PLANNING COMMITTEE REPORT

TO:	Planning Committee
BY:	Head of Development and Building Control
DATE:	3rd June 2025
DEVELOPMENT:	Erection of agricultural barn and sand school.
SITE:	Land South of The Mount Farm, The Mount, Ifield, West Sussex
WARD:	Colgate and Rusper
APPLICATION:	DC/25/0172
APPLICANT:	**Name:** Mrs Lorraine Clipperton **Address:** 56 Burlands Langley Green Crawley West Sussex RH11 7LG

REASON FOR INCLUSION ON THE AGENDA: This application is made by a family member who is related to a Council employee.

RECOMMENDATION: To approve planning permission subject to appropriate conditions.

1. THE PURPOSE OF THIS REPORT

1.1 To consider the planning application.

DESCRIPTION OF THE APPLICATION

1.2 The proposal seeks planning permission for the erection of an agricultural barn and sand school for private use. The proposed barn would measure 16m x 10m with an overall ridge height of 4.75m above ground level. The proposed barn would comprise of a dual pitched roof with 2 no. roller shutter and 1 no. pedestrian access door on the north elevation. The barn would be constructed of concrete base and finished in steel profile cladding including the roof. The barn would be used to store agricultural equipment that are currently stored in the open and it is also planned to store hay/store and bee keeping equipment. The machinery is currently used to manage the existing fields, fencing and trees.

1.3 In addition, the proposed sand school would measure 40m x 20m enclosed by post and rail fencing at approximately 1.5m -1.6m height above ground level. The top surface of the sand school would be a sand and fibre mix which would retain moisture and provide the structure to the surface. The maintenance would consist of regular harrowing and rolling to keep the surface level and remove high spots or areas prone to banking (edges and corners). The Sand School would be for private use only.

DESCRIPTION OF THE SITE

1.4 The application site is located on the western side of The Mount. The site is accessed via a private track leading from Rusper Road. The site is positioned in a rural countryside location

outside of the built-up area. The site consists of agricultural fields with a pond situated to the southeast and woodland to the south as well as trees line edged along the western boundary. The site benefits from existing stable block and a portable field shelter positioned along the eastern boundary. The wider area is characterised by open countryside and agricultural fields, with sporadic residential development located to the north and south fronting nearby roads.

2. INTRODUCTION

STATUTORY BACKGROUND

2.1 The Town and Country Planning Act 1990.

RELEVANT PLANNING POLICIES
The following Policies are considered to be relevant to the assessment of this application:

National Planning Policy Framework

Horsham District Planning Framework (HDPF 2015):
Policy 1 - Strategic Policy: Sustainable Development
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
Policy 26 - Strategic Policy: Countryside Protection
Policy 29 - Equestrian Development
Policy 31 - Green Infrastructure and Biodiversity
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles

Rusper Neighbourhood Plan 2018 – 2031
Policy RUS3 – Design

Horsham District Local Plan (2023-40) (Regulation 19):
Strategic Policy 1: Sustainable Development
Strategic Policy 9: Water Neutrality
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 33: Equestrian Development

PLANNING HISTORY AND RELEVANT APPLICATIONS

Please note the history below relates to the wider site and no applications listed are within the red edge of this application site

DC/21/0005	Construction of an agricultural style barn for storage of essential equipment necessary for maintaining the site for private angling and nature reserve purposes.	Withdrawn Application on 18.01.2021
DC/21/0302	Use of the lake for the purpose of private recreational fishing and the creation of an access (Lawful Development Certificate - Existing)	Application Permitted on 19.04.2021
DC/21/0975	Construction of a barn for equipment storage associated with private angling and nature reserve purposes and the retention of access tracks to the northern portion of the site	Application Permitted on 27.08.2021
DISC/21/0323	Approval of details reserved by condition 3 to approved application DC/21/0975	Application Permitted on 29.12.2021

DC/22/1279	Formation of a pond.	Application Permitted on 31.08.2022
DISC/22/0242	Approval of details reserved by condition 3 to approved application DC/19/1189.	Application Refused on 18.10.2022
DISC/22/0333	Approval of details reserved by condition 3 to approved application DC/22/1279	Application Permitted on 12.01.2023
DC/19/1189	Installation of a 40x20m sand school/horse riding arena in the south west corner of adjacent field	Application Permitted on 03.04.2020

3. OUTCOME OF CONSULTATIONS

3.1 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.

