



PLANNING COMMITTEE REPORT

TO: Planning Committee

BY: Head of Development and Building Control

DATE: 28 April 2026

DEVELOPMENT: Change of use of the land for the stationing of 4no. gypsy and traveller static caravans for residential purposes and 4no. associated dayrooms.

SITE: The Slips West End Lane Henfield West Sussex BN5 9RG

WARD: Henfield

APPLICATION: DC/25/1700

APPLICANT: **Name:** Mr S Tingey **Address:** C/O, Promethean Planning Ltd, Suite 114, 26 The Hornet, Chichester, West Sussex PO19 7BB

REASON FOR INCLUSION ON THE AGENDA: More than eight persons in different households have made written representations within the consultation period raising material planning considerations that are inconsistent with the recommendation of the Head of Development and Building Control.

At the request of Councillor Gill Perry and Councillor Josh Potts.

RECOMMENDATION: To approve planning permission subject to appropriate conditions

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.2 The application seeks planning permission for the stationing of four static caravans, each with a private garden area, parking, and permeable hardstanding, together with four associated day rooms. The proposal also includes access from West End Lane, the provision of native hedgerow planting, replacement and enhancement of boundary vegetation, and the creation of an enhanced grassland area. Existing mature trees protected by a TPO are to be retained, with the layout designed to maintain appropriate separation and tree protection zones.

DESCRIPTION OF THE SITE

- 1.3 The application site, known as The Slips, is located on the southern side of West End Lane, Henfield, and comprises a broadly rectangular parcel of land accessed from the north via an existing gated entrance. The site is predominantly grassed and contains several mature

boundary hedgerows, together with a group of mature oak trees protected by a Tree Preservation Order (ref: TPO/1537) along the western and eastern boundaries. The land is largely open to the east, with established boundary hedging and mature trees on the western side. The surrounding area is rural in character, defined by open fields and dispersed development along West End Lane. Ground levels fall gently across the site, and a drainage ditch runs along part of the western boundary. The land currently appears unmanaged but retains a clear vegetated structure that contributes to the rural setting.

2. INTRODUCTION

STATUTORY BACKGROUND

2.1 The Town and Country Planning Act 1990.

2.2 RELEVANT PLANNING POLICIES

The following Policies are considered to be relevant to the assessment of this application:

National Planning Policy Framework:

Horsham District Planning Framework (HDPF 2015):

Policy 1 - Strategic Policy: Sustainable Development
Policy 2 - Strategic Policy: Strategic Development
Policy 3 - Strategic Policy: Development Hierarchy
Policy 15 - Strategic Policy: Housing Provision
Policy 16 - Strategic Policy: Meeting Local Housing Needs
Policy 21 - Strategic Policy: Gypsy and Traveller Sites Allocations
Policy 22 - Gypsy and Traveller Sites
Policy 23 - Strategic Policy: Gypsy and Traveller Accommodation
Policy 24 - Strategic Policy: Environmental Protection
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
Policy 26 - Strategic Policy: Countryside Protection
Policy 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 36 - Strategic Policy: Appropriate Energy Use
Policy 37 - Sustainable Construction
Policy 38 - Strategic Policy: Flooding
Policy 39 - Strategic Policy: Infrastructure Provision
Policy 40 - Sustainable Transport
Policy 41 - Parking
Policy 42 - Strategic Policy: Inclusive Communities

Henfield Neighbourhood Plan (2021):

Policy 1: A Spatial Plan for the Parish
Policy 4: Transport, Access & Car Parking
Policy 5: Utility Infrastructure
Policy 7: Education Infrastructure
Policy 8: Broadband Infrastructure
Policy 10: Green Infrastructure & Biodiversity
Policy 12: Design Standards for Development

Parish Design Statement:

Henfield Design Statement

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 10: Flooding
 Strategic Policy 11: Environmental Protection
 Strategic Policy 13: The Natural Environment and Landscape Character
 Strategic Policy 14: Countryside Protection
 Strategic Policy 15: Settlement Coalescence
 Strategic Policy 16: protected Landscapes
 Strategic Policy 17: Green Infrastructure and Biodiversity
 Policy 18: Local Green Space
 Strategic Policy 19: Development Quality
 Strategic Policy 20: Development Principles
 Strategic Policy 24: Sustainable Transport
 Policy 25: Parking
 Strategic Policy 37: Housing Provision
 Strategic Policy 38: Meeting Local Housing Needs
 Policy 41: Rural Exception Homes
 Strategic Policy 43: Gypsies and Travellers

2.3 PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/25/0519	Change of use of land to the stationing of caravans for 5 gypsy and traveller pitches with 5 associated dayrooms, hard and soft landscaping, and parking (revised description)	Withdrawn Application on 05.08.2025
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3. OUTCOME OF CONSULTATIONS

- 3.1 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.

