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Dear Jacques

DC/26/0051 - Proposed construction of a warehouse to be split into four separate units (Class E(g)) with new internal access road at Renvyle Farm, Okehurst Lane, Billingshurst

I write on behalf of my client, [REDACTED] of Minstrels Wood, Okehurst Lane, Billingshurst, who has a number of concerns in respect of the above application currently pending a decision with the Local Planning Authority (LPA). Minstrels Wood lies to the immediate east of the application site and is therefore the most directly affected neighbouring property.

The proposals, as submitted, present numerous inconsistencies, omissions, and policy conflicts that undermine their acceptability.

On behalf of my client I therefore write to make the following comments on, and objections, to the application submissions:

Confused and contradictory application submissions

The application has been described on the application form as *“proposed warehouse unit split into four separate units (Class E(g)) with new internal access road to connect adjoining property”*.

A “warehouse” would generally be deemed to fall under Class B8 (storage and distribution) of the Town and Country Planning (Use Classes) Order 1987 (as amended). Notwithstanding this, the application form describes the proposed floorspace as “Class E(g)(iii)” This comprises industrial processes - except where not suitable in a residential area. Given this, the nature of the intended operations at the site is unclear and the submissions provide little further explanation.

It is also noted that the application form describes the current use of the site as Class E(g). There is further reference to an “existing commercial building on the site”. A review of the planning history of the site indicates that there are no historic planning applications granting any commercial use at this site. Previous applications have referred to the agricultural status of the site, and therefore any suggestion that the current use of the site is commercial is strongly disputed and should be fully investigated.

Additional discrepancies appear within the application submissions. For example, paragraph 2.6.1 of the Design and Access Statement describes the appearance of the proposed building as an *“industrial style warehouse building with low pitched roofs, with the main part of the building being comprised of red brick for the walls and dark green metal sheeting for the roof.”* The submitted plans and application form however describe the external walls as being clad with green metal sheeting.

Such inconsistencies undermine confidence in the accuracy and reliability of the submissions.

Location of the site outside the planning boundary/Principle of development

The site falls in a rural countryside location. Policy BILL1 of the Billingshurst Neighbourhood Plan is highly relevant to the consideration of this application. This policy states that development outside the built-up area boundary will only be supported in specific circumstances.

The intentions of this policy reflect the spatial strategy of the Horsham District Planning Framework (HDPF) which seeks to focus new development in and around the key settlements of the District. It also reflects the intention of Policy 26 of the HDPF which states:

“Outside built-up area boundaries, the rural character and undeveloped nature of the countryside will be protected against inappropriate development. Any proposal must be essential to its countryside location, and in addition meet one of the following criteria:

- 1. Support the needs of agriculture or forestry;*
- 2. Enable the extraction of minerals or the disposal of waste;*
- 3. Provide for quiet informal recreational use; or*
- 4. Enable the sustainable development of rural areas.”*

While Policy 10 of the HDPF is supportive of sustainable rural economic development in the countryside, this is subject to compliance with the following criteria:

- 1. Contribute to the diverse and sustainable farming enterprises within the district or, in the case of other countryside-based enterprises and activities, contribute to the wider rural economy and/or promote recreation in, and the enjoyment of, the countryside; and either*
 - a. Be contained wherever possible within suitably located buildings which are appropriate for conversion or, in the case of an established rural industrial estate, within the existing boundaries of the estate; or*
 - b. Result in substantial environmental improvement and reduce the impact on the countryside particularly if there are exceptional cases where new or replacement buildings are involved. New buildings or development in the rural area will be acceptable provided that it supports sustainable economic growth towards balanced living and working communities and criteria a) has been considered first.*
- 2. Demonstrate that car parking requirements can be accommodated satisfactorily within the immediate surrounds of the buildings, or an alternative, logical solution is proposed.”*

No evidence has been submitted to demonstrate that the proposed development will contribute to the existing farming enterprise at the site, or that the proposal is required to support an existing countryside-based enterprise. It does not propose the re-use of an existing structure, nor does the application provide any explanation as to why the existing structures cannot be re-used or replaced. The application simply seeks to introduce a new structure on an otherwise undeveloped piece of land with no justification or explanation of need.

