Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/24/1179
Trueloves Field, Marches Road, Kingsfold, West Sussex,

DESCRIPTION:

Erection of a stable building, sand school and change of use of land for private equine use.

RELEVANT PLANNING HISTORY:

No relevant planning history

DESCRIPTION OF THE SITE

The site is situated to the southeast of Marches Road, just outside the village of Kingsfold, approximately half a mile from the village centre. Covering an area of approximately 2.45 acres, the site comprises relatively flat pastureland with access located on its northwest boundary. The field is entirely enclosed by fencing, and an existing track traverses the site from east to west.

The surrounding area is predominantly open countryside interspersed with farmland, equestrian facilities, and residential properties. No buildings currently exist on the site, which is largely screened from view and only discernible from the access point on the northwest boundary along Marches Road.

The site is characterised by its pastureland setting and is flanked by two equestrian facilities to the north and south. To the north lies Kingsfold Equestrian at Trueloves Farm, approximately 140 meters northeast of the site, established six years ago as a private equestrian facility under planning reference DC/18/0191. To the south, Joanlands Farm livery is located approximately 620 meters from the site. The settlement of Kingsfold is situated about 560 meters northeast of the site.

The site is accessed via a private gated entrance directly off Marches Road, which connects to the A24 and is situated approximately half a mile southwest of Kingsfold. The site benefits from its proximity to bridleways, with the nearest bridleway, identified as Path Number 1423, located approximately 200 meters southwest of the site's lower gate.

DESCRIPTION OF THE APPLICATION

The application seeks permission to construct a sand school and stable block for private use at the northern end of the site, enclosed with post and rail fencing. The stable block, with a floor area of approximately 203.5 sqm, will include six stables, a grooming area, a hay store, a tack room, and a WC.

The Planning Statement states that the facilities are intended to support the applicant’s daughter, who competes at a high level in equestrian sports. She represents the British Dressage Youth (U25) South and East Regional squads, having competed at both the British Dressage Youth Inter Regional Championships and the BD Youth Home Nations Championship. The sand school is designed to meet competition standards for dressage and provide a suitable area for show jumping, which she undertakes as part of the British Eventing U18 Programme. The proposed facilities are essential to ensure the horses' health and wellbeing and will be used exclusively for private purposes.

RELEVANT PLANNING POLICIES

The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):
Policy 1 - Strategic Policy: Sustainable Development
Policy 2 - Strategic Policy: Strategic Development
Policy 3 - Strategic Policy: Development Hierarchy
Policy 4 - Strategic Policy: Settlement Expansion
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
Policy 26 - Strategic Policy: Countryside Protection
Policy 29 - Equestrian Development
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 36 - Strategic Policy: Appropriate Energy Use
Policy 37 - Sustainable Construction
Policy 40 - Sustainable Transport
Policy 41 – Parking

Neighbourhood Plan:
Warnham Parish Neighbourhood Plan was formally made on 26 June 2019.
Policy W5: Design of residential development

Horsham District Local Plan (2023-40) (Regulation 19):
Strategic Policy 1: Sustainable Development
Strategic Policy 2: Development Hierarchy
Strategic Policy 3: Settlement Expansion
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 13: The Natural Environment and Landscape Character
Strategic Policy 14: Countryside Protection
Strategic Policy 16: protected Landscapes
Strategic Policy 17: Green Infrastructure and Biodiversity
Strategic Policy 19: Development Quality
Strategic Policy 20: Development Principles
Strategic Policy 24: Sustainable Transport
Policy 25: Parking
Policy 33: Equestrian Development

Supplementary Planning Guidance:
Planning Obligations and Affordable Housing SPD (2017)
Community Infrastructure Levy (CIL) Charging Schedule (2017)

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:

Nature Space: No Objection

Confirm that all the documents are present and correct. Please ensure that the conditions and informative contained within the Certificate are included on the decision notice in verbatim.

