Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/25/0601
Nightingale Hall Barn , Shoreham Road, Henfield, West Sussex, BN5 9SF

DESCRIPTION:

Conversion of existing outbuilding into a holiday let with parking and associated works.

RELEVANT PLANNING HISTORY:

DC/23/1154	Erection of detached outbuilding (Certificate of Lawful Development Proposed)	Application Permitted on 10.08.2023
DC/10/2411	Conversion of builders yard/store to a one-bed holiday let unit	Application Permitted on 12.01.2011

DESCRIPTION OF THE SITE

The application site comprises a detached residential dwelling (Nightingale Hall Barn) located to the northeast side of the A2037 Shoreham Road. The site is a countryside location, outside any built up area boundary, in an area characterised by a mix of agricultural land, residential dwellings, equestrian facilities. As well as Nightingale Hall Barn there is also an existing holiday-let on the wider site, situated to the northwest of the main property. This is managed by the applicant.

The existing outbuilding is a residential garden room located within the rear garden of Nightingale Hall Barn, northeast of the dwelling. The garden room is currently used as a day room and consists of an open seated area, small office and WC incidental to the enjoyment of the dwellinghouse.

The outbuilding has a lawful use (established through DC/23/1154) as a detached residential outbuilding.

A Public Right of way runs along the access road from Shoreham Road, through, and to the fields to the east of the site.

DESCRIPTION OF THE APPLICATION

This application seeks the conversion of the existing outbuilding to a residential Holiday Let. The Holiday Let would have one bedroom and a two person occupancy rate, and an open plan living/ dining/ kitchen are and shower room/WC. The Holiday Let would be managed by the owners of the main dwelling alongside the existing holiday let to the northwest of the main dwelling.

The building is finished in timber boarding to the walls, and has a slate tiled roof. It has a dual-pitched roof with gable ends, and a covered porch finished in timber. No external alterations to the building are proposed.

An external bike store would be provided and one parking space.

RELEVANT PLANNING POLICIES

The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):
Horsham District Planning Framework (2015):
Policy 1 - Strategic Policy: Sustainable Development
Policy 2 - Strategic Policy: Strategic Development
Policy 3 - Strategic Policy: Development Hierarchy
Policy 7 - Strategic Policy: Economic Growth
Policy 10 - Rural Economic Development
Policy 11 - Tourism and Cultural Facilities
Policy 24 - Strategic Policy: Environmental Protection
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
Policy 26 - Strategic Policy: Countryside Protection
Policy 30 - Protected Landscapes
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
Policy 43 - Community Facilities, Leisure and Recreation

Henfield Neighbourhood Plan (2021):

Policy 4: Transport, Access and Parking
Policy 12: Design Standards for New Development

Paragraph 33 of the NPPF requires that all development plans complete their reviews no later than 5 years from their adoption. Horsham District Council is currently in the process of reviewing its development plan however at this stage the emerging policies carry only limited weight in decision making. As the HDPF is now over 5 years old, the most important policies for the determination of this application must be considered as to whether they are 'out of date' (NPPF paragraph 11d). This includes, for applications involving the provision of housing, whether the Council can demonstrate a five year supply of deliverable housing sites (NPPF footnote 8).

The Council is currently unable to demonstrate a five year supply of deliverable housing sites, with the supply currently calculated as being 2.9 years. The presumption in favour of development within Paragraph 11d) of the NPPF therefore applies in the consideration of all applications for housing development within the District (unless footnote 7 or Paragraph 14 applies to relevant applications), with Policies 2, 4, 15 and 26 now carrying only moderate weight in decision making.

All other policies within the HDPF as itemised above have been assessed against the NPPF and are considered to be consistent such that they continue to attract significant weight in decision making.