INTERNAL CONSULTATIONS

- 3.2 **HDC Arboricultural Officer:** Initial Comment (19/11/2025): -
- 3.3 The site contains eight mature hedgerow oak trees protected under TPO/1537 (2020), all of which are high-quality A and B category specimens that make a significant arboricultural and landscape contribution. Two of the oaks are exceptionally large and old, with potential future veteran tree value. The Tree Officer considers these trees to be key constraints to development due to their size, condition, and extensive root protection areas (RPAs).
- 3.4 The proposed layout would place caravans, hardstanding, day rooms, fencing and underground services very close to, or marginally within, the minimum recommended RPAs. In this narrow field (approximately 35m wide), the introduction of multiple residential plots would result in engineering operations within sensitive rooting zones and create long-term pressure for lopping or felling due to the close proximity of residential use to mature trees. The absence of an Arboricultural Impact Assessment is also noted.
- 3.5 The Tree Officer advises that the layout should be reconsidered to provide greater space around the principal trees. In their view, only one caravan plot could reasonably be accommodated between trees T1 and T12 on the western boundary, with two further plots

potentially repositioned further south to avoid RPAs. The relationship of Plot 3 and the associated day rooms to the eastern boundary oaks is considered unacceptable, with a recommendation that Plot 3 be omitted and the day rooms relocated. Without these revisions, the proposal is likely to have a significant adverse long-term impact on the protected oaks and their future retention.

Final Comments: 04/02/2026

- 3.6 The revisions are an improvement in terms of direct and foreseeable potential indirect impacts on the oaks.
- 3.7 As previously fed back, it would not be considered reasonable to refuse a change of use of this nature on the basis of what may happen in the future in terms of new occupier apprehension/antipathy towards the presence of the trees and the impacts that they may have from natural tree growth and ageing, based on the layout proposed. Conditions recommended.
- 3.8 **HDC Drainage Engineer:** Initial Comment 27/11/2025: -
- 3.9 Further information is required before the drainage strategy can be supported. In particular, the applicant must provide full details of existing and proposed greenfield runoff rates (including Qbar), together with calculations for pre- and post-development runoff and discharge rates for the 100%, 3.33%, 1% and 1% +45% AEP storm events. The strategy must also demonstrate that on-site SuDS can attenuate all runoff from impermeable areas (including urban creep allowance) for the 1 in 100-year +45% climate change event, with evidence of available storage volumes.
- 3.10 Additional information is required regarding permeable/impermeable area breakdowns, catchment plans, exceedance routing for extreme storm events, and measures to prevent pollution of receiving waters. Supporting foul drainage flow calculations are also needed, with confirmation that any treatment system complies with relevant legislation. A maintenance and management plan for all surface water and foul drainage features must be provided.
- 3.11 The applicant is advised that permits may be required from the Environment Agency for foul discharge and from West Sussex County Council for works affecting the ordinary watercourse. Rainwater harvesting is encouraged where possible.

Additional Comment (12/02/2026): -

- 3.12 HDC Drainage request More Information to determine that the site drainage meets the requirements of the NPPF and PPG, National standards for sustainable drainage systems (June 2025), and the Horsham District Planning Framework (2015) – Policy 35 and Policy 38.
- 3.13 **HDC Environmental Health:** Initial Comment (10/11/2025): -
- The proposed Static caravans are all too close to the boundary – they need to be 3 metres minimum for fire safety.
 - More information is needed as to where the treatment plant will be located, how often it will be emptied and treated, where the ditch is located, where it will flow to and does it have the capacity and flow to absorb the treated effluent.
 - There is potential for nuisance from light to neighbours, recommend details of proposed lighting are provided.

Final Comment 09/02/2026: -

- 3.14 Updated plans have been submitted since the initial comments which show that the caravans are all 3m from the boundary. In addition, the drainage information originally required is within the detailed drainage report. Matters regarding lighting would be controlled by condition.
- 3.15 **HDC Landscape Architect:** Initial Comment (26/11/2025): -
- 3.16 The Landscape Officer acknowledges the reduction from five to four pitches and welcomes the revised layout, which pulls development further away from protected trees and reduces hardstanding. However, several matters remain outstanding to ensure the scheme integrates sensitively within the rural landscape. A revised Hard and Soft Landscape Plan is required to clearly specify surfacing, boundary treatments, and planting. Clarification is needed regarding existing and proposed fencing—particularly the discrepancy at Plot 1—and the status and treatment of the enhanced grassland area.
- 3.17 Additional native hedgerow and tree planting is requested, particularly along the northern and western boundaries and in place of existing laurel hedges, which should be removed due to their incongruous and invasive nature. The Officer also recommends strengthening boundaries around Plot 1, revising the fencing/hedging proposed around the northern day rooms, and extending new hedging to better connect with existing vegetation. Plans should also be updated to show the ditch along the western boundary and to include a services plan demonstrating no conflict with landscape features.
- 3.18 The Officer reiterates the need to minimise urbanising features, control external lighting, and ensure the scheme maintains and enhances landscape character in line with HDPF Policies 23, 25, 31 and 33(6). Subject to a review of the landscape proposals incorporating the above points, the principle of development is not opposed.
- 3.19 **HDC Strategic Planning:** Comment.
- 3.20 The proposal is for Gypsy & Traveller (G&T) provision on a site not identified in the development plan. It is therefore not supported by HDPF Policy 21, but that is considered to be out of date. An assessment against the criteria in HDPF Policy 23 must take place by the case officer.
- 3.21 It is noted that the site is not identified as an allocation in the Council's emerging Local Plan (eLP). However, the eLP should not be afforded anything other than limited weight and should it be formally withdrawn, its policies should not attract any weight.
- 3.22 The Henfield Neighbourhood Plan (HNP) forms part of the development plan for the site. However, there is no policy relating to the principle of G&T provision and nor is the site allocated for a particular purpose or land use. It is therefore my view that the HNP will not be significant in the determination of whether the principle of the development should be accepted.
- 3.23 The Council cannot demonstrate a sufficient supply of sites to meet identified needs for G&T provision. In such circumstances national policy (as expressed in the PPTS and NPPF) explains that relevant policies of the development plan should be considered out of date and the 'tilted balance' should be engaged – though exceptions exist in relation to defined environmental issues. Such issues include that which relate to Habitats sites. It is for the case officer to consider any information provided relating to this, but if it is assessed that the exceptions to engaging the 'tilted balance' do not exist, the case officer should therefore recommend approval unless the adverse impacts of doing so would significantly outweigh the benefits.

