Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/24/1506
Nutbourne Place Farm, Nutbourne Lane, Nutbourne, West Sussex, RH20 2HF

DESCRIPTION:
Replacement of existing nursery building and erection of dwellinghouse and associated staff facilities, ground mounted solar panels, upgrading of glasshouses to make them water and energy efficient and biodiversity enhancements.

RELEVANT PLANNING HISTORY:

DC/23/2123	Conversion of redundant barn to provide 1 dwelling, staff restroom, shower room, office, and store.	Application Permitted on 16.02.2024.
DC/21/0852	Use of existing commercial nursery building for horticultural growing seminars and teaching, local meeting venue, farm/nursery shop and tea room and catering/cookery courses, as well as staff rest room, sorting, packing, and preparation/cooking of produce.	Application Permitted on 27.07.2021.
DISC/21/0265	Approval of details reserved by condition 3 to approved application DC/21/0852	Application Permitted on 25.01.2022.
DC/14/1716	Agricultural barn (Prior Notification)	Prior Approval Refused on 17.09.2014.
DC/14/2410	Agricultural Barn (Prior Notification)	Prior Approval Not Required on 16.12.2014.

DESCRIPTION OF THE SITE
The application is located to the north and east of Nutbourne Lane, outside of any designated built-up area boundary. The site is therefore within a countryside location in policy terms.

The site comprises approximately 12 hectares of agricultural lane, positioned to the north of the subject dwelling. A number of agricultural buildings are located to the north and north-west of the host dwelling positioned on sloping ground which ascends northwards. The site is screened by mature vegetation to the east and west, and benefits from a vehicle access to the north and south.

The wider area is characterised by enclosed agricultural fields and sporadic residential and agricultural development. The unclassified settlement of Nutbourne is located approximately 200m to the south, within the built-up area of West Chiltington and Pulborough located further to the south-east and south-west respectively.

RELEVANT PLANNING POLICIES
The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):
Policy 1 - Strategic Policy: Sustainable Development

Policy 2 - Strategic Policy: Strategic Development
Policy 3 - Strategic Policy: Development Hierarchy
Policy 4 - Strategic Policy: Settlement Expansion
Policy 9 - Employment Development
Policy 10 - Rural Economic Development
Policy 15 - Strategic Policy: Housing Provision
Policy 16 - Strategic Policy: Meeting Local Housing Needs
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
Policy 26 - Strategic Policy: Countryside Protection
Policy 31 - Green Infrastructure and Biodiversity
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 35 - Strategic Policy: Climate Change
Policy 40 - Sustainable Transport
Policy 41 - Parking

Paragraph 33 of the NPPF requires that all development plans complete their reviews no later than 5 years from their adoption. Horsham District Council is currently in the process of reviewing its development plan however at this stage the emerging policies carry only limited weight in decision making. As the HDPF is now over 5 years old, the most important policies for the determination of this application must be considered as to whether they are 'out of date' (NPPF paragraph 11d). This includes, for applications involving the provision of housing, whether the Council can demonstrate a five-year supply of deliverable housing sites (NPPF footnote 8).

The Council is currently unable to demonstrate a five-year supply of deliverable housing sites, with the supply currently calculated as being 2.9 years. The presumption in favour of development within Paragraph 11d) of the NPPF therefore applies in the consideration of all applications for housing development within the district (unless footnote 7 or Paragraph 14 applies to relevant applications), with Policies 2, 4, 15 and 26 now carrying only moderate weight in decision making.

All other policies within the HDPF as itemised above have been assessed against the NPPF and are considered to be consistent such that they continue to attract significant weight in decision making.

