Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/24/1042
Sumners Pond Fishery and Campsite , Chapel Road, Barns Green, West Sussex, RH13 0PR

DESCRIPTION:
Installation of 3 x non-illuminated flag sign advertising new homes

SITE AND SURROUNDS

The application site forms part of the Sumners Ponds Fishery and Campsite. Sumners Ponds Fishery and Campsite is set within the countryside and is surrounded by lakes woodland and pasture. The site boundaries adjoin the south / southwest boundary of the Built-up Area Boundary of Barns Green to the east, which is described as a 'Medium Village' in the HDPF settlement hierarchy. The site is within walking distance of the central amenities of Barns Green village. The site has been granted planning permission for the erection of 32No. residential dwellings and 6No. commercial units and 1No. reception building. Along with a with access and circulation routes, parking, hard and soft landscaping together with a sustainable drainage system and works are underway. The site was formerly used for agricultural purposes for the keeping of animals; storage uses; small light industrial units; and car parking along with the adjoining open field.

The wider site comprises a commercial enterprise which includes a working farm (with cattle and sheep in fields and barns), 5 fishing lakes surrounded by fields with camping and hardstanding plots for caravans, motorhomes, campervans, and tents, as well as purpose-built lodges, safari tents, shepherds' huts and camping pods. Other on-site facilities include a fishing shop, and the 'café by the lake' with a licenced bar.

Immediately north of the site boundary is the Grade II listed dwelling known as Little Slaughterford (approx. 12m from boundary) and its related grounds. Further north, approximately 161m on the east side of Chapel Road, there is a cluster of Grade II listed buildings including Herons Reach: The Queens Head & Blacksmith Cottage. There is a series of interlinked bridleways and PROWS surrounding the site including Bridleway ROW 1604 (east/west axis); Footpath ROW 1596 (north/south axis) & ROW 1598 (east/west) which also join other Rights of Way nearby.

RELEVANT PLANNING HISTORY:

DC/21/2697	Erection of 32No. residential dwellings including 35% affordable housing, 6No. commercial units and 1No. reception building. Creation of access and circulation routes, parking, hard and soft landscaping together with a sustainable drainage system.	Application Permitted on 06.10.2023.
DC/24/0613	Non-Material Amendment to previously approved application DC/21/2697 (Erection of 32No. residential dwellings including 35% affordable housing, 6No. commercial units and 1No. reception building. Creation of access and circulation routes, parking, hard and soft landscaping together with a sustainable drainage system.) to revise the design of the chimneys to Plots 1, 2, 3, 4, 7 & 12.	Application Permitted on 02.05.2024.

DISC/24/0137	Approval of details reserved by condition 3 to approved application DC/21/2697	Application Permitted on 23.08.2024.
DC/24/1043	Installation of non-illuminated flags and hoarding advertising new homes.	on PENDING

RELEVANT PLANNING POLICIES
The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):
Policy 14- Shop Fronts and Advertisements
Policy 25- Strategic Policy: The Natural Environment and Landscape Character
Policy 26- Strategic Policy: Countryside Protection
Policy 32- Strategic Policy: The Quality of New Development
Policy 33- Development Principles
Policy 34- Cultural and Heritage Assets

Itchingfield Neighbourhood Plan:
POLICY 3 – Heritage Assets and Itchingfield Conservation Area

West Sussex Local Highway Authority Illuminated Signs Standing Advice

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
Conservation: No Objection

External
WSCC Highways: No Objection

WSCC PROW: No Objection

Parish Comments:
None received.

Representations:

1 letter of Objection received from the British Horse Society Access and Bridleways Officer West Sussex:

The WSCC Rights of Way [officer asked] i*f flag advertising on this site presents a hazard for equestrians using the bridleway that bisects the two site areas identified in the application plan.*

Please see bhs.org.uk/accessadvice. Structures and Surfaces. Construction Sites. Here you will find advice that flapping plastic wrapping and flags can cause a hazard to equestrians.
I would therefore request that advertising flags are not placed on the roadside entry to the bridleway or along the bridleway itself.

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

Regulation 3 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 requires that local planning authorities control the display of advertisements in the interests of amenity and public safety, taking into account the provisions of the development plan, in so far as they are material, and any other relevant factors. 'Amenity' includes consideration of any visual or noise impacts, as well as the presence of any general characteristics within the locality, including architectural, historic, or other similar cultural features.