OUTSIDE AGENCIES

- 3.24 **Place Services Ecology Consultant:** No Objection (27/11/2025): -

- 3.25 Sufficient ecological information has been submitted to enable determination. The Preliminary Ecological Appraisal and Roost Assessment (Arbtech, January 2025) confirms that no buildings are present and all trees are to be retained; therefore, no further bat surveys are required. The Badger Activity Survey (Arbtech, April 2025) identifies an outlier sett within 30m of the works, and the Officer supports the submitted Precautionary Method Statement, which should be secured by condition. A further Precautionary Method Statement for reptiles is also supported due to the loss of modified grassland during construction and should likewise be secured.
- 3.26 Subject to conditions, the development is considered capable of avoiding significant impacts on designated sites and protected or Priority species and habitats.
- 3.27 **Nature Space Ecology Consultant (Great Crested Newts):** No Objection (27/11/2025)
- 3.28 The applicant has provided an ecological report in the form of - Great crested Newt eDNA Sampling, The slips, West End Lane, Henfield, West Sussex, BN5 9RG, Arbtech, April 2025, which states: -
- It is noted that the development area is likely to result in the loss of scrub and modified grassland.
 - As per table 4 above, great crested newts are not present within the two ponds, P2 (160m west), and P3 (230m west).
 - However, due to inaccessibility, P1 could not be surveyed...Therefore, potential terrestrial impacts should be mitigated accordingly.
 - Precautionary measures for great crested newts are then outlined within the report.
- 3.29 Although the above report was unable to access P1 for eDNA surveys, this pond returned a negative eDNA IN 2023 when surveyed under another application. Are therefore satisfied with the approach provided and recommend the use of a compliance condition to secure the measures outlined within the report.
- 3.30 **WSCC Highways:** No Objection (13/12/2025).
- 3.31 The Highway Authority do 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 (NPPF), paragraphs 114 -117, as revised December 2024. Therefore, there are no transport grounds to resist this proposal.

PUBLIC CONSULTATIONS

- 3.32 Representations:
78 letters of Objection have been received from 54 addresses, objecting to the application on the following grounds:
- Design
 - Highway access and parking
 - Over development
 - Privacy, Light and Noise
 - Trees and Landscaping
 - Loss of amenity
 - Not a strategic site, nor is it allocated in the Neighbourhood plan.
 - Environmental health
 - Disproportionate addition when considered with sites already permitted in Small Dole and Henfield.

- Increased pressure on local infrastructure
- Drainage and surface water concerns
- Cumulative impact and lack of proven local need

Parish Comments:

3.33 **Henfield Parish Council:** Objection (26/11/2025): -

3.34 The Parish Council considers the development to be contrary to multiple policies of the Horsham District Planning Framework (HDPF), including Policies 1–4 relating to strategic site selection, site allocation and development outside built-up area boundaries; Policies 19 and 21 relating to the provision of caravan and gypsy and traveller accommodation; and Policies 23, 25, 31, 33, 34, 39 and 40 concerning landscape impact, natural environment, design, infrastructure capacity and sustainable transport. They raise concerns regarding safe access, landscape harm, inadequate infrastructure provision, loss of amenity to neighbours, and the site's unsustainable location.

3.35 The Parish Council also highlights national policy considerations from the Planning Policy for Traveller Sites (2024), emphasising the need to protect local amenity and to distribute pitches fairly across the district. They note that Henfield Parish, representing only around 3% of the district's geographic area, has accommodated 9 new gypsy and traveller pitches in the past four years—approximately 10% of Horsham's total identified need of 93 pitches—and therefore consider the parish to be disproportionately burdened. They argue that further pitches in this location do not reflect local need and conflict with the national expectation for a broad geographic spread of sites.