Horsham District Local Plan (2023-40) (Regulation 19):
Strategic Policy 1: Sustainable Development
Strategic Policy 2: Development Hierarchy
Strategic Policy 3: Settlement Expansion
Strategic Policy 6: Climate Change
Strategic Policy 7: Appropriate Energy Use
Strategic Policy 8: Sustainable Design and Construction
Strategic Policy 9: Water Neutrality
Strategic Policy 11: Environmental Protection
Strategic Policy 13: The Natural Environment and Landscape Character
Strategic Policy 14: Countryside Protection
Strategic Policy 16: Protected Landscapes
Strategic Policy 17: Green Infrastructure and Biodiversity
Strategic Policy 19: Development Quality
Strategic Policy 20: Development Principles
Strategic Policy 24: Sustainable Transport
Policy 25: Parking
Policy 32: Conversion of Agricultural and Rural Buildings to Commercial, Community and Residential Uses
Strategic Policy 37: Housing Provision
Strategic Policy 38: Meeting Local Housing Needs
Policy 40: Improving Housing Standards in the District
Policy 41: Rural Exception Homes
Policy 45: Replacement Dwellings and House Extensions in the Countryside
Policy 46: Ancillary Accommodation

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

Pulborough Neighbourhood Plan (2015-2031):
Policy 1 – A Spatial Plan for the Parish
Policy 15 – Design

Pulborough Parish Design Statement

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:
INTERNAL CONSULTATIONS
HDC Environmental Health: Comment, recommend that the conditions attached to approved application DC/23/2123 are also applied to this application. As part of the proposed building will be utilised by the existing agricultural unit, it is important that the occupation of the dwelling be limited to persons solely or mainly working on the horticultural holding of Nutbourne Place Farm.

OUTSIDE AGENCIES
Ecology Consultant: Following a single bat emergence survey in August 2023 on Building B1 (tearoom), the Ecological Impact Assessment Version 5 (South Downs Ecology, August 2024) concludes that there are no bat roosts in the building. In addition, we note from the Response to Ecological Comments (South Downs Ecology, November 2024) that none of the trees onsite are proposed for removal as the existing access is being used. We therefore agree that no further surveys for roosting bats are needed for buildings or for trees.

The site lies approximately 5.6km southeast of The Mens Special Area of Conservation (SAC) and is therefore within the 6.5km Key Conservation Area. There are over 40 records for bats within 2km of the site, including Common and Soprano Pipistrelle, Natterer's, Brown Long-eared, Serotine and Noctule bat (Sussex Biodiversity Records Centre – accessed under licence).

From the submitted documents that the site comprises grass, decking and garden areas. There is a line of poplar trees on the western boundary, the majority of which we understand are outside the red line boundary with the remaining trees being retained, and there are no hedgerows on site. Therefore, there will be no severance to the flight lines of foraging or commuting bats from the SAC and habitat connectivity within the site will be maintained.

We are now satisfied that there is sufficient ecological information available for determination. The mitigation and enhancement measures identified in the Ecological Impact Assessment Version 5 (South Downs Ecology, August 2024) should be secured by a condition of any consent and implemented in full. This is necessary to conserve and enhance protected and Priority species particularly those recorded in the locality.

Natural England Bats: No Comment

Natural England (Water): No Objection subject to appropriate mitigation being secured.

Southern Water: The applicant is proposing to use their existing septic tank for foul drainage. Therefore, we have no further comment regarding foul drainage.

The proposed rainwater harvesting system should be designed, installed, and maintained to current British Standards to ensure that measures are in place to protect the private water supply and avoid cross contamination. A condition should be applied.

WSCC Highways: Comment. The LHA previously provided consultation advice for this site for similar application DC/23/2123, raising no highway safety concerns.

The existing vehicular access will be utilised for the development, with no alterations proposed. Four car parking spaces are proposed to serve the development. This is in accordance with WSCC Parking Standards for the proposed residential use, and there appears to be ample space within the site.

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.

Representations:
1 letter of Support have been received from 1 address, supporting the application on the following grounds:

- Exceptionally eco-friendly
- Should condition the occupation for someone solely working on the horticultural holding.

Parish Comments:
Pulborough Parish Council: No Objection

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:

Policy 9 of the Horsham District Planning Framework (2015) states that redevelopment of employment sites and premises outside of Key Employment Areas must demonstrate that the site/premises is no longer needed and/or viable for employment use. Policy 10 outlines that proposals for the conversion of rural buildings to business and commercial users will be considered favourably over residential in the first instance.

This application follows a 2024 permission for the conversion of a redundant barn to provide 1 dwelling, staff restroom, shower room, office, and store (ref: DC/23/2123). The principle of the development has therefore been permitted and the 2023 planning application represents a fallback permission if this application were to be refused.

