



## HORSHAM DISTRICT COUNCIL CONSULTATION

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| <b>TO:</b>             | Horsham District Council – Planning Dept                                                                                                                                                                                                                            |
| <b>LOCATION:</b>       | Mowbray Phase 1 Area 4 Land North of Horsham Old Holbrook Horsham                                                                                                                                                                                                   |
| <b>DESCRIPTION:</b>    | Permission in Principle for the erection of 1no. Replacement detached two-storey dwelling following demolition of existing residential annexe                                                                                                                       |
| <b>REFERENCE:</b>      | DC/26/0870                                                                                                                                                                                                                                                          |
| <b>RECOMMENDATION:</b> | Objection on the grounds of development falling within the minimum 15m Ancient woodland buffer, and foreseeable development within the root Protection Area (RPA's) of the mature protected woodland edge trees which are located within the boundaries of the SDNP |

### **SUMMARY OF COMMENTS & RECOMMENDATION:**

The existing dwelling, associated outbuildings, and its entire residential curtilage, with the exception of the area adjoining Shoreham Road, are surrounded by designated Ancient Woodland (AW). The Ancient Woodland adjoining the western and southern boundaries of the property is subject to statutory protection under TPO/1466. Furthermore, the property is bordered to the south, east and west by the South Downs National Park, and the Ancient Woodland falls entirely within its boundaries.

An objection is raised to this proposal on the grounds that insufficient information has been provided to establish that the principle of development would meet with the requirements of National Planning Policy Framework (NPPF) and the Natural England/Forestry Commission Standing Advice relating to development proposals that fall within influencing distance of Ancient Woodland.

Whereby, as proposed, the scheme is not considered to comply with the requirements of paragraph 193(c) of the NPPF, as there is inadequate evidence to demonstrate that the development would not result in the deterioration or loss of irreplaceable habitat, or that any such harm would be wholly exceptional and clearly outweighed by the public benefits of the development.

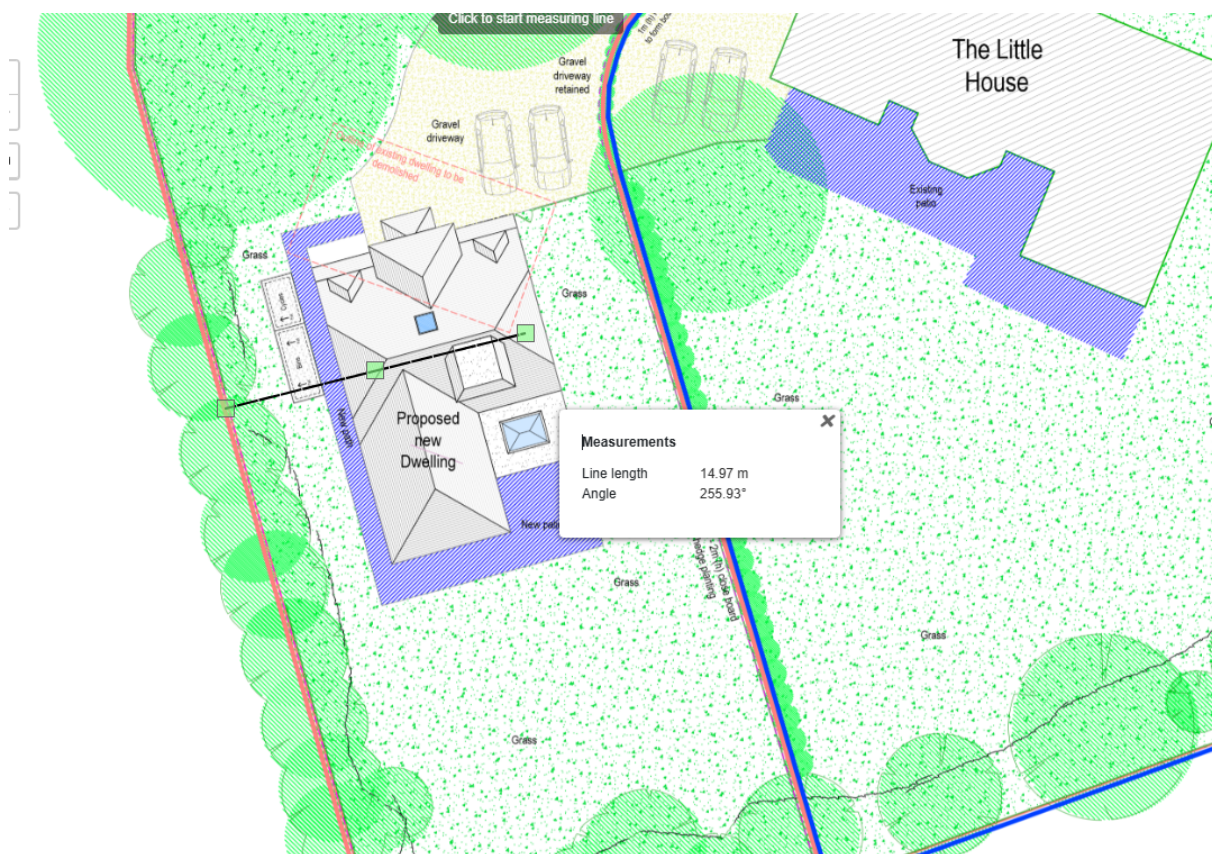
**193.** When determining planning applications, local planning authorities should apply the following principles:

(c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons [20](#) and a suitable compensation strategy exists; and

The NPPF identifies infrastructure projects, including Nationally Significant Infrastructure Projects (NSIPs), Transport and Works Act Orders, and hybrid bills, as examples of wholly exceptional reasons where the public benefit would clearly outweigh the loss or deterioration of irreplaceable habitat.

#### MAIN COMMENTS:

it is acknowledged that within the area proposed for the new dwelling are several existing outbuildings. However, the application seeks Permission in Principle for the erection for of a new dwelling and the establishment of a separate residential curtilage, from the existing dwelling at the at site. As such, the main consideration in relation to trees and Ancient Woodland is whether the proposed development, as shown on Drawing No. HA/23/P/3, would not negatively impact the adjacent Ancient Woodland or that it can meet with the requirements of the need to establish a minimum 15-metre Ancient Woodland buffer between the new development and the adjacent Ancient Woodland as recommended within the Natural England and Forestry Commission Standing Advice for development adjacent to Ancient Woodland.



Notwithstanding, that part of the existing residential curtilage and several existing outbuildings are already located within the recognised 15-metre buffer associated with the adjacent Ancient Woodland, the current proposal would introduce a separate residential dwelling and associated domestic curtilage within this sensitive area.

The proposal would result in new built development within the buffer zone, and likely with the RPAs of the woodland edge TPO'd trees, together with additional hard surfacing, excavations for foundations and service connections all of which would fall in the buffer.

The Standing Advice states that buffer zones should, where possible, contribute to wider ecological networks and form part of the green infrastructure of an area. However, the key element of the advice relevant to the assessment of this proposal is as follows:

"You should not approve development proposals, including gardens, within a buffer zone."

This is not achievable with the scheme as proposed, as parts of the new dwelling and its garden would fall entirely within the buffer zone.

Additionally, the tree to build relationship, would also likely increase pressure for the pruning or removal of within the woodland, and intensify recreational activity along the woodland edge. Consequently, the proposal represents a clear intensification of residential use beyond the existing arrangement at the site and a material change in the existing relationship the site currently has with the adjacent Ancient Woodland.

No Arboricultural Impact Assessment, ecological assessment, tree constraints plan, has been submitted in support of the application. However, based on the submitted information, coupled with on-site observations, it is evident that an appropriate undeveloped Ancient Woodland buffer cannot be retained between the proposed new dwelling, and it has not been demonstrated that the proposal would avoid the deterioration of the adjacent Ancient Woodland arising from construction activities, additional residential occupation, new garden use, drainage, access requirements, or future pressure for tree works due to the position of the new dwelling and its relationship with its heavily tree 'ed surroundings.

In the absence of sufficient supporting information, it is considered that it has not been demonstrated that the proposal can be delivered in a way that avoid adverse effects on the adjacent irreplaceable habitat. As such, the principle of development has not been adequately justified, and an objection is raised on Arboricultural grounds.

**ANY RECOMMENDED CONDITIONS:** N/A

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| <b>NAME:</b>       | Andy Bush Arboricultural officer (Planning) |
| <b>DEPARTMENT:</b> | STRATEGIC PLANNING - SPECIALISTS            |
| <b>DATE:</b>       | 15/07/26                                    |