3.36 The Council also refers to a high volume of public objections and expresses concerns regarding water neutrality and biodiversity net gain, stating they are unconvinced by the supporting submissions. They note that the site has historically been an open field used occasionally for short-term camping

3.37 Member Comments:

Cllr Gill Perry – Would like further consideration given to the impact on the countryside

Cllr Josh Potts – Would like further consideration given to the impact on the countryside

4. HOW THE PROPOSED COURSE OF ACTION WILL PROMOTE HUMAN RIGHTS

4.1 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.

4.2 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.

5. HOW THE PROPOSAL WILL HELP TO REDUCE CRIME AND DISORDER

5.1 It is not considered that the development would be likely to have any significant impact on crime and disorder.

6. PLANNING ASSESSMENTS

Policy Background and the Principle of Development

- 6.1 The Council has progressed work on an updated Gypsy and Traveller Accommodation Needs Assessment (GTAA) in order to understand the latest position, and to develop an appropriate Gypsy and Traveller Policy as part of the Local Plan Review. In January 2020, the 'Gypsy and Traveller Accommodation Assessment (GTAA) – Final Report' was published. This Report was part of the background evidence base that accompanied the Local Plan Review (Regulation 18) Consultation which ran from February to March 2020. The GTAA Report provides an evidence base for the provision new Gypsy and Traveller pitches and Travelling Showpeople plots for the period 2019 to 2036. The GTAA identifies that there is a need for 93 pitches for Gypsy and Traveller households over the plan period (2019-2036).
- 6.2 To inform the development of Strategic Policy 43 of the submitted Local Plan the Council undertook a Gypsy and Traveller Accommodation Assessment (GTAA, November 2023) and a Targeted Update (September 2024) was also produced in response to changes regarding the PPTS's definition of who is a member of the G&T community for the purposes of planning policy. Collectively, 50 pitches are identified as being needed for the first five years of the submitted Local Plan (2023-2028) for those who meet the definition and also suggested a further need of 11 pitches for members of the community who it could not be determined whether they met the definition or not.
- 6.3 In terms of the Council's current policy position, Policy 22 and 23 of the HDPF are considered to hold great weight, allowing speculative gypsy and traveller sites to come forward in principle. Paragraph 28 of the PPTS (updated December 2024) outlines that if a local planning authority cannot demonstrate an up-to-date five-year supply of deliverable sites, the provisions in paragraph 11(d) of the National Planning Policy Framework apply.
- 6.4 Paragraph 11 of the NPPF states that the presumption in favour of sustainable development should apply where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless the application of policies in the Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework when taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well designed places and provision affordable homes, individually or in combination. This presumption is disengaged where footnote 7 exceptions provide a strong reason to refuse. Such exceptions include impacts on ecology or designated heritage assets. These matters are discussed further below.
- 6.5 Policy C of the PPTS relates to sites in rural areas and the countryside, with paragraph 14 stating that *"when assessing the suitability of sites in rural or semi-rural settings, local planning authorities should ensure that the scale of such sites does not dominate the nearest settled community"*. Paragraph 26 of the PPTS continues that local planning authorities *"should very strictly limit new traveller site development in open countryside that is away from existing settlements or outside areas allocated in the development plan. Local planning authorities should ensure that sites in rural areas respect the scale of, and do not dominate, the nearest settled community, and avoid placing an undue pressure on the local infrastructure"*.
- 6.6 Policy 23 (Gypsy and Traveller Accommodation) of the HDPF seeks to resolve specific issues regarding un-allocated sites (rather than the principle of a development), and states that the following criteria (a-e in subsequent sections of this report) will be taken into consideration when determining the allocation of land for Gypsies, Travellers and Travelling

Showpeople and any planning applications for non-allocated sites. In terms of the site's location, the Policy states that it must be demonstrated that:

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

6.7 The proposal would deliver 4 additional pitches, making a meaningful contribution toward addressing the identified shortfall. The site is located on the edge of Henfield, a settlement identified as a Larger Village under Policy 3 of the HDPF, with access to a range of services and facilities within a reasonable distance by car. Case law and appeal decisions within the District consistently confirm that Gypsy and Traveller sites are not required to achieve the same level of non-car accessibility as general market housing, given the policy acceptance that such sites will often be located in rural or semi-rural areas.

6.8 Therefore, having regard to the significant unmet need for Gypsy and Traveller accommodation, the absence of a five-year supply, the provisions of the PPTS and NPPF, and the limited weight that can be attributed to emerging policy, the principle of development is considered acceptable, subject to detailed assessment of site-specific impacts.

Character and Appearance

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

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

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

6.11 The application site currently comprises an undeveloped field with a strong rural character, defined by open grassland enclosed by mature hedgerows and trees. The introduction of residential Gypsy and Traveller pitches associated hardstanding, day rooms, parked vehicles and domestic paraphernalia would result in a clear and perceptible change in character, from an open agricultural field to a semi-domestic form of development. This change has been strongly highlighted in representations received from members of the public.

6.12 The proposal would change the existing rural character of the site and its immediate surroundings, with the key consideration whether this change would be harmful.