The planning statement states that the building previously was used as a café, shop, staff rest room, and occasional meeting space, but is now redundant. The Statement continues that the café proved to be unviable, where the Applicants could not make a profit and could provide source sufficient staff. This was worsened by food inflation and energy prices, and the shop and café shut in September 2022. During the period it operated (November 2021 to September 2022) the building was available for hire,

but limited bookings were received. The Applicants have considered alternative uses of the building which could be operated alongside the use of the building for staff toilets, rest and shower facilities, farm office, meeting room for local growers and clients, and staffing point for direct sales of produce. These uses include wedding and function venue; restaurant children nursery; mobile catering business; and camp site. These uses have however been discounted on the basis of noise, level of activity, incompatible with the continued nursery, and traffic. For these reasons, the proposal seeks to utilise the building as a smaller home for the Applicants (who operate the plant nursery, staff rest and shower facilities, farm storage, and meeting space with local growers. The Planning Statement outlines that this combined use would mean the Applicants are on the nursery site all the time, making more effective use of their time and securing the sustainability of the enterprise.

It is noted that the wider site includes an existing dwelling known as Nutbourne Place Farm, which it is understood is owned and occupied by the operators of the horticultural nursery. From the documents submitted and speaking to the applicants, it is understood that the owners would relocate to the resulting dwelling. Given the location of the building within the horticultural unit, it is considered reasonable and necessary to impose a condition limiting the occupation of the dwelling to persons associated with the horticultural nursery.

The existing nursery building is not of any particular merit, and it is acknowledged that the proposed replacement building would be energy efficient while also utilising the existing footprint. The proposed residential use is not considered to generate any further activity or vehicle movements than the existing use, and it is considered that the proposal would result in no further harm to the countryside in this regard. The proposal is therefore considered acceptable in principle, subject to other material considerations.

Design and Appearance:

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

Policy 12 of the Pulborough Parish Neighbourhood Plan states that all buildings must be well-designed, sustainable, and take appropriate account of climate change. The scale, density, massing, height, landscape design, layout, and materials of all development proposals, including alterations to existing buildings, will be required to reflect the architectural and historic character and scale of the surrounding buildings and landscape.

<u>Replacement of existing nursery building</u>

The proposal seeks to replace the existing building to provide a 3-bed dwelling, along with other habitable rooms. The proposal would retain a similar scale to the previously approved dwelling, and the existing building. The footprint of the existing building will be materially reduced, and the height and form will be unchanged. The simple rural form of the existing building and its setting will be retained and will appear similar from views within the nursery and the surrounding fields. The planning statement provides photographs from a number of different locations to show that the building would not be visible from public vantage points. No trees or hedges will be removed, with the whole development enclosed and well-screened.

The building is split level, built into the slope of the land and facing towards the main polytunnel and growing area. The bedrooms and bathrooms will be on the lower ground floor/semi basement level, and the living room, kitchen and other non-habitable rooms will be on the ground floor. New doors and windows will be introduced in the southern and eastern elevations of the lower ground level for natural light. The materials would be similar in appearance to those on the existing building, using timber and other recycled materials.

The roof pitch has been orientated so that it falls from the rear to front, to improve the appearance of the building. The fenestration has been changed to maximise solar gain and provide views over the nursery. The terrace would be retained and would allow views over the nursery as well as towards the South Downs.

The overall form and appearance of the building would be retained, along with the energy improvements. The replacement building, through additional openings and external alterations, would domesticate the existing building, but retain the character and appearance. The resultant development is considered to sit comfortably within the context of the site and surroundings. For these reasons, the proposed development is considered to relate sympathetically to the character and appearance of the sites and surroundings, in accordance with Policies 32 and 33 of the HDPF (2015).

Ground mounted solar panels

The proposed solar panels would reduce the applicant's dependence on centralised and carbon-based energy by introducing the use of decentralised renewable energy, contributing to the efficient and sustainable use of resources. This would be supported by both policies 35 and 36 of the HDPF.

