DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/23/2099
Field To the South of Need's Farm House, RH13 8ED

DESCRIPTION:

Creation of vehicular access onto B2135 and erection of farm gate.

RELEVANT PLANNING HISTORY:

None relevant.

SITE AND SURROUNDS

The application site relates to the field in the south east corner of Need's Farmhouse. The field sits parallel to the B2135, with access currently located opposite Mill Lane. The site is outside the built-up area boundary and close to Need's Farmhouse, a Grade II listed building, and the War Memorial, a Grade II listed monument.

DETAILED DESCRIPTION

The application proposes to create a gap in the boundary hedge in the SE corner of the field between the field and the public highway, and to place a standard 14ft width wooden farm gate in the gap, to create vehicular access for farm vehicles to enter the field.

RELEVANT PLANNING POLICIES

The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):
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 34 - Cultural and Heritage Assets
Policy 40 - Sustainable Transport
Policy 41 - Parking

West Grinstead Parish Neighbourhood Plan (2019-2031)

REPRESENTATIONS AND CONSULTATIONS RESPONSES

Where consultation responses have been summarised, it should be noted that Officers have had consideration of the full comments received, which are available to view on the public file at www.horsham.gov.uk.

Consultations:

INTERNAL AGENCIES

HDC Conservation: Comment

Content the proposal will not impact the setting of the listed building.

OUTSIDE AGENCIES

WSCC Fire and Rescue: Comment

I note that an amended plan has been provided showing alterations to the red edge of the application site. This matter does not materially change the previous comments made by the LHA regarding this proposal.

Upon reviewing the application however and from discussion with internal colleagues, a gate set-back distance of 8-10m would be considered more appropriate for this development. This would be more suitable to accommodate the type of agricultural vehicles required and ensuring that the full length of such vehicles can be accommodate off of the highway whilst the gate is in use.

WSCC Highways (Initial Response dated 09.01.24): More info required:

The proposed access is to be sited on the eastern site boundary and adjoin the B2135 Steyning Road. At this point the road speeds are subject to National Speed Limit restrictions.

The applicant has not provided visibility splays to demonstrate the achievable visibility from the proposed point of access.

All new accesses are required to demonstrate achievable visibility to ensure the safety of vehicles making use of the access and also vehicles progressing along Steyning Road. The visibility splays required are based upon the speed limit of the road. In this instance as the B2135 is subject to 60mph restrictions, therefore WSCC adopted standards from Design Manual for Roads and Bridges (DMRB) are to be applied. This outlines that splays of 2.4 x 215m should be provided as per the diagram below. Visibility splays are to be demonstrated from a "set back" distance (shown in the diagram as "X distance") and should span to the nearside edge of the carriageway in both directions ("Y distance). Please also note that the "Alternative left-hand visibility splay" shown in the below diagram does not apply to this proposal.

Should these splays not be wholly achievable, the applicant should demonstrate that the proposed access is an improvement over the existing access with regard to achievable visibility. This can be achieved by showing visibility from the existing access onto the highway compared with that of the proposed.

As the gated access is proposed to serve an agricultural use, the gate should be set back into the site a minimum of 6m. This is to ensure that vehicles are able to wait clear of the highway whilst the gate is being operated, this protects the free flow of traffic along Steyning Road and prevents stationary obstructions and hazards within the highway.

It is assumed that the vehicular movements required for the harvesting and maintenance of the fields would be on a seasonal basis and that vehicular movements associated with this access would be low.
In summary, can the applicant please provide maximum achievable visibility splays from the point of proposed access and if necessary, from the existing access. Please demonstrate a setback distance for the gated access of a minimum 6m, this may need to be further subject to the lengths of vehicles servicing the fields. Once this information has been provided, please re-consult.

WSCC Highways (received 05.02.2024): Comment

The Local Highways Authority has been re consulted on this application for a vehicular access onto B2135 and erection of a farm gate. Previously it was requested that the applicant provide details pertaining to the achievable visibility from the proposed site access, either showing that visibility is in line with DMRB standards or that the proposal is an improvement in terms of visibility over the current access arrangement.

The applicant has supplied plans outlining both the achievable visibility at the existing access point and visibility at the proposed access point. The applicant has also provided plans showing the gate set back

6m into the site to facilitate a vehicle waiting for the gate to be operated while off of the highway which allows the free flow of traffic to continue along the publicly maintained highway.

The visibility splay plans demonstrate that currently 2.4 x 31m is achievable to the south and 2.4m x 19 can be achieved to the north. The proposed access facilitates 2.4 x 88m to the south and 2.4 x 83m to the north. These splays do not meet DMRB standards for a road of this nature, however weight is given to the fact that this access is an improvement over the current access in terms of achievable visibility. The hedging within ownership of the applicant, should be maintained to retain the achievable visibility in perpetuity, in the interest of highway safety.

The applicant should be advised that the off site highway works will be subject to a license obtained by the Local Area Office, no works should be carried out within the publicly maintained highway prior to obtaining this license. Informative included below. It is proposed that the gated access will be set back a minimum of 6m into the site, to facilitate maintenance vehicles waiting to access/egress the site and waiting clear of the highway.