6.13 The proposed development is modest in scale, limited to four single-storey static caravans with small associated day rooms. The built form would be low and dispersed across the site, avoiding a visually dominant or intensive layout. The site benefits from substantial existing tree and hedgerow cover, which provides effective screening from West End Lane and significantly limits wider public views. Additional native planting is also proposed and can be secured by condition to further soften the development over time.

6.14 The pattern of development along West End Lane is not uniform and includes sporadic residential uses set within landscaped plots. In this context, while the proposal would alter

the character of the site itself, it would not appear incongruous within the broader landscape setting when viewed from the public realm.

- 6.15 The Landscape Officer assessed the site and has acknowledged that the revised layout represents an improvement over the previously withdrawn scheme and has confirmed that, subject to further landscape mitigation and detailed controls, the principle of development is not opposed. It is considered that suitable mitigation (and future control) can be secured through condition, and this forms part of the recommendation.
- 6.16 It is also noted that national planning policy for traveller sites explicitly anticipates that such developments will often be located in rural areas and that some change to local character is unavoidable where unmet need exists. Appeal decisions within the District, including the Greenfield Farm appeal, have found that moderate landscape and character harm does not outweigh the significant public benefit of meeting an acute shortfall in Gypsy and Traveller accommodation, provided impacts are not severe or irreversible.
- 6.17 In this case, the identified harm to character and appearance is considered to be localised, moderate and capable of mitigation through landscaping, layout control, and conditions. When weighed against the substantial and well-documented unmet need for Gypsy and Traveller pitches, it is considered that the degree of landscape harm would not warrant a refusal of planning permission.
- 6.18 Accordingly, while the proposal would result in a change to the character of the site and some harm to the rural appearance of the area, it is concluded that this harm is not unacceptable and does not outweigh the benefits of the development.

Landscape and Trees:

- 6.19 The site is bounded by mature hedgerows and trees, including specimens protected by Tree Preservation Order, which make a positive contribution to local character and visual amenity. Policy 25 of the Horsham District Planning Framework (HDPF) seeks to conserve and enhance landscape character, while Policy 32 requires development to respect natural features, including trees.
- 6.20 The Council's Tree Officer initially raised concerns regarding:
- The proximity of parts of the development to Root Protection Areas (RPAs),
 - The practicality of installing and maintaining tree protection fencing during construction,
 - The absence of a fully BS5837-compliant Arboricultural Impact Assessment (AIA), and
 - The potential for long-term pressure on retained TPO trees arising from residential use in close proximity.
- 6.21 These matters did not constitute an in-principal objection to the use of the site, but rather identified the need for layout refinement, appropriate construction methodology and long-term management safeguards to ensure the successful retention of the protected trees.
- 6.22 The applicant subsequently amended the layout and provided additional clarification. Following review, the Arboricultural Officer confirmed (04/02/2026) that the revisions represent an improvement in reducing direct and indirect impacts on the oak trees and advised that it would not be reasonable to resist the proposed change of use on the basis of speculative future pressure from occupiers.
- 6.23 The Arboricultural Officer's remaining comments relate to implementation and management matters, such as protection during construction, working space, and safeguarding soil

conditions, which can be appropriately secured through planning conditions and are not uncommon considerations where development occurs in proximity to mature trees.

- 6.24 The Landscape Officer has similarly advised that the principle of development is not opposed in landscape terms. While further planting, replacement of non-native hedging and detailed landscape specification are recommended to reinforce rural character, these are matters of mitigation and enhancement rather than fundamental objections.
- 6.25 It is considered that the residual arboricultural and landscape matters can be addressed through conditions requiring development take place in compliance with the Arboricultural Impact Assessment and Method Statement and a detailed hard and soft landscaping scheme together with a long-term landscape management plan.
- 6.26 Subject to these conditions, the proposal would not result in unacceptable harm to protected trees, landscape character or visual amenity and is therefore considered to comply with Policies 25, 32 and 33 of the HDPF.

Residential Amenity:

- 6.27 Policy 33(2) of the HDPF states that development will be required to ensure that it is designed to avoid unacceptable harm to the amenity of occupiers/users of nearby property and land. Policy 23(e) of the HDPF also requires an assessing of amenity impact for non-allocated gypsy / traveller sites.
- 6.28 The site is separated from neighbouring dwellings by distance, vegetation, and changes in land use character. The proposed caravans and day rooms are single storey, limiting potential for overlooking or overbearing impacts. Activity associated with the site would be typical of a small Gypsy and Traveller site and would not differ materially from other lawful residential uses. The Environmental Health Officer has not raised any in principal objection to the proposal.
- 6.29 Each pitch would also benefit from a generous amenity space, hosting 2 x day rooms to the north and 2 further day rooms adjacent to pitches 3 and 4, parking areas. There is an adequate grassed area to the side of each pitch. The arrangement is considered sufficient to provide suitable amenity space and areas for play for children. The proposal would therefore accord with 23(c) of the HDPF.
- 6.30 On this basis, the proposal is not considered to give rise to unacceptable impacts on residential amenity and would therefore comply with Policies 23(e) and 33 of the HDPF.