3.2 **HDC Arboricultural Officer:** No Objection
Following the submission of the new site plan drawing it is considered that amended location of the sand school and new barn are now satisfactory. Subject to some tree protection fencing being placed between the areas of development and the neighbouring trees.

3.3 **Newt Officer:** No Comment
The proposed development is not considered to be relevant to the District Licensing Scheme in this case and is considered that there would be no likely impact on great crested newts or their habitats. Therefore, no comments to make at this time.

PUBLIC CONSULTATIONS

3.4 Representations:
1 no. letter for Support have been received from 1 no. address, supporting the application on the following grounds:
- As the site use and access requirements over the track owned by Thales Properties Limited are not proposing to change, there are no objections to the proposal.

3.5 Parish Comments:
Rusper Parish Council: No Objection
On the basis that HDC Planning put in conditions to meet the application data. Conditions recommended are for the sand school to be built for private (non-commercial) use only and the lighting of the sand school is restricted to 1 hour per day usage.

3.7 Member Comments:
None received

4. HOW THE PROPOSED COURSE OF ACTION WILL PROMOTE HUMAN RIGHTS

4.1 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.

4.2 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.

5. HOW THE PROPOSAL WILL HELP TO REDUCE CRIME AND DISORDER

5.1 It is not considered that the development would be likely to have any significant impact on crime and disorder.

6 PLANNING ASSESSMENTS

Principle of Development:

6.1 Policy 26 of the Horsham District Planning Framework (2015) (HDPF) sets out a general policy of restraint against inappropriate development in the countryside in order to protect its rural character and undeveloped nature. However, it does allow for, amongst other things, quiet, informal recreational use, such as that derived from private equestrian activities.

6.2 Policy 29 of the HDPF is generally supportive of new equestrian development, subject to several criteria, including the proposal being appropriate in scale and character, and level of activity, and being in keeping with the location, being well-related to existing buildings. The policy sets out that existing buildings should be re-used before new buildings are considered.

6.3 The proposal would facilitate the storage of agricultural equipment and machinery used to manage the fields, fencing and trees as well as hay/straw and bee keeping equipment. The barn would provide secure storage for machinery /equipment which would otherwise be stored in the open. Furthermore, the proposed sand school would be used for private purpose only in association with the existing stable yard.

6.4 Given the existing equestrian use on site, in principle, the proposed sand school for private use only would be of an appropriate scale and level of activity associated with the existing use which would be considered acceptable. Additionally, the barn would be situated within the existing cluster of buildings and would be of similar height and form as the existing buildings therefore it is considered that the barn would be viewed in context of the rural character of the site. As a result, the principle of the proposed development would be considered acceptable, subject to all other material considerations.

Design and Appearance:

6.5 Policies 32 and 33 of the HDPF seek to ensure high quality and inclusive design for all development in the District and ensure that it will complement locally distinctive characters and heritage; 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. Furthermore, Policy 29 of the HDPF does not favour between commercial and non-commercial equestrian activity, providing the development is sustainable.

6.6 Policy RUS3 of the Rusper Neighbourhood Plan aims to maintain that proposals for new development, including extensions to existing buildings, must be of the highest design standards, and will be required to reflect the character and scale of surrounding buildings.

6.7 The design and form of the proposed agricultural building is typically seen in a rural location. Therefore, the proposed agricultural building would be in keeping within the countryside setting. It is considered that the proposed agricultural building would be constructed of materials which would be typical for such a building. The proposal would sit within the context of the existing cluster of buildings.