A site visit was undertaken on the morning of Feb 5th 2024 to ascertain the speeds along B2135 and to observe the existing and proposed access points. Vehicles were observed as driving within the posted speed limit for the duration of the visit. The visibility from the existing access point was observed as being restricted, affected by the gradient and road geometry at this point. The proposed point of access provides a wider splay of visibility. Good forward visibility is achievable when progressing along B2135 from the south and north carriageway, this enables an oncoming vehicle to anticipate a manoeuvring vehicle to and from the proposed access point.

It is not considered that the additional movements generated by this proposal would result in a severe material intensification of the road at this point. Movements from the site would be anticipated to be dependant on the seasonal maintenance and harvesting of the hay and not a regular or intensive use.
The LHA does not consider that the proposal would have a 'severe' impact on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (para 115), and there are no known transport grounds to resist the proposal.

Parish Comments: Objection

This will be detrimental to the setting of the war memorial. As well as raise safety concerns regarding the proposed entrance.

Representations:

1 representation received which supported the application.

Member Comments:

None received.

HUMAN RIGHTS AND EQUALITY:

The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a person's rights to the peaceful enjoyment of property and Article 8 of the same Act, which sets out their rights in respect to private and family life and for the home. Officers consider that the proposal would not be contrary to the provisions of the above Articles.

The application has also been considered in accordance with Horsham District Council's public sector equality duty, which seeks to prevent unlawful discrimination, to promote equality of opportunity and to foster good relations between people in a diverse community, in accordance with Section 149 of the Equality Act 2010. In this case, the proposal is not anticipated to have any potential impact from an equality perspective.

PLANNING ASSESSMENT

Design and Appearance:

Policies 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.

The proposed farm gate would be a standard wooden field gate (rail and brace) with gate posts. This is considered to be an appropriate material and appearance for the area. There are a number of vehicle accesses off the B2135 that allow access into the fields for vehicles, so the gate and access are an expected development within the semi-rural nature of the area. It is considered that the gate would not be detrimental to the character of the area, and the development would therefore accord with the above policies.

Heritage Impacts:

Policy 34 of the HDPF states that development should be reinforce the special character of the historic environment through appropriate siting, scale, form and design; and should make a positive contribution to the character and distinctiveness of the area. Proposals should preserve and ensure clear legibility of locally distinctive vernacular building forms and their settings, features, fabric, and materials.

The HDC Conservation Officer was consulted on the application and is content that the proposal would not impact the setting of the listed building and is therefore considered acceptable in accordance with the above policies. The objection from the Parish Council is acknowledged, but it is considered that while the war memorial is located close to the proposed access, sufficient distance is retained to ensure no unacceptable impact on the setting of the designated heritage asset.

Amenity Impacts:

Policy 33 of the HDPF states that permission will be granted for development that does not cause unacceptable harm to the amenity of the occupiers/users of nearby properties and land.

Due to the siting and scale of the proposed access track and farm gate, which is a sufficient distance from nearby amenities, there are not considered to be any amenity impacts that would arise from the proposal.

Highways Impacts:

Policy 40 and 41 of the HDPF promote development that provides safe and adequate access, suitable for all users. In addition, Policy 41 states that adequate parking and facilities must be provided within development to meet the needs to anticipated users.

The proposal would result in a new access onto the B2135. WSCC Highways initially requested further information in respect of visibility splays. This was provided and the Local Highways Authority consider the visibility splays would be sufficient for the nature and speed of the traffic experienced in the locality and would be an improvement over the existing situation. A condition to maintain these visibility splays is recommended.

The gated access would be set back a minimum of 6m into the site, and this is considered sufficient to allow vehicles to exit the public highway and not cause an obstruction. It was not considered that the additional movements generated by the proposal would result in a severe material intensification of the road at this point. Off-site highway works would be subject to a licence that would need to be obtained by the Local Area Office and an informative detailing this is recommended.

Conclusions:

The proposal is considered to comply with relevant local and national planning policies and is therefore recommended for approval.

Recommendation: Application Permitted

Conditions:

2 **Standard Time Condition**: The development hereby permitted shall begin before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

3 **Pre-Use Condition**: Prior to first use of the access hereby approved, visibility splays of 2.4 metres by 83 metres to the north and 2.4 metres by 88 metres shall have been provided at the proposed site vehicular access onto B2135 Steyning Road in accordance with the approved planning drawing. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed.

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

4 **Regulatory Condition**: The materials to be used in the development hereby permitted shall strictly accord with those indicated on the application form and approved plans.

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

NOTE TO APPLICANT
The Applicant is advised that in addition to obtaining planning permission that they must also obtain formal approval from the highway authority to carry out the site access works on the public highway. The granting of planning permission does not guarantee that a vehicle crossover licence shall be granted. Additional information about the licence application process can be found at the following web page:
https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-driveways-licence/
Online applications can be made at the link below, alternatively please call 01243 642105.
https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-driveways-licence/vehicle-crossover-dropped-kerb-construction-applicationform/

POSITIVE AND PROACTIVE STATEMENT

Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received, in order to be able to, where possible, grant permission.

Plans list for: DC/23/2099
(The approved plans will form Condition 1 on the Decision Notice of all Permitted applications)

Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received

			Date
Details plan	Visibility Splays for Existing and Proposed New Access Points	NONE	19.01.2024
Location plan		NONE	08.03.2024
Elevation plan	Elevations for Proposed Gate	NONE	28.11.2023

DELEGATED

Case Officer sign/initial Bethan Tinning Date: 27.03.2024

Authorising Officer sign/initial Tamara Dale Date: 27.03.2024