Highways Impact:

- 6.31 Policy 23(b) of the HDPF states that development for non-allocated gypsy / traveller sites must demonstrate that:
 - b. The site is served by a safe and convenient vehicular and pedestrian access. The proposal should not result in significant hazard to other road users;*
- 6.32 In addition, Policy 40 of the HDPF seeks to direct development to areas which are integrated with sustainable transport networks, encourage sustainable transport choices and ensure that new development is safe for all modes of transport, including vehicles, cyclists and pedestrians. In addition, proposals should minimise conflict between traffic, cyclists and pedestrians.
- 6.33 The proposal utilises an existing access onto West End Lane. The Local Highway Authority has raised no objection, confirming that the development would not result in severe impacts on highway safety or network operation, in accordance with paragraph 115 of the NPPF.

- 6.34 Adequate on-site parking is provided for each pitch, including space for touring caravans, and turning facilities are available within the site. Given the modest scale of development, the level of additional traffic generated would be limited. The Highway Authority have commented that there appears to be sufficient space for on-site turning to be achievable, to ensure that manoeuvring can take place on the site and allow car users and visitors to exit the site in a forward gear. With this in mind, the proposal would accord with the above policies on parking and vehicle circulation grounds.
- 6.35 In the absence of a technical objection from the Highway Authority, there are no defensible highway grounds on which to resist the proposal.

Ecology:

- 6.36 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.
- 6.37 The application is supported by ecological information including a Preliminary Ecological Appraisal and Roost Assessment (Arbtech Consulting Ltd., January 2025), Badger Activity Survey (Arbtech Consulting Ltd., April 2025) and *Great Crested Newt eDNA Sampling*.
- 6.38 The Council's Ecologist has confirmed that, subject to conditions and/or licensing requirements, impacts on protected species can be appropriately mitigated. The development is therefore considered capable of complying with Policy 31 of the HDPF and the relevant provisions of the NPPF, subject to conditions.

Water Neutrality:

- 6.39 A 2021 Position Statement from Natural England identified that it could not be concluded with the required degree of certainty that new development in the Sussex North Water Supply Zone would not have an adverse effect on the integrity of the Arun Valley SAC, SPA and Ramsar sites. As a consequence, and to comply with the legal duties set out in the Conservation of Habitats and Species Regulations 2017 (known as the Habitat Regulations), all new development since has been required to demonstrate water neutrality.
- 6.40 On 31st October 2025 Natural England formally withdrew the 2021 Position Statement, citing a package of measures that they were satisfied would safeguard the Arun Valley sites. Principal amongst these measures is a reduction in the Southern Water abstraction licence 'by March 2026'. However, given the licence change has not yet taken place Horsham District Council, as competent authority under the Habitats Regulations, cannot yet be certain that new development will not result in adverse impacts on the Arun Valley sites.
- 6.41 To ensure development can come forward as water neutral in the meantime, the Council has agreed with Natural England to use the significant water savings made by Southern Water in 2024/25 through their programme of leakage reduction (amongst other measures). This has generated some 3,240,000 litres per day of water savings that can now be attributed to new development without increasing water abstraction in the Arun Valley beyond baseline. These savings were previously to be used to launch the Sussex North Water Certification Scheme (SNWCS), however following the withdrawal statement SNWCS will no longer be launching. Natural England standing advice dated 10 November 2025 raises no objection to using these savings to enable development to come forward. The standing advice clarifies that it functions as Natural England's formal response pursuant to Regulation 63(3) of the Conservation of Habitats and Species Regulations 2017 to all relevant planning applications which seek to achieve water neutrality using the above Southern Water savings.

- 6.42 Officers have undertaken an Appropriate Assessment which demonstrates that the anticipated increase in mains water consumption from this development, alongside all other development granted since the 31st October 2025, will not exceed 3,240,000 litres per day.
- 6.43 Accordingly, Officers consider that the proposed development will not have an Adverse Effect on the Integrity of the Arun Valley Site, either alone or in combination with other plan and projects, thereby complying with Regulations 63 and 70 of the Conservation of Habitats and Species Regulations 2017, HDPF Policy 31, and paragraph 193 of the NPPF.

Other Matters

Barriers to Development

- 6.44 Policy 23 of the HDPF states that development for non-allocated gypsy / traveller sites states that:
- a) There must be no significant barriers to development in terms of flooding, poor drainage, poor ground stability or proximity to other hazardous land or installation where conventional housing would not be suitable.

And,

- c) *The site can be properly serviced and is supplied with essential services, such as water, power, sewerage and drainage, and waste disposal. The site must also be large enough to provide adequate vehicle parking, including circulation space, along with residential amenity and play areas;*
- 6.45 The Council's Drainage Officer has reviewed the submitted Flood Risk Assessment and Drainage Strategy and confirmed that the site is located within Flood Zone 1 and that the proposed approach to surface water management is acceptable in principle. While further detailed calculations are required (including greenfield runoff rates, attenuation volumes, exceedance routing, and final foul drainage specifications), these matters relate to the detailed design and engineering of the drainage system rather than the fundamental suitability of the site for the proposed use. There is no technical objection indicating that an appropriate drainage solution cannot be achieved.
- 6.46 In such circumstances and having regard to the six tests for planning conditions set out in national policy and guidance, it is reasonable and proportionate to secure the outstanding details through pre-commencement conditions. This approach is consistent with appeal decisions and ensures that a fully policy-compliant sustainable drainage scheme is agreed prior to development taking place, in accordance with Policies 23 and 38 of the Horsham District Planning Framework and the National Planning Policy Framework.
- 6.47 In addition to the above, whilst the amenity space serving each of the caravans would be modest, it is not an unacceptable provision. With the above in mind, the proposal is considered to accord with the provisions of HDPF Policy 23(c).