Horsham District Local Plan (2023-40) (Regulation 19):
Strategic Policy 1: Sustainable Development
Strategic Policy 2: Development Hierarchy
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 17: Green Infrastructure and Biodiversity
Strategic Policy 19: Development Quality
Strategic Policy 20: Development Principles
Policy 25: Parking
Strategic Policy 27: Inclusive Communities, Health and Wellbeing
Policy 28: Community Facilities, Leisure and Recreation
Policy 31: Rural Economic Development
Strategic Policy 34: Tourism Facilities and Visitor Accommodation

Parish Design Statement:

Planning Advice Notes:
Facilitating Appropriate Development
Biodiversity and Green Infrastructure

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 CONSULTATIONS

SNOWS:

Have now added the application to the queue for SNOWS access. By consulting us with this application, you are confirming that the application meets the SNOWS access criteria (available here) and is appropriate for a Grampian condition to access SNOWS. If this is not the case, please let us know as soon as possible.

Please note that access to SNOWS cannot be secured until the scheme launches in the next few months. Once the scheme launches, we will contact the applicant directly to discuss access to SNOWS. Once we have confirmed the status of the application's access to SNOWS, we will update you.

OUTSIDE AGENCIES

Natural England: No Objection

In order to mitigate these adverse effects and make the development acceptable, the following mitigation measures are required:

- The delivery, management and maintenance of any measures identified in the applicant's water neutrality statement that are required to ensure that the proposed development will not result in increased levels of abstraction within the Sussex North Water Supply Zone.

Advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures.

Natural England notes that the remainder of the water use resulting from the proposed development (101.55 litres per day) will be offset via the Sussex North Offsetting Water Strategy (SNOWS). As detailed in our letter to your authority on 31 January 2025, we are satisfied that this measure is sufficient to rule out an adverse effect on the integrity of the Arun Valley sites and support your decision in apply Grampian-style conditions to secure it.

WSCC Highways: No Objection

No alterations to the existing access onto Shoreham Road are proposed. Although visibility appears to be restricted in this location, the access currently serves two dwellings and an existing holiday let. As such, the proposed addition of one holiday let is not considered to result in a material intensification of use of the existing access. Furthermore, an inspection of data supplied to WSCC by Sussex Police over a period of the last five years reveals that there have been no recorded injury accidents at the access onto Shoreham Road. There is no evidence to suggest that the access is operating unsafely, or that the proposed holiday let would exacerbate an existing safety concern.

Parking for one vehicle will be provided on site. This is considered sufficient provision for a holiday let of this size and location. Furthermore, it is likely that additional parking could be accommodated within the site if required, not impacting the public highway.

The proposed plans indicate that secure and covered cycle storage for two bikes will be provided to encourage sustainable methods of transport and reduce the reliance upon the private car.

The LHA does 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 (paragraph 116), and that there are no transport grounds to resist the proposal.

Car Parking and Cycle Parking conditions proposed.

WSCC Rights of Way: No Objection

Having consulted the online documents, see that public Footpath (FP) 2579_1 runs in a general east west direction through the red line boundary that appears to form the vehicular access into the existing property and new proposed holiday let. There appears to be no reference to the existence of this FP but as a recognised public Highway it is a material consideration.

The FP cannot be limited, restricted or obstructed at any time as this would be considered an offence under the Highways Act 1980. If there are proposed works on or adjacent to the public footpath that may put lawful public path users at risk then contact should be made with WSCC's Public Rights of Way (PRoW) team (prow@westsussex.gov.uk) for further advice on the potential for a temporary path closure.

It is an offence under the Highways Act 1980 for the surface of the public footpath to be disturbed without prior consent of WSCC's PRoW team so if there are proposals to do so please contact the PRoW team for further advice.

Finally, it is important to note that any damage done to the FP due to private vehicular access then it is the responsibility of those exercising that private right to make good/repair the surface to the same or better standard than before such damage took place.