Ecology Consultant: No Objection

Have reviewed the additional information submitted for this application and have no comments in addition to our response dated 3rd October 2024. Satisfied that there is sufficient ecological information available for determination. This provides certainty for the LPA of the likely impacts on designated sites, protected and Priority species & habitats and, with appropriate mitigation measures secured, the development can be made acceptable subject to conditions.

Natural England: No Objection – Subject to appropriate mitigation being secured.

In order to mitigate these adverse effects and make the development acceptable, the following mitigation measures are required / or the following mitigation options should be secured:

- 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.

WSCC Highways: Advice (received 25.09.2024)

The site is located on Marches Road, a C-classified road subject to a speed restriction of 50 mph in this location.

The existing vehicular access point on Marches Road is to be utilised, and no alterations are proposed to this arrangement. From inspection of WSCC mapping, there are no apparent visibility concerns with the existing point of access on to Marches Road.

The proposed stabling and sand school will be limited to private use only and therefore, not anticipated to generate a significant material intensification of use of the existing access point, when compared with the potential of the existing agricultural use.

An inspection of collision data provided to WSCC by Sussex Police from a period of the last five years reveals no recorded injury accidents within the vicinity of the site. Therefore, there is no evidence to suggest the existing access point has been operating unsafely, or that the proposals would exacerbate an existing safety concern.

From inspection of the plans, the site exhibits suitable space for the parking and turning of vehicles associated with the proposed equine use.

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 115), and that there are no transport grounds to resist the proposal.

Re-consultation (received 08.11.2024): Advice

WSCC in its role as Local Highway Authority (LHA) has been reconsulted for the above application. However, no new application documents have been submitted since the LHAs most recent consultation response, dated 25/09/2024, of which no highway safety concerns were raised. As such, no further comment will be provided at this time, and the LPA are advised to refer to the LHAs consultation response dated 25/09/2024 for relevant comments.

WSCC Fire and Rescue: Comment

The nearest fire hydrant for the supply of water for firefighting to proposed stable building is 270 metres away, 160 metres further than the 90-metre distance required for a commercial premises. If an alternative water supply for firefighting is to be considered it will need to conform with the details identified in Approved Document-B (AD-B) Volume 2: B5 section 16 and agreed with West Sussex Fire & Rescue Service.

PUBLIC CONSULTATIONS:

Representations:

None Received

Parish Comments:

Warnham Parish Council: No Objection - Warnham Parish Council does not object in principle to equine use but raises the following considerations:

1. Environmental Impact: The development should include measures to mitigate runoff from the sand school to protect local watercourses and to confirm what products the sand school will be made off.
2. Traffic Increase: Private equine facilities often lead to increased traffic, including larger vehicles. The Parish Council requests that traffic impact on Marches Road be evaluated to ensure safety and minimal disruption to local residents.
3. Visual Impact: The proposed stable and sand school should be sympathetically designed to blend with the rural surroundings, minimising visual intrusion in the landscape.

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 26 of the Horsham District Planning Framework (HDPF) seeks to protect the rural character and undeveloped nature of the countryside outside built-up area boundaries. Development in such locations must be essential to its countryside setting and meet one of the following criteria: support agriculture or forestry, enable mineral extraction or waste disposal, provide quiet informal recreation, or promote sustainable rural development.

Policy 29 of the HDPF supports equestrian-related development provided it meets specific criteria:

- The re-use of existing buildings on the site for equestrian purposes has been considered and deemed unsuitable.
- The scale and activity level of the development are appropriate to its location and surroundings and are, where possible, well related to existing buildings.
- The proposal is, where feasible, well connected to the bridleway network.

The proposal seeks to construct a private sand school and stable block at the northern end of the site, comprising six stables, a grooming area, a hay store, a tack room, and a WC, with a total floor area of approximately 203.5 sqm.

The facilities are designed to support the applicant's daughter, a competitive equestrian athlete who represents the British Dressage Youth (U25) South and East Regional squads and competes at national and international levels. The sand school is tailored to meet competition standards for dressage and show jumping, essential for maintaining high-level training. The proposal is intended exclusively for private use and is necessary to ensure the welfare of the applicant's horses.