399 ground mounted solar panels are proposed to heat the proposed building and all of the nursery buildings. These would be arranged in 4 lines of 33, 33, 33 and 34 panels wide. The planning statement states that this will enhance the production of crops within the glasshouses and save 200,000 kwh of grid powered electricity. The solar panels would be located in the field to the northeast of the barn and the main nursery buildings. According to the planning statement, this area is a frost pocket and has been chosen to ensure that the solar panels have no impact on neighbours' views. There is sufficient vegetation to screen the panels; an area of woodland, used for growing Christmas trees, and a woodland belt. The panels will also be set into the slope of the land. At their highest they would be approximately 2.45m tall. The planning statement states that sheep will be brough into the land to graze under the solar panels. It is considered that the visual impact on the proposal is acceptable and would accord with policies 35 and 36 of the HDPF.

Upgrading glasshouses

The existing glasshouses which form part of the horticultural nursery, are proposed to be upgraded to make them water and energy efficient. There are three traditional polytunnels and a 'Keder' greenhouse, which uses material similar to an extremely strong bubble wrap and is more economic to heat. The 'Keder' greenhouse will be heated by an air source heat pump, through the power generated by the solar panels. The heated greenhouse will allow further plants to be grown within the horticultural nursery. Rainwater harvesting will enable the applicants to use this water for plants. Through the collection of rainwater and the use of solar panels for the air source heat pump, this will heat the entire enterprise and allow further markets to be explored.

Residential Amenity:

Policy 32 of the HDPF states that development will be expected to provide an attractive, functional, accessible, safe, and adaptable environment that contribute a sense of place both in the buildings and spaces themselves. Policy 33 continues that development shall be required to ensure that it is designed to avoid unacceptable harm to the amenity of occupiers/users of nearby property and land.

The subject building is located at a distance from the nearest residential property of Nutbourne Place Farm, located approximately 170m to the south of the site. Given this distance, and the enclosed nature of the site to the north, east and west, it is not considered that the proposal would result in harm to the amenities of neighbouring properties through overlooking or loss of privacy.

The proposed dwelling would be located to the north of a number of agricultural buildings used in connection with the established plant nursery. There is therefore the potential for occupiers of the dwelling to be adversely impacted by activity and noise associated with the operation of the plant nursery. However, it is recognised that the dwelling would be occupied by the Applicants (who operate the plant nursery). would be reasonable to anticipate that individuals occupying the resulting dwelling alongside operating the plant nursery would anticipate some level of noise and disturbance associated

with the shared activities. To ensure that this would not be detrimental to the amenities of future occupiers, it is considered reasonable and necessary to impose a condition limiting the occupation of the dwelling to persons operating Nutbourne Place Farm.

Subject to this condition, it is not considered that the occupiers of the proposed development would be adversely affected by noise and activity arising from the neighbouring uses.

Regarding the solar panels, these have been mindfully positioned in a dip situated behind the existing Christmas Tree farm. Due to the sloping ground level, the residential dwelling towards the north of the site would not have views of the solar panels as these would be sufficiently screened.

Highways Impacts:

Policies 40 and 41 of the HDPF promote development that provides safe and adequate access, suitable for all users.

The proposed development would utilise an existing access onto Nutbourne Lane, with parking provided on existing hardstanding.

Following consultation with WSCC Highways (the Local Highways Authority) there are no apparent visibility concerns with the existing access on to Nutbourne Lane. In addition, the proposed development is not anticipated to give rise to a significant material intensification of use of the existing access point.

The proposal would provide 4no. car parking spaces to serve the development, and this would accord with WSCC Parking Standards. There also appears to be ample space within the site to serve the wider nursery's site's use for parking. On-site turning appears achievable, allowing cars to existing the site in a forward gear.

For these reasons, the proposed development would not result in significant adverse harm to the function and safety of the highway network, in accordance with Policies 40 and 41 of the Horsham District Planning Framework (2015).

