Rusper Parish Council Response to planning application DC/25/1166

DC/25/1166 - Stumbleholme Farm Rusper Road Ifield West Sussex RH11 0LQ
Prior Notification for change of use from an agricultural buildings to 10no. dwellings (C3 Use Class)

Summary:

Rusper Parish Council strongly objects to this application.

Rusper Parish Council [RPC] endorses the objections raised by D Wilson BSc (Hons) MRTPI an Inspector appointed by the Secretary of State in his appeal decisions Appeal Ref: APP/Z3825/W/24/3341956, decision date: 10 April 2025 and Appeal Ref: APP/Z3825/W/24/3341965, decision date: 13 June 2025. The key points of these are listed below and are still relevant to this new application.

We further endorse the decision of Horsham District Council [HDC] planning department in it's original rejection of the applications Ref. DC/24/0033 and DC/24/0036, dated January 2024, which were refused by notices dated March 2024. Again, we highlight key points from those decisions which are still relevant to the new application.

The concerns raised by RPC to the previous applications for this site, still remain and are outlines in our previous submissions for applications Ref. DC/24/0033 and DC/24/0036, which are included below as Appendix 1.

We also support the objections raised by local residents.

This new submission does not include sufficient detail of the existing structures and proposed changes to establish if any change of footprint has occurred, which was a key criteria for the Inspector's rejection previously. Neither does it include an overall block diagram to show the site layout and interspersal of other farm buildings all of which would impact the overall decision. It offers no information in terms of water neutrality or highways impact, which RPC feels would both be detrimental in planning terms.

In the event that the officers are minded to propose the acceptance of this application, Rusper Parish Council would ask for it to go to full committee.

Key Points From Planning Inspectorate

Please see the previous Appeal Decision Notices: Appeal Ref: APP/Z3825/W/24/3341956, decision date: 10 April 2025 and Appeal Ref: APP/Z3825/W/24/3341965, decision date: 13 June 2025.

Both of these established that the proposals failed the basic requirements and the new proposal fails to address any of the points raised.

Key Points From HDC Planning Department

> 1 The proposed development would result in development that would extend beyond the external dimensions of the existing buildings. The proposed development would therefore be contrary to the requirement of Q.1(h) of Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended.

2 The proposal fails to demonstrate, to the satisfaction of the Local Planning Authority, that the building is capable of conversion without the construction of new structural elements and that the proposed building operations would go beyond what would be reasonably necessary for the building to function as a dwellinghouse, as permitted by Class Q. The proposal therefore fails to comply with the requirements of Q.1.(i) of Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended.

3 Given the location and siting of the building, there is the potential for future occupiers of the dwellings to be adversely impacted by the existing agricultural buildings. As such, it is considered that noise impacts of the development and siting of the buildings make it undesirable to change to residential uses, contrary to the requirement of Q.2(1)(b) and Q.2(1)(e) of Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended.

Despite the Inspector failing to agree on point 2, it is clear that no new structural survey has been provided to support the new application and the concern is thus still valid for the new application, especially as any existing structures would have deteriorated in the mean time.

Additional Important Planning Points From RPC

See Appendix 1 below for the RPC response to previous applications for this site that are equivalent to the current application and are still valid.

An application for prior notification under permitted development rights needs to fulfill the following criteria:

(a) transport and highways impacts of the development,

(b) noise impacts of the development,

(c) contamination risks on the site,

(d) flooding risks on the site,

(e) whether the location or siting of the building makes it otherwise impractical or undesirable for the building to change from agricultural use to a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order, and

(f) the design or external appearance of the building

Clearly this proposal fails most if not all of these criteria.

The site fails to meet the NPPF guidance for sustainable development. This site is in a rural location with no bus service and access to the wider road network is via narrow country lanes with no footpath, or cycleways. It is away from any built boundary and over 2 miles from the nearest shops and services.

Rusper Parish Council shares the serious concerns expressed by both the West Sussex Area Footpath Officer for the Ramblers and the Principal Rights of Way Officer for WSCC regarding the impact on the public footpath that runs through this development and its proximity to the proposed conversions.

Additionally, the buildings have been, and still are, in use to support a working farm. It is hard to see how a residential development of this scale would be a safe environment mixed as it is within working farm buildings. Further, it would bring into question the viability of the farm when these buildings are taken out of use. We have seen instances elsewhere in the parish where mixing

housing development in the form of barn conversions with working farm buildings lead to a failure of both enterprises and create a situation that is unsafe for both activities.

The revised applications fail to address any of the key points raised previously and makes no reference to any water neutrality measures.

Southern Water seem to be confused in their response. Whilst they are not responsible for waste water, this site will be supplied by Southern Water, with the resultant additional impact on the Arun Valley extraction sites and wildlife impacts. They should be informed of their mistake.

Most importantly, the water supply for this site comes from the Arun Valley via the Southern Water network, but all waste water goes out to the Thames Valley via Thames Water. This means that all water usage on the site is a net drain on the Arun Valley and a direct impact on the Arun Valley SPA, SAC and Ramsar Site. Additionally this means that all waste water from the site will create an increase of flood risk along the river Mole, where it eventually drains. All of the basic calculation tools work on the assumption that waste water runs off to the same system as the supply water, but in this area it is clearly not the case.

The application is missing a number of key documents: in addition to a missing water neutrality statement, there is no block layout diagram or site location plan. There is no transport statement beyond the comment “... the proposed development is likely to lead to a net reduction in vehicle movements ...", which seems highly unlikely given that the majority of vehicle movements within a working farm are not likely to involve a lot of public highway access. There is also no indication of waste water management, nor any report on any possible contamination on the site.