The scale of the proposed stable block is considered proportionate to the equestrian needs of the site, with no suitable existing buildings available for conversion. The sand school and associated facilities do not represent overdevelopment and are consistent with the level of activity expected in a countryside setting.

Additionally, the site is well positioned for equestrian use, with the nearest bridleway (Path Number 1423) located approximately 200 meters southwest of the lower gate. The area already supports equestrian activities, and the proposal would align with the site's existing character and functionality.

In conclusion, the proposal complies with the principles of Policies 26 and 29 of the HDPF, as it is appropriately scaled, essential to its rural location, and supports the sustainable development of the countryside. The proposal is therefore acceptable in principle.

Design and Appearance:

Policies 25, 32, and 33 of the Horsham District Planning Framework (HDPF) emphasize the importance of high-quality design that is sympathetic to the character and distinctiveness of its site and surroundings. Proposals must protect, conserve, and enhance the landscape character while contributing to a strong sense of place through appropriate scale, massing, and appearance.

Similarly, Policy W5 of the Warnham Neighbourhood Plan requires developments to respect the landscape's scale, character, and features, avoid unacceptable impacts on neighbouring amenity, and exhibit high-quality design consistent with the area's existing character.

The proposed stable block, with a floor area of approximately 203.5 sqm, is designed to accommodate six stables, a grooming area, a hay store, a tack room, and a WC. The sand school and stable block would be enclosed with traditional post and rail fencing, which is a common feature in rural and equestrian settings. The design and materials of the stable block have been selected to blend with the rural surroundings, utilising neutral tones and materials that are durable and visually appropriate for a countryside location.

The placement of the stable block and sand school at the northern end of the site reflects existing field boundaries and natural screening provided by surrounding tree lines. This siting minimises the visual impact on the open countryside and ensures the development does not detract from the landscape's character. While the proposal introduces built form to a previously undeveloped site, the scale and form of the structures are considered proportionate and reflective of the equestrian uses common in the locality. The design avoids any obtrusive or dominant visual presence, aligning with the rural context.

The development is further supported by the proximity of bridleway Path Number 1423, approximately 200 meters from the site's lower gate, reinforcing its suitability for equestrian use. The design also takes into account practical functionality, ensuring the facilities meet the requirements for high-level equestrian training while remaining sensitive to the rural aesthetic.

In conclusion, the design and appearance of the proposed development respect the scale and character of the surrounding landscape and adhere to Policies 25, 32, and 33 of the HDPF and Policy W5 of the Warnham Neighbourhood Plan. The proposal achieves a balance between functional necessity and aesthetic consideration, ensuring it integrates harmoniously with its countryside setting.

Impact on neighbouring amenity:

Policy 33 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 siting of the development and its use for private / non-commercial purposes would not result in unacceptable harm to neighbouring amenity, with this and the installation of external lighting restricted by condition. It is considered that this approach is such that no unacceptable harm would result to neighbouring properties and land, in accordance with the above policy.

Highways Impacts:

Policies 40 and 41 of the HDPF promote development that provides safe and adequate access, suitable for all users. The application site benefits from an existing access with minor alterations to the existing driveway indicated on the submitted plans.

The proposal for the erection of a stable building, sand school, and change of use of land for private equine purposes would not raise any highway safety concerns according to the Local Highway Authority (LHA). The existing vehicular access on Marches Road, a 50-mph zone, will remain unaltered and exhibits adequate visibility.

The LHA notes that the proposed private use of the facilities is not expected to materially intensify traffic compared to the existing agricultural use. An assessment of collision data from the past five years shows no recorded injury accidents near the site, indicating no existing safety issues. Furthermore, the plans provide sufficient space for vehicle parking and turning on-site.

In conclusion, the proposal would not have an unacceptable impact on highway safety or lead to severe cumulative highway network impacts, in accordance with the above policies.

Ecology:

Policy 31 of the HDPF states that proposals will be required to contribute to the enhancement of existing biodiversity and should create and manage new habitats where appropriate. The Council will support new development which retains and/or enhances significant features of nature conservation on development sites.