Nature Space: No Objection

It is considered that the proposed development would present a low risk to great crested newts and/or their habitats. However, as the development is within the red Impact Risk Zone, as modelled by district licence mapping, recommend that the following informative should be attached to planning consent:

"*The applicant is reminded that, under the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended), it is an offence to (amongst other things): deliberately capture, disturb, injure, or kill great crested newts; damage or destroy a breeding or resting place; intentionally or recklessly obstruct access to a resting or sheltering place. Planning permission for a development does not provide a defence against prosecution under this legislation. Should great crested newts be found at any stage of the development works, then all works should cease, and a professional and/or suitably qualified and experienced ecologist (or Natural England) should be contacted for advice on any special precautions before continuing, including the need for a licence.*"

Additionally, all works shall be carried out in accordance with the following measures:

- Any trenches left overnight should be covered or provided with ramps to great crested newts from becoming trapped.
- Any building materials such as bricks, stone etc. should be stored on pallets to discourage great crested newts from using them as shelter

PUBLIC CONSULTATIONS:

Representations:

None Received

Parish Comments:

Henfield Parish Council: Objection

This Committee notes the objections given by Public Rights of Way Officer (PROW) at WSCC and is concerned about the opening onto the main road. There have been accidents resulting in two fatalities on this road in the past ten years.

This committee also expressed a wish that if HDC were minded to grant permission for this application that it should remain ancillary to the main dwelling.

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

Principle of Development:

Policy 11 of the HDPF outlines that measures which promote tourism and enhance local cultural facilities, including recreation based rural diversification, will be encouraged. Any development should be of a scale and type appropriate to the location and should increase the range or improve the quality of accommodation, attraction or experiences for tourists, day visitors, business visitors, and residents in the District. Support will particularly be given to proposals which: reinforce the local distinctiveness and improve existing facilities; focuses major tourism and cultural facilities in Horsham Town Centre; seek to ensure that facilities are available within the towns and villages in the District and are in keeping with their relationship with the urban area and countryside around them; develop the opportunities associated with rural diversification and rural development initiatives, particularly where they assist farm diversification projects, benefit the local economy, or enable the retention of buildings contributing to the character of the countryside; and do not result in the loss of a cultural resource.

In addition, Policy 10 of the HDPF supports sustainable rural economic development and enterprise within the District which maintain the quality and character of the area, whilst sustaining its varied and productive social and economic activity. The policy requires development to 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. Amongst other matters, the policy suggests that such development should be contained wherever possible within suitably located buildings which are appropriate for conversion. The policy concludes that proposals for the conversion of rural buildings to business and commercial uses will be considered favourably over residential in the first instance.

In this instance, the application site lies within the countryside and so Policy 26 of the Horsham District Planning Framework (2015) is relevant for consideration. This requires development outside the built-up area boundaries to be essential to its countryside location in order to protect the rural character and undeveloped nature of the countryside against inappropriate development. In addition, it must 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.

Furthermore, this policy requires that development be of a scale that is appropriate to its countryside character and location and should not lead either individually or cumulatively to a significant increase in the overall level of activity in the countryside.

The Council aims to take a pro-active stance to encourage local tourism within the District and the proposal would make a modest contribution toward the provision of visitor accommodation within the District. According to the Council's Visitor Study there is likely to be a demand for this type of self- catering accommodation, although the Study is from 2016 and there has been many sites introduced in the District since the study was published. One of the recommendations of the Councils Visitor Study is to improve the provision of high quality and small holiday lodges. The proximity of the site to the footpath network may create a demand for the accommodation from tourists and the location in the South of the District would appeal to visitors of the South Downs National Park. The Hotel and Visitor Accommodation Study 2016 specifically identified opportunities for additional holiday lodges and cottages, particularly those along the South Downs Way that the South Downs National Park may not be able to provide. It is considered that the proposal would align with Policy 11, subject to an appropriate condition to restrict holiday-use only.

The modest scale of this proposed development, being the sympathetic conversion of an existing appropriately sited building, would not be expected to have a significant increase in the overall level of activity in the countryside and there is considered to be no harmful conflict with Policy 26 of the HDPF.