Ecology:

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

The Applicant has submitted an Ecological Impact Assessment by South Down Ecology. This outlines that the proposal relates to an area consisting of existing building and hard/bare surfaces of negligible ecological value surrounded by modified grassland and horticultural land of low site ecological value. The Report recommends enhancements including the installation of bat roost features, and bird nesting features to the building, with the installation of bat and bird boxes to nearby trees, hedgehog boxes to the edge of grassland, and the enhancement of the pond, along with further planting. It is also proposed to install insect features to the edge of the site.

The Council's Ecologist was satisfied after receiving additional information from the applicant regarding additional ecological information. No further surveys for roosting bats were required for the buildings or the trees. The site lies approximately 5.6km southeast of The Mens Special Area of Conservation (SAC) and is therefore within the 6.5km Key Conservation Area. There are over 40 records for bats within 2km of the site, including Common and Soprano Pipistrelle, Natterer's, Brown Long-eared, Serotine and Noctule bat. A screening assessment has also been carried out.

Subject to conditions requiring that the development be carried out in accordance with the submitted Ecology Report, it is not anticipated that the development would have an adverse impact on ecology.

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 Applicant has submitted a Water Neutrality Statement by Daedalus Environmental dated November 2023 (and updated January 2024). The Statement outlines that subject to the installation of water efficient fixtures and fittings (including low flow showers, dual flush toilets, aerated taps, low volume bath, and water efficient white goods) and rainwater harvesting, the proposed demand arising from the development would be 84.9 litres per person per day. Based upon an average occupancy for a 4-bed dwelling or 2.47, the total water demand arising from the development would be 209.72 litres per day and 76,547.8 litres per annum.

The Water Neutrality Statement outlines that there is no existing baseline for the former café use, where this ceased operating over a year ago. As such, the existing baseline for the subject building is calculated to be 0.

The Statement does however refer to the existing demand arising from the agricultural activities on the wider site, which has been calculated based upon a Southern Water meter specific to the agricultural use. This indicates that the daily water demand arising from the agricultural activities on the site is equivalent to 206 litres per day and 75,250 litres per annum.

The demand for the existing residential dwelling known and Nutbourne Place Farm has also been calculated based upon a survey of existing fixtures and fittings. This indicates that the existing demand from Nutbourne Place Farm is 175.7 litres per person per day. It is outlined that 2 persons occupy the dwelling, with the total daily water consumption calculated to be 351 litres per day.

The daily water demand arising from these existing uses is therefore calculated to be 577 litres per day and 203,305 litres per annum.

The proposed water strategy seeks to address the water demand through the installation of rainwater harvesting to existing agricultural buildings (Polytunnels 2, 3, and 4) and retrofitting existing fixtures and fittings within Nutbourne Place Farm.

The proposed rainwater harvesting would be used entirely for irrigation purposes in association with the farm's food growing operations. Table 6 within the Water Neutrality Statement bases the calculation on 858mm of rainfall per annum, with the total collection area being 382m2. Using the relevant yield coefficient,

it is calculated that the collected rainwater would equate to 808.8 litres per day and 295,221 litres per annum. This would exceed the water demand of the existing agricultural activities on the site.

It is also proposed to retrofit the existing fixtures and fittings within the existing dwelling of Nutbourne Place Farm. This would include the replacement of all taps within the dwelling to low flow fixtures. The Part G Calculator provided at Table 7 indicates that this retrofitting would reduce the water demand to 150.6 litres per person per day (a reduction of 25.1 litres per person per day). The resulting demand (based upon the occupation of 2 persons) would amount of 301.2 litres per day and 109,938 litres per annum. As such, there would be a water saving of 50.2 litres per day and 18,323 litres per annum.

The total savings through the mitigation measures would be 859 litres per day and 313,535 litres per annum. This would exceed the water demand arising from the proposed development, with sufficient

head room. An Appropriate Assessment has been undertaken and Natural England have been consulted. No objections are raised, subject to the delivery. Management and maintenance of the measures identified in the Water Neutrality Statement.

The proposed measures could be secured by condition, where subject to the water strategy as proposed, there is no clear or compelling evidence to suggest the nature and scale of the proposed development would result in a more intensive occupation of the site necessitating an increased consumption of water that would result in a significant impact on the Arun Valley SAC, SPA and Ramsar sites, either alone or in combination with other plans and projects. The grant of planning permission would not therefore adversely affect the integrity of these sites or otherwise conflict with Policy 31 of the HDPF, NPPF paragraph 186 and the Council's obligations under the Conservation of Habitats and Species Regulations 2017.