6.8 The proposed sand school would be positioned to the west of the proposed barn as well the existing buildings and would be enclosed by post and rail fencing. As the proposed sand

school would be used in association with the existing private equestrian use on site, the resulting landform would not appear incongruous in this location. The proposed sand school would be in keeping with the equestrian character of the site in this countryside location.

6.9 Overall, it is considered that the proposed developments would not have any adverse impact on the character or appearance of the wider surrounding area.

Landscape and Trees:

6.10 Policy 25 of the HDPF states that the natural environment and landscape character of the district, including landscape, landform and development pattern, together with protected landscapes and habitats will be protected against inappropriate development. In addition, the loss of green infrastructure is to be resisted in line with Policy 31 of the HDPF, unless there are new opportunities which compensates or mitigates for the loss. Chapter 15 of the NPPF also recognises the intrinsic character and beauty of the countryside and seeks to improve landscapes, biodiversity net gains.

6.11 It is noted that the south of the application site is bordered by a young woodland. The initial location of the barn and sand school was partly within the Root Protection Area (RPA) of the trees on the northern edge of the woodland. There were concerns that future issues would arise with crown encroachment of these trees in the area over the sand school and barn.

6.12 Following consultation with the Council's Arboricultural Officer the proposed sand school has been moved 3m to the north, away from the site boundary and similarly the proposed barn has been moved 3m to the west and 3m to the north away from the site boundaries. The amended location addresses the issues of development falling within the RPA and now would allow for a suitable distance between the adjacent trees and the new structures. Although, some ground protection would also be needed to ensure that the soft ground area with the RPAs of the woodland trees is not heavily compacted during the construction phase of the development, which has been secured by condition.

6.13 The Council's Arboricultural Officer considers that the removal of 7 Ash trees due to the identification of ***Hymenoscyphus fraxineus*** Ash dieback (ADB) would be premature as two of the trees for the most part appeared to be in fair health with good bud density. However, it is viewed this group of trees only makes a small contribution to the area's visual amenity value as these trees are not visible from any nearby public rights of way, and due to the additional mature tree coverage in the area. Consequently, the loss would not be particularly noticeable and there would be no significant loss or impact on the wider landscape. Therefore, subject to appropriate replacement the Council's Arboricultural Officer raised no significant concerns with their removal.

6.14 It is acknowledged that the applicant's Site Tree Report commentary dated 22nd March 2025 explained that 3 no. Ash trees have already been removed in Mid-September 2024 due to the Ash dieback (ADB) therefore, only 4 no. Ash trees remain onsite. Essentially, the applicant intends to only remove the trees that are necessary which would be 1-2 trees and continue to monitor the conditions of the remaining trees.

Residential Amenity:

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

6.16 The application site is in a rural location with significant separation distance away from the sporadic residential properties positioned to the north and south of the site. Therefore, the proposed development would have limited adverse impact on residential amenity. However, given the rural location of the application site within the countryside, the proposed sand

school use may result in increased noise and light pollution. Therefore, planning conditions have been imposed to restrict the use of the facilities for personal purposes only and limit the operation of the sand school floodlights to no more than an hour in the evening from October and March. Having regard to the above factors, the proposal would not result in adverse amenity harm, in accordance with Policy 33(2) of the HDPF.

Water Neutrality:

6.17 Horsham District is situated in an area of serious water stress, as identified by the Environment Agency. In September 2021, Natural England released a Position Statement which advised all local authorities within the Sussex North Water Supply Zone that it cannot be concluded that existing water abstraction within the Sussex North Water Supply Zone is not having an adverse effect on the integrity of the Arun Valley SAC/SPA/Ramsar sites near Pulborough. The Position Statement advises the affected local authorities that developments within the Sussex North Supply Zone must not therefore add to this impact, and to achieve this, all proposals must demonstrate water neutrality. The definition of water neutrality is the use of water in the supply area before the development is the same or lower after the development is in place.