As well as Nightingale Hall Barn there is also an existing holiday-let on the wider site, situated to the northwest of the main property around 60 metres away. This is managed by the applicant.

There are also a number of public rights of way in the near vicinity including the track within the site which is a public footpath. There are also additional footpaths which link up the site to nearby Woodmancote and Henfield. Henfield Common can also be reached via the footpaths, along with Devils Dyke with its views across the South Downs.

This proposal has potential to promote quiet informal recreation and enjoyment of the countryside by being located adjacent to footpaths. PROW2579-1 runs immediately to the south running east to west along the access track that leads form the Shoreham road to the countryside to the north-east. The proposal is located within a suitably located building which is appropriate for conversion and have minimal impact on their appearance as an ancillary residential building. A condition limiting the use to a holiday let and rather than a residential use will ensure that the proposal continues to comply with Policy 10 in perpetuity.

As the proposed development would contribute to the sustainable development of this rural area, through the patronage for the local shops/ public houses and taxi firms, and provide for a facility which there is an identified need for, as set out in the Councils Tourism study 2016- and as the modest scale of the development would not be expected to have a significant increase in the overall level of activity in the countryside, there is considered to be no harmful conflict with Policy 26 of the HDPF.

The Council acknowledges that there is an ongoing need to enhance the rural economy, and this includes maximising visit spending through tourism across the District. This proposal is considered to promote quiet informal recreation and enjoyment of the countryside by being located close to footpaths allowing access and enjoyment of the surrounding countryside.

The principle of development is therefore considered to be acceptable subject to all other material considerations. It should be noted that the impact on eth Listed building is considered separately under the Listed building consent application.

Design and Appearance:

Policy 25 of the HDPF requires development to protect, conserve and enhance the landscape and townscape characters across the District, taking account of settlement characteristics and settlement separation.

The building is finished in timber boarding to the walls, and has a slate tiled roof. It has a dual-pitched roof with gable ends, and a covered porch finished in timber. No external alterations are proposed, and the building would remain of a subservient appearance to the main dwelling.

Residential Amenity:

Policy 33(2) of the HDPF states that development should be designed to avoid unacceptable harm to the amenity of occupiers/users of nearby property and land, whilst having regard to the sensitivities of surrounding development.

The proposal may result in some perceived sense of an increase in activity to and from the site, as the holiday let will bring more occupants to the wider site. The proposal is not though anticipated to generate an unacceptable level of trips, and given the site and surroundings include active farms and residential dwellings the use of the site is not anticipated to result in undue disturbance from vehicular use.

With the above in mind, the proposal is not considered to result in unacceptable amenity impacts, and is thus considered in accordance with HDPF Policy 33(2) in this regard.

Highways Impacts:

Policy 40 of the Horsham District Planning Framework states that transport access and ease of movement is a key factor in the performance of the local economy. The need for sustainable transport and safe access is vital to improve development across the district.

Policy 41 of the Horsham District Planning Framework states that development that involved the loss of existing parking spaces will only be allowed if suitable alternative provision has been secured elsewhere. Adequate parking facilities must be provided within the developments to meet the needs of the anticipated users.

No alterations to the existing access onto Shoreham Road are proposed. Although visibility appears to be restricted in this location, the access currently serves two dwellings and an existing holiday let. As such, the proposed addition of one holiday let is not considered to result in a material intensification of use of the existing access. Furthermore, an inspection of data supplied to WSCC by Sussex Police over a period of the last five years reveals that there have been no recorded injury accidents at the access onto Shoreham Road. There is no evidence to suggest that the access is operating unsafely, or that the proposed holiday let would exacerbate an existing safety concern.

The Parish Council have objected to the proposal in relation to the impact on the public right way. However the PROW officer has raised no objection to the proposal but reminded the applicants of their duty to ensure the PROW is not blocked or damaged.