The ecologist has reviewed the Protected Species Walkover Survey (AEWC Ltd., August 2024) provided by the applicant, which assesses potential impacts on protected and Priority species and habitats and outlines appropriate mitigation measures. The survey confirms that the site has no buildings and that no trees will be affected by the proposed development, meaning bat surveys are not required.

Given the presence of suitable reptile habitats, including grassland, native hedgerow, and a log pile, a Precautionary Method Statement for reptiles is recommended. This would be secured by condition of any planning approval. In addition, the Ecologist supports the Precautionary Method Statement for mobile Priority species, such as hedgehogs, which could be present or passing through the site. This would also be secured by a condition of any consent.

Subject to these conditions, the proposed development is not considered to result in adverse harm to ecology.

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.

The proposal can be considered water neutral based on the following key points:

The site currently has no water consumption as it is pastureland without existing buildings or facilities. Therefore, there is no baseline water usage. The total water requirement of the proposed development is estimated at 98,221.50 litres per year, including water for the horses, stable cleaning, and washroom facilities. The site will rely entirely on rainwater collection for water supply. With an annual rainfall catchment of 183,534.62 litres, the proposed system can more than meet the required water usage. After the required amount of water is used (98,221.50 litres), there is still a surplus of rainwater collected.

Since the water needed is fully met by rainwater harvesting and no external or mains water is required, the proposal can be deemed water neutral. Whilst rainwater harvesting can be used as drinking water for horses, certain precautions must be taken to ensure it is safe for them. Such as:

1. Filtration and Purification: Collected rainwater needs to be filtered and purified. The rainwater harvesting system should include filtration to remove debris and potential contaminants. As mentioned in the proposal, fitting the system with ultraviolet (UV) light filters can help to sterilize the water, killing bacteria and pathogens that could be harmful to horses.
2. Tank Maintenance: The storage tanks should be regularly cleaned to prevent the growth of algae, bacteria, or mould. Water should not stagnate, as this can lead to the build-up of harmful microorganisms.
3. Safe Collection Practices: The roof and guttering systems used to collect rainwater must be clean and free from contaminants such as bird droppings, which can introduce harmful bacteria like E. coli.
4. Regular Water Testing: To ensure the water remains safe for consumption, it's advisable to have regular water quality testing. This ensures there are no harmful substances like heavy metals, bacteria, or parasites in the drinking water.

When these safety measures are properly followed, rainwater can serve as a reliable and safe source of drinking water for horses. The proposed system in the document seems to account for this by using UV filtration to ensure water quality. This will be secured by condition.

Subject to condition, there is no clear or compelling evidence to suggest the nature and scale of the proposed development would result in a more intensive occupation of the dwelling necessitating an increased consumption of water that would result in a significant impact on the Arun Valley SAC, SPA and Ramsar sites, either alone or in combination with other plans and projects. The grant of planning permission would not therefore adversely affect the integrity of these sites or otherwise conflict with policy 31 of the HDPF, NPPF paragraph 186 and the Council's obligations under the Conservation of Habitats and Species Regulations 2017.

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 submitted a Biodiversity Metric which demonstrates a 10.37% net gain is achievable by way of onsite biodiversity gains. However, this is not so significant as to warrant a legal agreement for monitoring. The informative attached details that the proposed net gain shall be secured post-decision.

Conclusions:

In assessing this application for the construction of a stable block and sand school for private equestrian use, it is concluded that the proposal aligns with both national and local planning policies. The principle of development is supported under Policies 26 and 29 of the Horsham District Planning Framework (HDPF), as it represents an appropriate form of countryside development that supports equestrian activity without compromising the rural character or landscape.

The proposed design and scale are proportionate and sympathetic to the site's setting, ensuring minimal visual impact while accommodating the specific needs of competitive equestrian training. Policies 25, 32, and 33 of the HDPF, alongside Policy W5 of the Warnham Neighbourhood Plan, have been satisfied by the design approach, which balances functionality with sensitivity to the surrounding landscape.