Other Matters:

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:

The proposal seeks to address climate change in a number of ways. Such as using locally sourced building materials, using an existing developed site, the building powered by solar panels and an air source heat pump. Should the proposed development be considered acceptable, the following measures to build resilience to climate change and reduce carbon emissions will be secured by condition:

- Requirement to provide full fibre broadband site connectivity
- Dedicated refuse and recycling storage capacity
- Cycle parking facilities
- Electric vehicle charging points

Subject to these conditions the application will suitable reduce the impact of the development on climate change in accordance with local and national policy.

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 submitted a Biodiversity Metric which demonstrates a 10.05 % net gain is achievable by way of onsite biodiversity gains. However, this is not so significant as to warrant a legal agreement for monitoring. The informative attached details that the proposed net gain shall be secured post-decision.

Conclusions:

For the above reasons, the proposal is considered to be acceptable and accord with the relevant local and national planning policies.

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-Commencement Condition**: No development shall commence until the following components of a scheme to deal with the risks associated with contamination, (including asbestos contamination), of the site be submitted to and approved, in writing, by the local planning authority:

a) A preliminary risk assessment which has identified:
- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site.

The following aspects (b) - (d) shall be dependent on the outcome of the above preliminary risk assessment (a) and may not necessarily be required.

b) An intrusive site investigation scheme, based on (a) to provide information for a detailed risk assessment to the degree and nature of the risk posed by any contamination to all receptors that may be affected, including those off site.

c) Full details of the remediation measures required and how they are to be undertaken based on the results of the intrusive site investigation (b) and an options appraisal.

d) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (c) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action where required. The scheme shall be implemented as approved. Any changes to these components require the consent of the local planning authority.

Reason: As this matter is fundamental to ensure that no unacceptable risks are caused to humans, controlled waters, or the wider environment during and following the development works and to ensure that any pollution is dealt with in accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015).

4 **Pre-commencement (slab level) Condition**: No new-build development above ground floor slab level shall commence until full details of the water efficiency measures and rainwater/greywater harvesting system required by the approved water neutrality strategy (Water Neutrality Statement received 30.09.2024) have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the development is water neutral to avoid 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), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

5 **Pre-Occupation Condition**: No dwelling hereby permitted shall be first occupied until evidence has been submitted to and been approved in writing by the Local Planning Authority that the approved water neutrality strategy for that dwelling has been implemented in full. The evidence shall include the specification of fittings and appliances used, evidence of their installation, 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 to avoid 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), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

6 **Pre-Occupation Condition**: No part of the development hereby permitted shall be occupied until the necessary in-building physical infrastructure and external site-wide infrastructure to enable superfast broadband speeds of 30 megabits per second through full fibre broadband connection has been provided to the premises.

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

7 **Pre-Occupation Condition**: No part of the development hereby permitted shall be occupied until a fast charge electric vehicle charging point for that dwelling has been installed. As a minimum, the charge point specification shall be 7kW mode 3 with type 2 connector. The means for charging electric vehicles shall be thereafter retained as such.

Reason: To mitigate the impact of the development on air quality within the District and to sustain compliance with and contribute towards EU limit values or national objectives for pollutants in accordance with Policies 24 & 41 of the Horsham District Planning Framework (2015).

8 **Pre-Occupation Condition**: No part of the development hereby permitted shall be occupied until provision for the storage of refuse and recycling has been made for that dwelling (or use) in accordance with drawing number 2022/14/06. These facilities shall thereafter be retained for use at all times.

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

9 **Pre-Occupation Condition**: No part of the development hereby permitted shall be occupied until the parking, turning and access facilities necessary to serve that dwelling have been implemented in accordance with the approved details as shown on plan [2022/14/06] and shall be thereafter retained as such.

Reason: To ensure adequate parking, turning and access facilities are available to serve the development in accordance with Policy 40 of the Horsham District Planning Framework (2015).