Appendix 1

Rusper Parish Council
Response to planning applications DC/24/0033 and DC/24/0036 and including DC/24/0034, DC/24/0037 and DC/24/0038

Rusper Parish Council Strongly Objects to all of these applications.
The Parish Council further points out that as these applications are for a linked development on the same site by the same applicant they should be considered as a single application in planning terms.

In the event that the officers are minded to propose the acceptance of any of these applications, Rusper Parish Council would ask for it to go to full committee and that the Parish Council is allowed to speak to their objections at the meeting.

These applications are a resubmission of the applications for prior approval that were submitted in 2023 and were refused (DC/23/1839 and DC/23/1840). Rusper Parish Council's objections to those applications still hold for the new full applications.

The overall impact of the two applications DC/24/0033 and DC/24/0036 would be to create a new settlement of ten new dwellings away from any existing developed area and amenities and not serviced by any public transport. The access to the location from a narrow country road becomes even more of an issue when the two applications are considered together.

Rusper Parish Council also supports the serious concerns expressed by the WSCC Access Ranger regarding the impact on the public footpath that runs through this development.

Additionally, the buildings have been, and according to the supporting statement still are, in use to support a working farm. It is hard to see how a residential development of this scale would be a safe environment mixed as it is within working farm buildings. Additionally, it would bring into question the viability of the farm when these buildings are taken out of use.

The revised applications fail to address any of the key points raised previously and make no reference to any water neutrality measures.

All of the applications (DC/24/0033 and DC/24/0036 along with DC/24/0034, DC/24/0037 and DC/24/0038) when considered together as representing development on the same site by the same applicant, represent an abuse of planning regulations. The arguments put forward in the supporting statements that accompany both applications rely on the assumption that the planning authorities will ignore the fact that the combined proposal for development of this site would result in twelve new dwellings and thus fall well outside the guidance for “Permitted development”.

DC/24/0033

Prior Notification for Change of Use of Agricultural Building to 5no. dwellinghouses (C3 Use class).
Stumbleholme Farm Rusper Road Ifield West Sussex RH11 0LQ

Rusper Parish Council Strongly Objects to this application.

The site fails to meet the NPPF guidance for sustainable development. This site is in a rural location with no bus service and access to the wider road network is via narrow country lanes with no footpath, or cycleways. It is away from any built boundary and over 2 miles from the nearest shops

and services.

The location of the existing barns is down a narrow farm track that exits onto the nearest public road between sharp bends. The road exits to a narrow country lane with no street lighting.

Despite the reference to recent government statements made in the supporting statement, Rusper Parish Council strongly believe that these considerations make it impractical or undesirable to change the use of this site to housing.

The Transport Statement says:

> *- as regards transport implications / assessment the proposed development is likely to lead to a net reduction in vehicle movements when comparing the existing use to the proposed use. No transport mitigation impacts required.*

This seems to be unjustified. It is hard to believe that five new housing units, each with at least two car parking bays, in an area with no public transport, or safe cycling routes, will not generate at least 20 vehicle movements a day, virtually every day of the year.

Currently farm vehicles are rarely seen exiting or entering the site and even at peak farming times during preparation and harvest, numbers that high are unlikely. It is hard to believe that the current farm use would generate over 7,000 vehicle movements a year.

The entry/exit for this site onto the narrow country lane that is Rusper Road, between two bends on a section of road prone to frequent flooding, is not an acceptable option to support this many new dwellings. See images below from Google Street View.





The Contamination Statement says:

> *- On the basis that it is confirmed that the barn has only been previously used for the keeping of livestock, storage of hay, feed and agricultural plant there would be no contamination issues arising. No remediation measures proposed or required. No further work is required relating to ground conditions / contamination at the site, for its proposed conversion.*

There is some concern that the storage of agricultural plant could lead to contamination and this should be checked.

In terms of flooding the main concern would be that the current section of road, where this site exits, is prone to frequent heavy flooding and this would additionally impact the safety of vehicles entering and exiting the site on a daily basis. It is noted that Barn B in this application is close to the River Mole, and looking at maps we believe it's flood risk zone 2 at that point.

The proximity to the river means that their waste water will probably discharge directly into the river after treatment via a septic tank, but it will not benefit from the additional removal of pollutants by vegetation and micro-organisms from flowing through ditches and soil. This gives the Parish Council concerns about possible river pollution.

The proposal makes no reference to water usage, or climate impact mitigation. Rusper Parish Council would expect that development in such a rural location would provide significant rain water capture and filtering to reduce the impact on the main water supply. In fact the current Environmental Emergency in the Arun Valley would prohibit any development in this area at this time. Additionally, no mention of solar panels or other renewable energy options is made and the Parish Council would expect this for such a development.

This application should be considered as a single application with DC/24/0036 and the overall impacts used to determine the planning criteria that should be applied.

In advance of any decision on the application, in line with the applicant's request, Rusper Parish Council would appreciate being involved in any discussions with the applicant and their agent.

DC/24/0036

Prior Notification for Change of Use of Agricultural Building to no 5 dwellinghouses.
Stumbleholme Farm Rusper Road Ifield West Sussex RH11 0LQ

Rusper Parish Council Strongly Objects to this application.

The site fails to meet the NPPF guidance for sustainable development and all of our objections for DC/24/0033 apply to this applications.

Additionally, there seems to be a lot of contradiction between this application and DC/24/0034 Prior Notification for demolition of existing agricultural barn. DC/24/0036 is for the conversion of two barns and the application documents include a structural report that says the base structure of the barns is sound. DC/24/0034 indicates the same two barns on the location diagram and the supporting statement describes the complete demolition of both structures.