The NPPF (2023) at para 141 states that the *'quality and character of places can suffer when advertisements are poorly sited and placed'*. Para 141 also states that the cumulative impacts of advertisements can be taken into consideration when assessing the resulting amenity and public safety aspects of a proposal.

Policy 14 of the HDPF states that advertisements should be sensitively designed and should be of an appropriate size and location. The impacts of signage, because of their scale, detail, character and design or illumination should not impair pedestrian or highway safety and should not result in clutter within the street scene. Policies 25, 32 and 33 of the HDPF require that consideration is given to application proposals in regard to impacts of proposals on their landscape and townscape character.

Policy 26 'Countryside Protection' protects the countryside against inappropriate development unless it is considered essential and appropriate in scale; whilst also meeting one of four criteria. These criteria include supporting the needs of agriculture or forestry; enabling the extraction of minerals or the disposal of waste; providing for quiet informal recreational use; or enabling the sustainable development of rural areas. Planning permission has previously been granted for a mixed residential and commercial development which the current proposal relates to.

Given the nature of the site the proposals are considered to be acceptable in principle and it is considered that the proposals comply with Policy 14 of the HDPF 2015, subject to a thorough assessment against all other relevant policies.

<u>Design and Appearance:</u>

Policies 32 and 33 of the HDPF seek to ensure high quality and inclusive design for all development in the district and ensures that it will complement locally distinctive characters and heritage and that the scale, massing and appearance of the development is of a high standard of design and layout and where relevant relates sympathetically with the built surroundings, is locally distinctive in character, respects the character of the surrounding area, and uses high standards of building materials, and finishes. Policy 32 of the HDPF requires new development to 'Complement locally distinctive characters and heritage of the district' and 'Contribute a sense of place both in the buildings and spaces themselves and in the way they integrate with their surroundings'.

The application seeks advert consent for the erection and display of 3 x Static Flags with advertising. The proposed flags are located east of Plots 1-4 as located within the northeast section of the site, immediately to the front of the adjacent hedge line (west side) which lines the eastern site boundary adjacent to Chapel Road. This area forms part of the wider development for residential and commercial development as granted under DC/21/2697 (amended by DC/24/0613).

The adverts would have a maximum height of 5 metres, and a maximum width and depth of 0.8 metres. The height from ground to base of the advertisement is advised as being 2.2 metres. The maximum projection of the advertisement from the face of hoarding would be 0.8 metres, with maximum height of individual letters and symbols of 20 centimetres.

The proposed advertisement materials proposed is plastic. The text and background would comprise green text on a white background.

It is envisaged the signs would be retained for a temporary period of time proposed to be less than 24 months (between 29 July 2024 to 15 December 2025).

The flags are a temporary addition to advertise the Sumners Pond Residential Development as previously approved, the design of the flags is considered acceptable in terms of their design and appearance. It is considered that the proposals comply with Policies 32 and 33 of the HDPF 2015.

Amenity Impacts:

Policy 33 of the HDPF states that development should, amongst other things, respect amenities of neighbouring properties and the locality.

The design and location of the flags is considered to be acceptable, and their temporary nature would not result in any permanent or significant visual impacts on nearby residential occupiers or in respect of the character of the area.

The proposed flags are non-illuminated and static in that the Applicant has confirmed that the flags '*are framed top and bottom with metal rods and are therefore taught*.' As such they would not move around or flap in the same way that a traditional flag would. It is therefore considered that they would not create any significant or appreciable amenity concerns in terms of noise or safety concerns to local residents, pedestrians or horse riders passing by.

The proposals are considered to comply with Policy 33 of the HDPF 2015.

Heritage Impacts:

Policy 34 of the HDPF (Cultural and heritage Assets) states that the Council will sustain and enhance its historic environment through positive management of development affecting heritage assets. Amongst other things, the policy seeks to 'retain and improves the setting of heritage assets, including views, public rights of way, trees and landscape features, including historic public realm feature(s)' [point 7 refers].

Itchingfield Neighbourhood Plan Policy 3 – Heritage and Itchingfield Conservation Area states that 'Development proposals shall, where possible and consistent with other policies in this Plan, incorporate measures which seek to conserve heritage assets in a manner appropriate to their significance. Special regard shall be given to the desirability of preserving any heritage building, or its setting, and/or any features of special architectural interest which the building possesses. Development proposals for development within the Itchingfield Conservation Area and the setting within which it lies shall include measures which seek to conserve and enhance the Area.'