With mitigation measures secured via conditions, the proposal is not expected to result in harm to neighbouring amenity, highway safety, or biodiversity. Consultations with statutory consultees, including Natural England, the Local Highway Authority, and the Council's ecology consultant, have raised no objections subject to conditions addressing water neutrality, ecological precautions, and lighting controls.

Given the comprehensive assessment of the proposal against the relevant planning policies and the absence of any overriding harm, the application is considered acceptable. Approval is recommended, subject to the inclusion of appropriate conditions to ensure compliance with the identified policies and the mitigation of any potential impacts.

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
	203.5sqm		203.5sqm
		Total Gain	**203.5 sqm**
		Total Demolition	

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 (Slab Level) Condition**: No development above ground floor slab level shall commence until a management and maintenance plan for the rainwater harvesting system has been submitted to and approved in writing by the Local Planning Authority. The management and maintenance plan shall include the following details:

- The sampling regime and parameters etc, recognising that the sampling will need to be undertaken a DWI certified sampler and analysed by a UKAS accredited lab.
- Detail on how any failure of any samples will be investigated and managed.
- Details, including a plan or schematic, showing the supply - storage tanks, treatment etc, and means to record the total water consumption of each unit
- Detail on what type of treatment that will be installed on the supply with information clearly indicating that it is appropriate for the amount of water being used.
- Detail on how the treatment system, pipework, tanks etc will be cleaned and maintained and who will maintain them for the lifetime of the development. This should include any re-activation of the system after it has been out of use due to lack of rainfall/use.
- The completion and sharing of the Regulation 6 risk assessment by a suitably competent person (as required by the Private Water Supply (England) Regulations 2016) prior to the water supply being put into use.
- Detail on the continuity of supply during dry periods extending beyond 35 days.
- Arrangements for keeping written records of all sampling, results of analysis, inspection, cleaning, and maintenance.
- Details of contingency plans to ensure any failure's or reported concerns with the supply are investigated and rectified as soon as possible, including timeframes. This should include notification of the investigation and corrective actions to the local authority

The management and maintenance plan shall be operated in full at all times. No alterations or revisions to the approved management plan shall be implemented without the written approval of the Local Planning Authority.

Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 185 and 186 of the National Planning Policy Framework (2023), and to allow 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-Commencement (Slab Level) Condition**: Prior to any works above slab level a Biodiversity Enhancement Strategy for protected and Priority species prepared by a suitably qualified ecologist shall be submitted to and approved in writing by the local planning authority.

The content of the Biodiversity Enhancement Strategy shall include the following:

a) Purpose and conservation objectives for the proposed enhancement measures;
b) detailed designs or product descriptions to achieve stated objectives;
c) locations, orientations and heights of proposed enhancement measures by appropriate maps and plans (where relevant);
d) persons responsible for implementing the enhancement measures; and
e) details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details shall be retained in that manner thereafter.

Reason: To conserve protected species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s17 Crime & Disorder Act 1998 and Policy 31 of the Horsham Development Framework.

5 **Pre-Occupation Condition**: No part of the development hereby permitted shall be occupied until a lighting design scheme for biodiversity based on Guidance Note: 08/23 (Institute of Lighting Professionals) has been submitted to and approved in writing by the local planning authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (as amended) and Policy 31 of the Horsham Development Framework.

6 **Regulatory Condition**: All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Ecological Impact Assessment Version 1 (South Downs Ecology, June 2024)) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. This includes the Precautionary Method Statement for reptiles in Section 6.14 and the Precautionary Method Statement for mobile Priority species in Sections 6.15 and 6.16 of the Protected Species Walkover Survey (AEWC Ltd., August 2024), which avoids impacts on protected species. This will include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

Reason: To conserve and enhance protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species) and Policy 31 of the Horsham Development Framework.

7 **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).

8 **Regulatory Condition**: No development hereby permitted shall take place except in accordance with the terms and conditions of the Council's Organisational Licence (WML-OR136, or a 'Further Licence') and with the proposals detailed on plan "Trueloves Field: Impact plan for great crested newt District Licensing (Version 1)" dated 17th October 2024.

