Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/24/0932
Goffsland Farm, Shipley Road, Southwater, West Sussex, RH13 9BQ

DESCRIPTION:
Change of use of agricultural land to allow for the siting of a shepherds hut for holiday use together with associated landscaping, parking and water offsetting.

DESCRIPTION OF THE SITE & APPLICATION
Goffsland Farm, Shipley Road, is a working farm, located to the west of Shipley Road. Goffsland Farm is a grade 2 listed building situated to the west of Shipley Road. To the south and south east of the main house are a range of agricultural buildings. A public bridleway runs to the south of the site. The proposed shepherd's hut would be sited to the west of the listed building set behind a hedge which forms the properties boundary.

Planning permission is sought for the change of use of agricultural land to allow for the siting of a shepherds hut for holiday use together with associated landscaping, parking and water offsetting. An amended plan shows the shepherds hut will be raised from the existing land level by a haha wall, with a wildflower meadow to the west and the existing hedgerow to the east retained. The site lies to the west of Goffsland Farm, a Grade II listed building.

RELEVANT PLANNING HISTORY:

DC/21/1096	Prior notification for the erection of an agricultural building.	Prior Approval Not Required on 16.06.2021
DC/24/0824	Extension to the roof of an adjoining, existing livestock building.	Application Permitted on 10.09.2024

RELEVANT PLANNING POLICIES
The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):
Policy 1 - Strategic Policy: Sustainable 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 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 35 - Strategic Policy: Climate Change
Policy 36 - Strategic Policy: Appropriate Energy Use

Policy 37 - Sustainable Construction
Policy 40 - Sustainable Transport
Policy 41 - Parking
Policy 43 - Community Facilities, Leisure and Recreation

Shipley Neighbourhood Plan:
Policy Ship HD3: High quality design

Shipley Parish Design Statement

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):
Policy 1: Sustainable Development
Policy 2: Development Hierarchy
Policy 6: Climate Change
Policy 7: Appropriate Energy Use
Policy 8: Sustainable Design and Construction
Policy 9: Water Neutrality
Policy 11: Environmental Protection
Policy 13: The Natural Environment and Landscape Character
Policy 14: Countryside Protection
Policy 16: Protected Landscapes
Policy 17: Green Infrastructure and Biodiversity
Policy 19: Development Quality
Policy 20: Development Principles
Policy 24: Sustainable Transport
Policy 25: Parking
Policy 31: Rural Economic Development
Policy 34: Tourism Facilities and Visitor Accommodation

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:
HDC Conservation: The provision of a single shepherd's hut would not in itself result in harm to the setting of the listed building through increased activity and noise, and would retain the properties countryside setting, which informs the significance of the listed building. The addition of paraphernalia beyond the shepherd's hut could though result in a domestic appearance and recommend a landscaping condition to ensure that the proposed level changes can be achieved and that these are reflective of the rural character of the area.

HDC Environmental Health: Following the provision of additional information, recommend a condition in respect of foul sewage.

Ecology Consultant: No objection, conditions recommended.

Natural England: Concur with the conclusion of your authority's HRA appropriate assessment, no objections subject to the delivery, management and maintenance of measures identified in the water neutrality statement to achieve water neutrality.

WSCC Highways: 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.

WSCC Fire Officer: The nearest fire hydrant for the supply of water for firefighting is 390 metres away, 215-metres further than the 175-metre distance required for a domestic 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 1: B5 section 14 and agreed with West Sussex Fire & Rescue Service. Although an existing building it is a significant change of use and a considerable distance from a supply of water for firefighting.

Representations:
One (1) representation was received, supporting the application on the following grounds: -

- Good location.
- Environmentally sensitive.
- Provides economic benefits.

Parish Comments:
None received

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 10 of the Horsham District Planning Framework (HDPF) seeks to encourage rural economic development in the District in order to generate local employment opportunities and economic, social and environmental benefits for local communities. (1) Any proposals in the countryside must Contribute to the diverse and sustainable farming enterprises within the district and (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. (2) Proposals must also accommodate parking requirements of the development.

Policy 11 of the HDPF states 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.

The Horsham District Visitor Accommodation Study dated July 2016 outlines that the District is well-placed to capitalise on the projected growth in domestic short break and overseas tourist markets and the increasing demand for family and friend get togethers, celebrations, and weekends away. The study concludes that there is insufficient provision of all forms of visitor accommodation in the District, with the potential in the rural parts of the District to upgrade existing facilities through the provision of high quality holiday cottages, small holiday lodges/eco lodges etc.