6.18 In assessing the impact of development on protected habitat sites such as those in the Arun Valley, decision makers must, as the competent authority for determining impact on such sites, ensure full compliance with the Conservation of Habitats and Species Regulations 2017 (known as the Habitat Regulations). The Regulations require that a Habitats Regulations Assessment (HRA) be carried out to determine if a plan or project may affect the protected features of a habitats site, before the grant of any planning permission. Section 70(3) of the Regulations requires that planning permission must not be granted unless the competent authority (Horsham District Council) is satisfied that the proposed development will not adversely affect the integrity of the affected habits site. Section 63 of the Regulations sets out the process by which an HRA must take place.

6.19 The requirements of Section 70(3) are reflected in paragraph 186 of the NPPF, which states that 'if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused'. The application site falls within the Sussex North Water Supply Zone which draws its water supply from groundwater abstraction at Hardham (near Pulborough), adjacent to the Arun Valley sites. The water abstraction issues raised by the Natural England Position Statement are therefore material planning considerations relevant to the proposal. Given the requirements of the Habitat Regulations and paragraph 194 of the NPPF, adverse impact on the integrity of the Arun Valley sites must be given great weight in decision making. In order to demonstrate that no adverse impact will occur at the Arun Valley sites, all new development within the supply zone must demonstrate water neutrality, i.e., that water consumption from the site when occupied will not increase water abstraction in the Arun Valley.

6.20 There is no clear or compelling evidence to suggest the nature and scale of the proposed development would result in a more intensive use of the application site which could necessitate 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 193 and the Council's obligations under the Conservation of Habitats and Species Regulations 2017.

Biodiversity Net Gain (BNG):

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

6.22 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.

6.23 The Applicant has submitted a Biodiversity Metric which demonstrates a 10.92 net gain is achievable by way of onsite biodiversity gains.

Conclusions and Planning Balance:

6.24 The proposed sand school would be used in connection with the existing equestrian facilities on site and would be used for personal purposes only as secured by condition. The proposed barn would be of an appropriate design and scale in keeping with the rural characteristic of the site. Moreover, 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 site 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.

7. RECOMMENDATIONS

7.1 To approve the application subject to the following conditions:

Conditions:

1 **A List of the Approved Plans**

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, including ground clearance, or bringing equipment, machinery or materials onto the site, until the following preliminaries have been completed in the sequence set out below:

- The off-site woodland trees to the south of the sand school and to the west of agricultural barn whose root protection areas ingress into the site, shall be fully protected throughout all construction works by tree protective fencing affixed to the ground. The fencing shall be erected within 2m of the woodland edge, and those adjacent to the southeast corner, adjacent to the areas of proposed development.
- Once installed, the fencing shall be maintained during the course of the development works and until all machinery and surplus materials have been removed from the site.
- Areas so fenced off shall be treated as zones of prohibited access, and shall not be used for the storage of materials, equipment or machinery in any circumstances. No mixing of cement, concrete, or use of other materials or substances shall take place within any tree protective zone, or close enough to such a zone that seepage or displacement of those materials and substances could cause them to enter a zone.

Reasons: As this matter is fundamental to ensure the successful and satisfactory protection of important trees and hedgerows on the site in accordance with Policy 33 of the Horsham District Planning Framework (2015).

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

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

5 **Regulatory Condition**: The barn and sand school hereby approved shall be for private use only. The facilities shall not be used by visiting members of the public or for the staging of equestrian competitions, the provision of equestrian livery services for financial reward, or for a riding school providing horse riding lessons to the general public.

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).

6 **Regulatory Condition**: No amplified music shall be used or installed other than with the permission of the Local Planning Authority by way of formal application.

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

7 **Regulatory Condition**: The sand school floodlights shall be installed in accordance with the specification set out in the Planning Statement and shall operate no more than 1 hour between 3pm - 9pm from October until March.

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).

8 **Regulatory Condition**: No additional external lighting or floodlighting shall be installed other than with the permission of the Local Planning Authority by way of formal application.

Reason: In the interests of the amenities of the locality and in accordance with Policy 33 of the Horsham District Planning Framework (2015).