Parking for one vehicle will be provided on site. This is considered sufficient provision for a holiday let of this size and location. Furthermore, it is likely that additional parking could be accommodated within the site if required, not impacting the public highway.

The proposed plans indicate that secure and covered cycle storage for two bikes will be provided to encourage sustainable methods of transport and reduce the reliance upon the private car.

Water Neutrality:

The application site falls within the Sussex North Water Supply Zone as defined by Natural England which draws its water supply from groundwater abstraction at Hardham. Natural England has issued a Position Statement for applications within the Sussex North Water Supply Zone which states that it cannot be concluded with the required degree of certainty that new development in this zone would not have an adverse effect on the integrity of the Arun Valley SAC, SPA and Ramsar sites.

Natural England advises that plans and projects affecting sites where an existing adverse effect is known will be required to demonstrate, with sufficient certainty, that they will not contribute further to an existing adverse effect. The received advice note advises that the matter of water neutrality should be addressed in assessments to agree and ensure that water use is offset for all new developments within the Sussex North Water Supply Zone.

With respect to a potential solution to achieve water neutrality, one option available to the applicant is to utilise the emerging Sussex North Offsetting Water Scheme (SNOWS). Under this scheme, it is proposed to allow development supported in a made plan or a post-submission plan the option of offsetting its water demand through the purchasing of water credits via the Council. As the application site is in compliance with the Development Plan, the applicant would therefore have the option of either using the forthcoming SNOWS scheme to offset the water demand from this development or to submit an alternative scheme prior to commencement of development.

The use of the SNOWS scheme as a potential option for developers is supported by recent appeal decisions including a Secretary of State appeal decision. Under appeal decisions for DC/22/1052 & DC/21/2086, the Inspector allowed the appeals subject to a Grampian-style condition preventing the commencement of development unless and until a requisite number of water credits had been purchased pursuant to SNOWS or, alternatively, until bespoke measures to offset residual demand had been approved the Council and subsequently implemented. More recently is the decision of the Secretary of State to allow the appeal at Kilnwood Vale (DC/23/0856) for reserved matters for 280 dwellings. Again, the Secretary of State reached the conclusion under this appeal that a condition would be appropriate giving the applicant the option of utilising the SNOWS scheme to offset the development in terms of water neutrality or for a private scheme for water neutrality, to be agreed by the Council.

Having regard to the appeal decisions and the decision of the Secretary of State, it is considered reasonable to allow development supported in a made plan or a post-submission plan the option of addressing water neutrality through either credits via the SNOWs scheme or for a bespoke solution for water neutrality put forward by the applicant. A condition is therefore recommended which gives the applicant the option of addressing water neutrality through either SNOWs or through their own bespoke solution. This condition would ensure the site is water neutral and would enable the Council to conclude as to the absence of potential adverse effects upon the integrity of the Arun Valley SAC, SPA and Ramsar designations. Natural England have been consulted and have raised no objection to this approach.

Biodiversity Net Gain (BNG):

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 must not be begun unless a Biodiversity Gain Plan has been submitted to the planning authority and the planning authority has approved the Plan.

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 and significant on-site enhancements will be secured over this period by way of a Legal Agreement.

The Applicant has demonstrated that the development is exempt from the requirement to achieve a minimum 10% BNG by reason of:

- The development qualifies as 'de minimis' under Regulation 4 of the Biodiversity Gain Requirements (Exemptions) Regulations 2024

Ecology:

The proposal includes the conversion of an existing residential building and no new floorspace or buildings apart from a bike shelter

It is considered that the proposed development would present a low risk to great crested newts and/or their habitats. However, as the development is within the red Impact Risk Zone, as modelled by district licence mapping, an informative should be attached to planning consent to remind the applicant of their duty under the Conservation of Habitats and Species Regulations 2017.