Reason: In order to ensure that adverse impacts on great crested newts are adequately mitigated and to ensure that site works are delivered in full compliance with the organisational licence (WML-OR136, or a 'Further Licence'), section 15 of the National Planning Policy Framework, Circular 06/2005 and the Natural Environment and Rural Communities Act 2006.

9 **Regulatory Condition**: The outbuilding containing 6 stables, tack room, wash bay/grooming area, hay store/feed room, and WC hereby permitted shall be used solely for purposes incidental to the occupation and enjoyment of the land at Trueloves Field, Marches Road, Kingsfold, West Sussex (as identified on the approved plans). It shall not be used as a separate unit of accommodation, as habitable living accommodation, for any commercial purposes, or for any other purpose(s)/use(s).

Reason: The establishment of an additional independent unit of accommodation, additional living accommodation, commercial use or any other use(s) would give rise to an over-intensive use of the site and lead to an unsatisfactory relationship between independent units of living accommodation contrary to Policies 26 and 33 of the Horsham District Planning Framework (2015).

10 **Regulatory Condition**: The development hereby permitted shall not be used for commercial purposes or in connection with any form of riding or livery establishment.

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

NOTE TO APPLICANT
Great Crested Newts:
It is recommended that the NatureSpace Best Practice Principles are taken into account and implemented where possible and appropriate.
It is essential to note that any works or activities whatsoever undertaken on site (including ground investigations, site preparatory works or ground clearance) prior to receipt of the written authorisation from the planning authority which permits the development to proceed under the District Licence (WML-OR136, or a 'Further Licence') are not licensed under the great crested newt District Licence. Any such works or activities have no legal protection under the great crested newt District Licence and if offences against great crested newt are thereby committed then criminal investigation and prosecution by the police may follow.

Biodiversity Net Gain Condition
Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 states that planning permission is deemed to have been granted subject to the "biodiversity gain condition" which means development granted by this notice must not begin unless:

(a) a Biodiversity Gain Plan has been submitted to the planning authority, and
(b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission is Horsham District Council.

This permission will require the submission and approval of a Biodiversity Gain Plan before development is begun.

For guidance on the contents of the Biodiversity Gain Plan that must be submitted and agreed by the Council prior to the commencement of the consented development please see the link:

Submit a biodiversity gain plan - GOV.UK (www.gov.uk).

Statutory exemptions and transitional arrangements
There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These can be found at Paragraph: 003 Reference ID: 74-003-20240214 of the Planning Practice Guidance, which can be found at

https://www.gov.uk/guidance/biodiversity-net-gain.

Irreplaceable habitat
If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

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/24/1179
(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	Sand School Plan & Elevations	TLF 2024 003	02.08.2024
Section plan	Sand School Section Detail	TLF 2024 004	02.08.2024
Location plan	Site Location Plan	TLF 2024 001	02.08.2024
Elevation & Floor plan	Fences/Gates :omlomh Stables to Sand Sch	TLF 2024 005	02.08.2024
Roof plan		NONE	02.08.2024
Supporting Statement	Water Neutrality Statement by Batchellor Monkhouse dated August 2024	NONE	02.08.2024
Elevation plan		NONE Rev 0	02.08.2024
Floor plan		NONE Rev 0	02.08.2024
Supporting Statement	Protected Species Walkover Survey by Animal Ecology & Wildlife Consultants Ltd dated August 2024	24-007	02.08.2024
Floor plan	Base Plan	NONE Rev 0	02.08.2024
Supporting Statement	True Lovefields Great Crested Newt HSI Assessment & eDNA Survey by Animal Ecology & Wildlife Consultants Ltd dated 1.08.2024	24-007	02.08.2024
Supporting Statement	Nature Space Certificate dated 17.10.2024	NSP814HDC	14.11.2024
Block plan	Existing & Proposed Site/Block Plan	TLF 2024 002	23.09.2024

DELEGATED

Case Officer sign/initial Shazia Penne Date: 02.12.2024

Authorising Officer sign/initial Tamara Dale Date: 19.12.2024