10 **Pre-Occupation Condition**: No part of the development hereby permitted shall be occupied until the cycle parking facilities serving it have been constructed and made available for use in

accordance with approved drawing number 2022/14/06]. The cycle parking facilities shall thereafter be retained as such for their designated use.

Reason: To ensure that there is adequate provision for the parking of cycles in accordance with Policy 40 of the Horsham District Planning Framework (2015).

11 **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).

12 **Regulatory Condition**: The occupation of the dwelling shall be limited to a person solely or mainly working on the horticultural holding of Nutbourne Place Farm, or a widow or widower of such a person, and to any resident dependants.

Reason: In order to address the potential noise, disturbance and odour impacts arising from the adjacent uses, and in the interests of the amenity of future occupies in accordance with Policy 33 of the Horsham District Planning Framework (2015).

13 **Regulatory Condition:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (and/or any Order revoking and/or reenacting that Order) no development falling within Classes A, AA, B, C, and D of Part 1 of Schedule 2 of the Order shall be erected, constructed or placed within the curtilage(s) of the development hereby permitted without express planning consent from the Local Planning Authority first being obtained.

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

Biodiversity Net Gain Condition

Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 states that planning permission is deemed to have been granted subject to the "biodiversity gain condition" which means development granted by this notice must not begin unless:

(a) a Biodiversity Gain Plan has been submitted to the planning authority, and
(b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission is Horsham District Council.

This permission will require the submission and approval of a Biodiversity Gain Plan before development is begun.

For guidance on the contents of the Biodiversity Gain Plan that must be submitted and agreed by the Council prior to the commencement of the consented development please see the link:
Submit a biodiversity gain plan - GOV.UK (www.gov.uk).

Statutory exemptions and transitional arrangements
There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These can be found at Paragraph: 003 Reference ID: 74-003-20240214 of the Planning Practice Guidance, which can be found at https://www.gov.uk/guidance/biodiversity-net-gain.

Irreplaceable habitat
If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

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/24/1506
(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
Supporting Docs	BNG Metric	NONE	09.10.2024
Supporting Statement	Water Neutrality	NONE	30.09.2024
Block plan		EL/04	30.09.2024
Roof plan	Existing and Floor	2022/14/01	30.09.2024
Plans	Circular Water Tanks	2023/23	30.09.2024
Roof plan	Approved	2022/14/05	30.09.2024
Elevation plan	Approved	2022/14/04 REV A	30.09.2024
Floor plan	Approved	2022/14/03 REV A	30.09.2024
Supporting Docs	Rainwater Harvesting	NONE	30.09.2024
Site plan		2022/14/06	30.09.2024
Supporting Docs	Biodiversity Net Gain Baseline Assessment	GS172.Nutbourne PlaceFarm.BNG.v3	15.01.2025
Plans	Site Baseline Habitat Plan	GS172.Nutbourne PlaceFarm.SBHPVersion 1	10.10.2024
Design & Access Statement	Planning	NONE	30.09.2024
Supporting Statement	Ecological Impact Assessment	GS172.Nutbourne PlaceFarm.EcIA.v5	30.09.2024
Supporting Docs	Ecological Impact Assessment	GS172.Nutbourne PlaceFarm.EcIA.v5	30.09.2024
Elevation plan	Existing	2022/14/02 REV A	30.09.2024
Location plan		NONE	30.09.2024
Plans	Proposed Solar Panels	EL/05	30.09.2024
Elevation plan		2022/14/11 REV A	30.09.2024
Floor plan		2022/14/10 REV B	30.09.2024
Roof plan		2022/14/12	30.09.2024
Plans	Site Proposed Habitat Plan	GS172.Nutbourne	10.10.2024

		PlaceFarm.SPHP	
Supporting Docs	Solarport Solar Mounting Systems	NONE	30.09.2024
Supporting Docs	BNG Condition Assessment	NONE V2	15.01.2025
Supporting Docs	Biodiversity Net Gain Assessment	GS172.Nutbourne PlaceFarm.BNG.v1	30.09.2024

DELEGATED

Case Officer sign/initial Bethan Tinning Date: 17.01.2025

Authorising Officer sign/initial Guy Everest Date: 31.01.2025