As indicated within both the Horsham District Hotel and Visitor Accommodation Study 2016, there is an identified need for such tourist accommodation as proposed within the District. The proposed scale and nature of the accommodation is considered to be appropriate to the character and location of the area, whilst improving the range and quality of facilities for visitors.

Goffsland Farm is a working farm, predominantly used for pasture / grazing animals. The use of the area behind the farmhouse for the siting of a shepherds hut for holiday use lets would not inhibit the operation of the farm as a whole. The proposal would thus form part of a rural diversification project, allowing the farm to diversify its income. While the site is not particularly well located in respect of surrounding settlements it benefits from direct access to the public right of way network, thus providing opportunity for the enjoyment of the countryside. With the above in mind, the proposal is considered to be acceptable in principle, in accordance with Policies 10 and 11 of the HDPF.

Design and Appearance:

Policies 25, 32 and 33 of the HDPF promote development that is of a high quality design, which is sympathetic to the character and distinctiveness of the site and surroundings. The landscape character of the area should be protected, conserved and enhanced, with proposals contributing to a sense of place through appropriate scale, massing and appearance.

The shepherds hut and related development would be sited within an existing field, used as a cattle field at the time of the officer's site visit, set behind an existing dwellinghouse. The proposed cabins would be modest in size, comprising of timber cladding and hardwood timber fenestration, sited atop a wheelbase. The location, in the corner of the field behind the farmhouse ensures the cabin would be largely obscured from wider views. The proposed hardstanding would be softened by the haha wall and wildflower meadow proposed. Overall, no objection is raised with regards to the design and appearance of the holiday lets, which is considered to accord with Policies 32 and 33 of the HDPF in terms of design and appearance.

Heritage:

Policy 34 of the HDPF relates to Cultural and Heritage Assets and states that applications should make a positive contribution to the character and distinctiveness of the area, and ensure that development in conservation areas is consistent with special character of the area.

Section 66 of the Listed Buildings Act and paragraph 205 of the NPPF (2013) also stress the importance and great weight attributed to the desirability of preserving listed buildings or their settings.

The provision of a single shepherd's hut would not in itself result in harm to the setting of the listed building through increased activity and noise, and would retain the properties countryside setting, which informs the significance of the listed building. Following clarification of the hot tub details, as provided in the Water Neutrality Statement, this is considered acceptable since it would be set behind the hedge and shepherds hut.

Ecology:

Policy 31 of the HDPF states that development will be supported where it demonstrates that it maintains or enhances the existing network of green infrastructure. Development proposals will be required to contribute to the enhancement of existing biodiversity and should create and manage new habitats where appropriate.

The application is accompanied by sufficient information which sets out that there would be no adverse impacts to protected species or habitat, with conditions recommended in this regard.

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.

Through the introduction of rainwater harvesting to a barn within the redline, where cattle are kept, the proposal is considered to be water neutral. Natural England have been consulted during the course of the application in response to the Water Neutrality Statement submitted. A response was received confirming that strategy was acceptable, raising no objection. On this basis, the grant of planning permission would not therefore adversely affect the integrity of these sites or otherwise conflict with Policy 31 of the HDPF with regards to Water Neutrality, NPPF paragraph 193 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% net gain is achievable by way of onsite biodiversity gains.

Other Matters:

A suitable fire hydrant location has been secured by condition.

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-commencement Condition:** No development shall commence until full details of all hard and soft landscaping works shall have been submitted to and approved, in writing, by the Local Planning Authority. The details shall include plans and measures addressing the following:

- Details of all existing trees and planting to be retained
- Details of all proposed trees and planting, including schedules specifying species, planting size, densities and plant numbers and tree pit details
- Details of all hard surfacing materials and finishes.
- Land levels across the site.
- Details of all boundary treatments.
- Details of all external lighting, which shall reflect guidance within a "lighting design strategy for biodiversity" set out in Guidance Note 08/23 (Institute of Lighting Professionals).