The Council's Conservation and Design Officer has been consulted and has advised that the proposals would not result in harm to the listed buildings or their setting.

The proposals are considered to comply with Policy 34 of the HDPF 2015.

Highways

WSCC Highways Authority (LHA) has been consulted and initially raised a query regarding the number of flags sought and the location of the flags in relation to the existing unallocated and visitor car parking spaces for the new development. The concerns have been addressed by the Applicant and it has been confirmed that flags would not interferes with the location of the existing car parking spaces and in any event, it is recognised by the LHA that given the stage that the development is at is not anticipated that the proposals would result in any immediate safety concerns.

The proposed advertisements signs are non-illuminated, the LHA have confirmed that the flags do not encroach on the publicly maintained highway. are not located within any pedestrian or vehicular splays

and as such would not interfere with any envelopes of visibility. It is considered that the signs would not interfere with or cause obstruction to pedestrian or vehicular visibility or cause distractions to vehicles accessing the new development or along Chapel Road.

WSCC LHA have advised that the Collison data records provided to WSCC by Sussex Police have not recorded any accidents within the past 5 years and there is no evidence to that the proposals would cause any safety concerns.

WSCC Public Rights of Way have been consulted. Initially they raised a holding objection and advised that they consulted the British Horse Society Access and Bridleways Officer West Sussex who raised safety concerns in respect of potential harm caused by '*flapping plastic wrapping and flags can cause a hazard to equestrians' and requested that advertising flags are not placed on the roadside entry to the bridleway or along the bridleway itself.*' As stated above, the Applicant has confirmed that the non-illuminated flags are non-illuminated and static and are '*framed top and bottom with metal rods and are therefore taught*.' As such they would not move around or flap in the same way that a traditional flag would. It is therefore considered that they would not create any significant or appreciable amenity concerns in terms of noise or safety concerns to local residents, pedestrians or horse riders passing by. WSCC Highways have advised that following receipt of the additional information that the details are acceptable and they raise no objections.

The proposals are considered to comply with Policies 40 and 41 of the HDPF 2015.

Conclusion

The site is located outside of the Built-up Area Boundary and is located within the Countryside. It was acknowledged that the site was selected for housing allocation in the emerging Barns Green and Itchingfield Neighbourhood Plan (BGINP) for the extent and quantum of development proposed. Planning permission was subsequently granted for a mixed commercial and residential scheme on this unallocated site within the Countryside. The proposals are therefore considered to be acceptable within the context of the development that has previously been approved. The temporary nature of the proposals in this respect is acknowledged.

The flags are considered to be of an appropriate size, scale and location and would be set back from the edge of the main highway behind the existing hedge which is to be retained. The flags would be visible from areas immediately outside of the development site and on approach to it, however, whilst visible within the wider locality, they would not be illuminated, their size and scale is considered acceptable, and their presence would only be for a temporary period of time during part of the construction period. It is considered that the flags would not result in adverse impact to residential amenity or highway safety.

The 3 x Static Flags with advertising as described above and by virtue of their temporary nature would not harm the appearance of the wider street scene or the setting of nearby listed buildings, and would not result in hazard to public safety, in accordance with Policies 14, 26, 32, 33 & 34.

Recommendation: Application Permitted

Conditions:

1. Approved plans

2 **Advert Condition**: No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

No advertisement shall be sited or displayed so as to:

a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military).

b) obscure, or hinder, the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or

c) hinder the operation of any device used for purpose of security or surveillance or for measuring the speed of any vehicle.

Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

Reason: In the interests of the visual amenities of the locality.

3 **Regulatory Condition:** The advertisement flags hereby permitted shall be removed upon completion of the development permitted pursuant to planning permission ref. DC/21/2697.

Reason: In the interests of the visual amenities of the locality in accordance with Horsham District Planning Framework Policies 14, 32 and 33.

NOTE TO APPLICANT

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/24/1042
(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		LOC01 REV A	08.07.2024
Details plan		NONE	29.07.2024
Site plan		NONE REV A	29.07.2024

Schedule of plans/documents **not approved**:

Plan Type	Description	Drawing Number	Received Date

DELEGATED

Case Officer sign/initial Amanda Wilkes Date: 22/10/2024

Authorising Officer sign/initial Adrian Smith Date: 22/10/2024