Conclusions:

The proposed use for holiday-let accommodation is considered to support rural economic development within the District and contribute to the wider provision of tourist accommodation within the District. No concerns are raised in relation to amenity impact, design and appearance or water neutrality. This proposal is therefore recommended for approval subject to the conditions set out below.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

Horsham District Council has adopted a Community Infrastructure Levy (CIL) Charging Schedule which took effect on 1st October 2017.

It is considered that this development constitutes CIL liable development.

Use Description	Proposed	Existing	Net Gain
District wide residential	62	62	0
		Total Gain	**0**
		Total Demolition	**0**

Please note that the above figures will be reviewed by the CIL Team prior to issuing a CIL Liability Notice and may therefore change.

Exemptions and/or reliefs may be applied for up until the commencement of a chargeable development.

In the event that planning permission is granted, a CIL Liability Notice will be issued thereafter. CIL payments are payable on commencement of development.

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- Commencement Condition**: No development shall commence until either:

a) Details have been submitted to and been approved in writing by the Local Planning Authority confirming that the necessary credits to achieve water neutrality have been secured via the Sussex North Offsetting Water Scheme, or;

b) A site-specific water neutrality mitigation scheme has been submitted to and been approved in writing by the Local Planning Authority. The site-specific water neutrality mitigation scheme shall include full details of the means of any and all onsite and offsite mitigation and any necessary agreements pursuant to S106 of the Town and Country Planning Act 1990 to deliver and secure the approved mitigation; and

i) The development shall not be first occupied until evidence has been submitted to and been approved in writing by the Local Planning Authority confirming that the approved site-specific water neutrality mitigation scheme has been fully implemented. The approved mitigation shall thereafter be retained, maintained and operated to the same or better water performance standard.

Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SAC/SPA 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 enable 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).

4 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until the parking, turning and access facilities necessary to serve the Holiday let have been implemented in accordance with the approved details as shown on plan PL-101 and shall be thereafter retained as such.

Reason: To ensure adequate parking, turning and access facilities are available to serve the development in accordance with Policy 40 of the Horsham District Planning Framework (2015).

5 **Regulatory Condition:** The residential accommodation hereby permitted shall be occupied and managed in accordance with the following: -

(a) The accommodation shall be occupied for holiday and short-term let purposes only;
(b) The accommodation shall not be occupied as a person's sole, or main place of residence;
(c) The accommodation shall not be occupied by any one person for a period exceeding 28 days in any calendar year;
(d) The accommodation shall at all times be managed and supervised by Nightingale Hall Barn;
(e) The owners / operators shall maintain an up-to-date register of the names of all owners / occupiers of the accommodation on the site, and of their main home addresses, and shall make this information available to the Local Planning Authority upon request.

Reason: To maintain the availability of the site as short term holiday tourist accommodation in accordance with Policies 10, 11 and 26 of the Horsham District Planning Framework (2015).

NOTE TO APPLICANT

The applicant is reminded that, under the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended), it is an offence to (amongst other things): deliberately capture, disturb, injure, or kill great crested newts; damage or destroy a breeding or resting place; intentionally or recklessly obstruct access to a resting or sheltering place. Planning permission for a development does not provide a defence against prosecution under this legislation. Should great crested newts be found at any stage of the development works, then all works should cease,

and a professional and/or suitably qualified and experienced ecologist (or Natural England) should be contacted for advice on any special precautions before continuing, including the need for a licence.

Additionally, all works shall be carried out in accordance with the following measures:

- Any trenches left overnight should be covered or provided with ramps to great crested newts from becoming trapped.
- Any building materials such as bricks, stone etc. should be stored on pallets to discourage great crested newts from using them as shelter

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/25/0601
(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
Elevation & Floor plan	Existing Drawings	PL-100 Rev A	11.04.2025
Elevation & Floor plan	Proposed Drawings	PL-101	23.04.2025

DELEGATED

Case Officer sign/initial Kate Turner Date: 07.08.2025

Authorising Officer sign/initial Tamara Dale Date: 07.08.2025