Impact on rural character of the area

Policy 25 of the HDPF states that the natural environment and landscape character of the District including the landscape, landform and development pattern, together with protected landscapes and habitats, will be protected against inappropriate development. Policy 26 seeks to protect the rural character and undeveloped nature of the countryside outside of the built up area boundary against inappropriate development.

Whilst there is some indication in the submissions of the removal of a concrete base and some retaining walls, these are insignificant features in the existing landscape and the benefits of their removal are not outweighed by the visual intrusion of the new structure proposed.

At some 24 metres in length by nearly 12 metres in depth to a height in excess of 4 metres, the proposed building will be a substantial addition to the site, prominent in views from the road and wider locality given the generally flat topography of the area and close proximity of the bridleway (BIL-1333) to the immediate south of the site.

No consideration appears to have been given to the position of the building, which is central within the site, close to and awkwardly positioned in relation to the existing buildings. A new access road is proposed (with no explanation as to why the existing access road cannot be used) which winds around the very edge of the site in close proximity to the mature trees along the eastern boundary of the site. Whilst the submitted Arboricultural Impact Assessment seeks to justify and support the position and construction of this access road, arguing no detrimental impact on the existing trees, its provision in the first instance appears an unnecessary addition to the site.

Whilst no detail has been provided as to where associated parking is expected to be provided, this is likely to necessitate further areas of hard surfacing which in turn will further negatively impact the visual amenities of the area and erode the rural character of the site.

Access and parking issues

Policy 40 seeks to ensure new development is sustainably located in areas where there are, or will be a choice in the modes of transport available. It also seeks to ensure the development is provided with safe and suitable access. Policy 41 seeks to ensure adequate parking and facilities are provided within development to meet the needs of anticipated users.

No information has been provided as to the level of activity anticipated with the proposed use, which will be in addition to any existing agricultural activity at the site. A previous application submitted at the site (BL/71/02) seeking consent for the use of a building for storage, repair and maintenance of plant and equipment attracted an objection from the highways authority on grounds of poor visibility, unsatisfactory access width, and an unacceptable intensification of traffic movements at the junction of Okehurst Lane and Stanes Street. This application was withdrawn prior to determination.

The current proposal, providing 480 sqm of new commercial floorspace will inevitably attract a number of vehicles movements (staff, deliveries etc.) which have been unaccounted for. There is also no consideration as to associated parking or turning of vehicles. It is noted that additional information in this respect has been requested by the Highway Authority.

The position of the building also appears to severely restrict access to the existing buildings on site which again has been given no explanation or consideration.

The token provision of charging points at front of building is ill-conceived and unworkable in the absence of any dedicated parking adjacent to them.

The remote location of the site, narrow nature of Okehurst Lane, with no dedicated pavement to easily access alternative means of transport, means that the proposals will be car dependant and in conflict with the intention of policy 40 of the HDPF.

Impact on setting of Listed Building

Minstrels Wood to the immediate east of the application site is a Grade II listed building (listed under the address Wynstrode Farmhouse, list entry number 1286440). The application submissions contain no heritage assessment, contrary to paragraph 207 of the NPPF, which requires applicants to describe the significance of affected heritage assets and assess potential impacts.

Notwithstanding this, I note that your Conservation Officer has considered the submitted proposals and concluded that while visual harm may be limited, the proposals have the potential to cause harm through noise, artificial light, and increased vehicle movements, which would erode the ability to experience the listed building's historic agricultural setting. This is particularly so given the very close proximity of the proposed access road to the mutual boundary.

Whilst he is satisfied that the impact would be low, the NPPF, paragraph 212, is clear in stating that *"when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance"*

It goes on at paragraph 215 to note: *"Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use."* No public benefits have been identified to outweigh the harm. As such, the proposals fail to satisfy the statutory and national policy tests protecting heritage significance.

Summary

In summary, the application is undermined by contradictory information, a lack of justification, and clear conflict with local and national planning policy. It proposes an unjustified commercial building in the open countryside, fails to assess impacts on a nearby listed building, and provides no credible information on access, traffic, or parking. The development would harm the rural landscape, intensify activity on an unsuitable lane, and offers no public or landscape benefits to outweigh these harms. The proposal therefore conflicts with policies 2, 10, 25, 26, 34, 40, 41 of the HDPF, along with Policy BILL 1 of the Billingshurst Neighbourhood Plan.

For these reasons, we strongly urge the Local Planning Authority to refuse the application.

Yours sincerely



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