The approved landscaping scheme shall be fully implemented in accordance with the approved details within the first planting season following the first occupation of any part of the development. Unless otherwise agreed as part of the approved landscaping, no trees or hedges on the site shall be wilfully damaged or uprooted, felled/removed, topped or lopped without the previous written consent of the Local Planning Authority until 5 years after completion of the development. Any proposed or retained planting, which within a period of 5 years, dies, is removed, or becomes seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure a satisfactory development that is sympathetic to the landscape and townscape character and built form of the surroundings, and in the interests of visual amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015).

4 **Pre-commencement (slab level) Condition**: No development above ground floor slab level shall commence until full details of the water efficiency measures and rainwater/greywater harvesting system required by the approved water neutrality strategy (Technical Note 1: Water Neutrality Statemen received 23/07/2024) have been submitted to and approved in writing by 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 179 and 180 of the National Planning Policy Framework (2021), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

5 **Pre-Occupation Condition**: No part of the development hereby permitted shall be occupied until a fire hydrant(s) to BS 750 standards or stored water supply (in accordance with the West Sussex

Fire and Rescue Guidance Notes) has been installed, connected to a water supply with appropriate pressure and volume for firefighting, and made ready for use in consultation with the WSCC Fire and Rescue Service. The hydrant(s) or stored water supply shall thereafter be retained as such.

Reason: In accordance with fire and safety regulations in accordance with Policy 33 of the Horsham District Planning Framework (2015).

6 **Pre-Occupation Condition**: The development hereby permitted shall not be first occupied until evidence has been submitted to and been approved in writing by the Local Planning Authority that the approved water neutrality strategy has been implemented in full. The evidence shall include the specification of fittings and appliances used, evidence of their installation, and completion of the as built Part G water calculator or equivalent. The installed measures shall be retained as such thereafter.

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 179 and 180 of the National Planning Policy Framework (2021), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

7 **Pre-Occupation Condition**: No part of the development hereby permitted shall be occupied until details of secure and covered cycle parking facilities for the occupants of, and visitors to, the development have been submitted to and approved in writing by the Local Planning Authority. The Shepherds Hut hereby permitted shall be occupied or use hereby permitted commenced until the approved cycle parking facilities associated with that dwelling or use have been fully implemented and made available for use. The provision for cycle parking shall thereafter be retained for use at all times.

Reason: To ensure that there is adequate provision for the parking of cycles in accordance with Policy 40 of the Horsham District Planning Framework (2015).

8 **Pre-Occupation Condition**: No part of the development hereby permitted shall be occupied until the car parking spaces necessary to serve it have been constructed and made available for use in accordance with approved site / location plan. The car parking spaces permitted shall thereafter be retained as such for their designated use.

Reason: To provide car-parking space for the use in accordance with Policy 40 of the Horsham District Planning Framework (2015).

9 **Regulatory Condition**: The development shall be carried out in accordance with the details of foul sewage as detailed in email correspondence from Batcheller Monkhouse dated 7th August 2024, unless detail of alternative provision have been submitted and approved in writing by the Local Planning Authority prior to development above ground floor slab level commencing.

Reason: As this matter is fundamental to ensure that the development is properly drained and to comply with Policy 38 of the Horsham District Planning Framework (2015).

10 **Regulatory Condition:** All mitigation measures and/or works shall be carried out in accordance with the details contained in the Protected Species Walkover Survey (AEWC Ltd, June 2024), as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

This may 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 (as amended) and Policy 31 of the Horsham Development Framework.

11 **Regulatory Condition**: The development hereby permitted shall only be occupied / operated as holiday accommodation, comprising one holiday-lets, and shall be managed in accordance with the following:

i) The accommodation shall be occupied for holiday and short-term let purposes only;
ii) The accommodation shall not be occupied as a person's sole, or main place of residence;
iii) The accommodation shall not be occupied by any one person for a period exceeding 28 days in any calendar year;
iv) The accommodation shall at all times be managed and supervised by Goffsland Farm;
v) 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

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/24/0932

(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
Location plan			18.06.2024
Block plan			18.06.2024
Elevation plan		NCL FB 01 A	25.06.2024
Elevation plan		NCL FB 01 A	25.06.2024
Floor plan		NCL FB 01 A	25.06.2024
Section plan		REV A	26.11.2024
Supporting Statement		Water Neutrality Statement	15.07.2024
Supporting Statement		BNG Metric	15.11.2024
Supporting Statement		BNG Report	15.11.2024

DELEGATED

Case Officer sign/initial Alice Johnson Date: 28/11/2024

Authorising Officer sign/initial Guy Everest Date: 03.12.2024