Friendly Lighting Strategy, should be secured by condition to protect and enhance local wildlife, particularly bats. Additionally, a Biodiversity Enhancement Strategy should be implemented to meet the requirements of the National Planning Policy Framework and ensure biodiversity net gain. The proposal is considered acceptable with the appropriate conditions in place.

Water Neutrality:

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

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

The Water Neutrality Statement for the annex conversion at Pondtail Farm asserts that the development will be water neutral based on a comprehensive assessment of water demand and mitigation measures. The proposed annex is expected to have a water demand of 139.26 litres per day, based on water-efficient fixtures and fittings, with an assumed 1.32 occupants and a Part G calculation of 105.5 litres per person per day.

In comparison, the existing 6-bedroom dwelling has a baseline water consumption of 633.46 litres per day, calculated for 3.32 occupants and a consumption rate of 190.8 litres per person per day. To mitigate the annex's water demand, improvements will be made to the existing dwelling, including the installation of flow restrictors in showers to reduce water flow rates from 18 litres per minute to 7 litres per minute. These improvements are expected to reduce the dwelling's water demand to 488.37 litres per day, resulting in a saving of 145.1 litres per day.

This water saving exceeds the annex's water demand by 5.84 litres per day, ensuring no additional water abstraction from the Sussex North Water Supply Zone. The report concludes that regulatory conditions can ensure these improvements are implemented, meeting the requirements of Policy 31 of the Horsham District Planning Framework (HDPF) and Natural England's guidelines. Overall, the proposal satisfies the definition of water neutrality, contingent on the implementation of the outlined mitigation measures.

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:

- Dedicated refuse and recycling storage capacity
- 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 Applicant has demonstrated that the development is exempt from the requirement to achieve a minimum 10% BNG by reason of:

- The development qualifies as 'de minimis' under Regulation 4 of the Biodiversity Gain Requirements (Exemptions) Regulations 2024

Conclusions:

This planning application proposes a change of use of existing agricultural buildings to residential use, including the conversion of part of the building into a one-bedroom annex and the formalisation of domestic curtilage. The development is consistent with relevant national and local planning policies, including the NPPF and Horsham District Planning Framework (HDPF), and aligns with the objectives of enhancing biodiversity and preserving the local character.

The proposal will have no adverse impacts on the landscape, as it utilizes existing hardstanding areas and avoids any significant changes to the site's visual appearance. The development is designed to ensure minimal disruption to the surrounding environment, with appropriate measures in place to mitigate ecological impacts, including a wildlife-friendly lighting strategy and a biodiversity enhancement strategy.

Furthermore, the development complies with policies related to highway safety, residential amenity, and water neutrality. The proposed changes to the existing dwelling and annex will ensure the project meets water neutrality requirements, and the development's design adheres to high standards in terms of both functionality and appearance. The proposal also demonstrates consideration of climate change mitigation, with provisions for recycling and cycling.

In terms of biodiversity net gain, the development qualifies for exemption under the relevant regulations, and no significant adverse ecological impacts are anticipated. The proposal is considered to be sustainable, well-aligned with planning policy, and will provide appropriate mitigation and enhancements where necessary.

In conclusion, the application is in accordance with national and local planning policies and is recommended for approval, subject to appropriate conditions.

Recommendation: Application Permitted

Conditions:

2 **Standard Time Condition**: The development hereby permitted shall begin before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

3 **Pre-occupation Condition**: The accommodation hereby permitted shall not be first occupied until evidence has been submitted to and approved in writing by the Local Planning Authority that the approved water neutrality strategy for that dwelling has been fully implemented. The evidence shall include the specification of fittings and appliances used, evidence of their

installation, details of the rainwater harvesting system installed (including a minimum 35 days' storage capacity), and completion of the as-built Part G water calculator or equivalent. The installed measures shall be retained as such thereafter.

Reason: To ensure the development is water neutral, thereby avoiding an adverse impact on the Arun Valley SACSPA and Ramsar sites, in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 179 and 180 of the National Planning Policy Framework (2021), the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species). These measures are embedded within the development to avoid any adverse effects on the integrity of the interest features of the Arun Valley SPA, SAC & Ramsar site, either alone or in combination with other plans and projects.

4 **Regulatory Condition**: All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Bat Roost Potential Report (Sylvatica Ecology Ltd., September 2024) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

Reason: To conserve and enhance protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (as amended).

5 **Regulatory Condition**: The materials to be used in the development hereby permitted shall strictly accord with those indicated on the application form and approved plans.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of visual amenity and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

6 **Regulatory Condition**: The accommodation hereby permitted shall be occupied solely for purposes ancillary to the occupation and enjoyment of Pondtail Farm, Hooklands Lane, Shipley (as identified on the approved plans) and shall not be severed or used as a separate unit of accommodation.

Reason: The establishment of an additional independent unit of accommodation would give rise to an over-intensive use of the site and lead to an unsatisfactory relationship between independent units of living accommodation contrary to Policy 33 of the Horsham District Planning Framework (2015).

POSITIVE AND PROACTIVE STATEMENT

Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received, in order to be able to, where possible, grant permission.

Plans list for: DC/24/1779

(The approved plans will form Condition 1 on the Decision Notice of all Permitted applications)

Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Location plan		2409OA_R0.2_000 REV 000	18.11.2024
Block plan		2409OA_R0.2_001 REV 000	18.11.2024
Elevation & Floor plan	Existing	2409OA_R0.2_100 REV 000	18.11.2024
Elevation & Floor plan	Proposed	2409OA_R0.2_200 REV 000	18.11.2024
Design & Access Statement		NONE	18.11.2024
Supporting Docs	Bat Roost Potential Report	NONE	18.11.2024
Supporting Docs	Water Neutrality Report	NONE	18.11.2024
Supporting Docs	Application Form	NONE	18.11.2024

DELEGATED

Case Officer sign/initial Shazia Penne Date: 28.01.2025

Authorising Officer sign/initial Guy Everest Date: 30.01.2025