Biodiversity Net Gain (BNG):

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

- 6.49 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 (on unregistered sites) and significant on-site enhancements will be secured over this period by way of a Legal Agreement.
- 6.50 The Applicant has submitted a Biodiversity Metric which demonstrates a 10% net gain is achievable by way of onsite biodiversity gains.

Conclusion and Planning Balance

- 6.51 The Council cannot currently demonstrate a five-year land supply for gypsy sites, and at present there remains an identified undersupply of available sites within the District. Paragraph 11(d) of the NPPF states that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, planning permission should be granted unless the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. In this context it is recognised that the proposal would go some way to addressing the identified need. This is a material consideration of *significant weight* in the overall planning balance.
- 6.52 It is considered that although the application site is located within the countryside it is within a reasonable distance of services and facilities. Further, the scale of the site and its relationship with surrounding properties and land is such that there would be no adverse impacts on neighbouring amenity, highways safety concerns and landscape character subject to appropriately worded conditions. No other adverse findings have been found in respect of any other material consideration.
- 6.53 When assessed against the policies of the NPPF taken as a whole, the adverse impacts identified, principally moderate landscape character change, do not significantly and demonstrably outweigh the substantial benefits of delivering much-needed Gypsy and Traveller accommodation in the District.
- 6.54 For the reasons set out above, and having regard to the development plan read as a whole, national policy, and material considerations including the acute unmet need for Gypsy and Traveller accommodation, the proposal is considered acceptable. The application is therefore recommended for approval, subject to conditions.

7. RECOMMENDATION:

- 7.9 To approve full planning permission subject to the conditions set out below

1. A list of the approved plans and documents
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 a drainage strategy detailing the proposed means of foul and surface water disposal has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

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

4. **Pre-Commencement Condition:** No development shall take place until full details of all hard and soft landscaping works shall have been submitted to and approved, in writing, by the Local Planning Authority. The details shall include plans and measures addressing the following:

- a) Details of all existing trees and planting to be retained.
- b) Details of all proposed trees and planting, including schedules specifying species, planting size, densities and plant numbers and tree pit details.
- c) Details of all boundary treatments.
- d) Details of all hard surfacing materials and finishes.

The approved landscaping scheme shall be fully implemented in accordance with the approved details within the first planting season following the first occupation of any part of the development.

Any trees or plants which, within a period of five years from completion of the development, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless otherwise agreed in writing by the Local Planning Authority.

Reason: As this matter is fundamental to ensure a satisfactory development that is sympathetic to the landscape and townscape character and built form of the surroundings, and in the interests of visual amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015).

5. **Pre-Commencement Condition:** No development shall take place until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the Biodiversity Gain Plan and including:

- a) a non-technical summary;
- b) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the Biodiversity Gain Plan; and
- c) the management measures to maintain habitat in accordance with the Biodiversity Gain Plan from the completion of development.

has been submitted to, and approved in writing by, the Local Planning Authority.

The created and/or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP. Any proposed or retained planting, which within a period of 5 years after the completion of development, dies, is re-moved, or becomes seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: As this matter is fundamental to ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 and Policy 31 of the Horsham District Planning Framework (2015).

6. **Pre-Commencement Condition:** No development shall take place until a Biodiversity Enhancement Layout for the enhancements identified in the Preliminary Ecological Appraisal and Roost Assessment (Arbtech Consulting Ltd., January 2025) and *Badger Activity Survey* (Arbtech Consulting Ltd., April 2025) have been submitted to and approved in writing by the Local Planning Authority. The layout shall include:

- a) Detailed designs or product specifications; and
- b) Locations, orientations and installation heights on appropriate drawings.

The enhancement measures shall be implemented in accordance with the approved details prior to occupation and all features shall be retained in that manner thereafter.

Reason: As this matter is fundamental to enhance protected and Priority species & habitats and in accordance with Policy 31 of the Horsham District Planning Framework (2015).

7. **Pre-Commencement Condition:** No development shall take place, including site clearance or the bringing of materials or machinery onto the site, until tree protective fencing has been erected in full accordance with Section 6 of BS 5837:2012 around all trees shown for retention on drawing no. 2412WE_R5_001 and any off-site trees whose root protection areas extend into the site.

The fencing shall be maintained for the duration of construction works. No materials, machinery, spoil, or chemicals shall be stored or used within the protected areas.

Reason: As this matter is fundamental to ensure the successful and satisfactory protection of important trees and hedgerows on the site in accordance with Policy 33 of the Horsham District Planning Framework (2015).

8. **Pre-Commencement Condition:** No development shall commence until a Landscape Management Plan (LMP) for a minimum period of five years has been submitted to and approved in writing by the Local Planning Authority. The LMP shall include:

- Plans showing the areas covered by the LMP;
- Maintenance schedules for soft and hard landscaping;
- Maintenance of SuDS landscaping features;
- Replacement planting procedures; and
- Monitoring and review mechanisms.

The development shall thereafter be managed in accordance with the approved LMP.

Reason: As this matter is fundamental to ensure a satisfactory development that is sympathetic to the landscape and townscape character and built form of the surroundings, and in the interests of visual amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015).

9. **Pre-Commencement (Slab Level) Condition:** No development above ground floor slab level of any part of the development hereby permitted shall take place until a

schedule of materials and finishes and colours to be used for external walls, window and roofs of the development has been submitted to and approved in writing by the Local Planning Authority. The development shall take place in accordance with the agreed details.

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

10. **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until the parking, turning and access facilities have been provided in accordance with the approved plans. The parking, turning and access facilities shall be retained as such thereafter.

Reason: In the interests of road safety and in accordance with Policy 40 of the Horsham District Planning Framework (2015).

11. **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until details for the provision for the storage of refuse and recycling facilities have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be provided prior to occupation of the development hereby permitted and 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).

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

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

13. **Regulatory Condition:** All works shall be carried out in full accordance with the submitted Tree Planning Report and Arboricultural Method Statement (Revision A, 26.01.26).

Reason: To ensure the successful protection of retained trees in accordance with Policies 30 and 33 of the Horsham District Planning Framework (2015).

14. **Regulatory Condition:** All mitigation and enhancement measures shall be carried out in accordance with the Preliminary Ecological Appraisal and Roost Assessment (Arbtech Consulting Ltd., January 2025), *Badger Activity Survey* (Arbtech Consulting Ltd., April 2025) and the Precautionary Method Statement for reptiles.

Reason: To safeguard protected species and habitats in accordance with Policy 31 of the Horsham District Planning Framework (2015) and Section 40 of the NERC Act 2006.

15. **Regulatory Condition:** This permission does not authorise use of the land as a caravan site by any persons other than Gypsies and Travellers, as defined in Annex

1 of Planning Policy for Traveller Sites (Department for Communities and Local Government 2015).

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

16. **Regulatory Condition:** No more than 4 caravans (of static or mobile home type), as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 (or any Act revoking or re-enacting these Acts), shall be stationed on the site at any time. There shall be no more than four (4) touring caravans stationed on site at any time and these shall not be occupied by any person at any time whilst stationed on the application site.

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

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

Reason: To safeguard the amenities of the locality in accordance with Policies 32 and 33 of the Horsham District Planning Framework (2015).

18. **Regulatory Condition:** No vehicle over 3.5 tonnes shall be stationed, parked or stored on the site.

Reason: To safeguard the amenities of the locality in accordance with Policies 32 and 33 of the Horsham District Planning Framework (2015).

19. **Regulatory Condition:** The development hereby permitted shall limit the water usage of each pitch to no more than 110 litres per person per day. The subsequently installed water limiting measures shall thereafter be retained.

Reason: To limit water use in order to improve the sustainability of the development in accordance with Policy 37 of the Horsham District Planning Framework (2015), and 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), Paragraph 193 of the National Planning Policy Framework (2024), and to allow the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

NOTE TO APPLICANT

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 \(www.gov.uk\)](https://www.gov.uk/guidance/biodiversity-net-gain).

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.

Notes to Applicant: -

1. Riparian Responsibilities and Watercourse Maintenance
The applicant is advised that the ditch along the northern boundary is an ordinary watercourse for which the landowner is the Riparian Owner. The watercourse associated culvert beneath the access, and any outfall relied upon for the site drainage must be maintained, kept clear of obstruction, and managed to ensure the free flow of water at all times. Failure to maintain the watercourse may increase flood risk or result in blockage of the drainage outfall. Ongoing maintenance is the responsibility of the landowner.
2. Ordinary Watercourse Consent
The applicant is advised that works within, adjacent to, or affecting an ordinary watercourse (including culverting, outfalls, or alterations to flow) may require Ordinary Watercourse Consent from West Sussex County Council as the Lead Local Flood Authority. This consent is separate from planning permission and must be obtained before such works are undertaken.
3. Environmental Permit
The applicant is advised that, in addition to planning permission, an Environmental Permit may be required from the Environment Agency for any discharge of treated foul water to ground or to a surface water body. The applicant should contact the Environment Agency directly to confirm permitting requirements prior to installation of any non-mains drainage system.
4. Informative – Sustainable Water Management
The applicant is encouraged to consider the incorporation of rainwater harvesting and water re-use measures within the development to support sustainable water management and reduce surface water discharge, in accordance with national sustainable drainage objectives.

8. USE OF AI

- 8.1 This report has been prepared with the support of artificial intelligence tools. All content has been reviewed and approved by the report author to ensure accuracy, appropriateness and compliance with council policies.