DELEGATED APPLICATIONS

ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

NC/24/0021
Knepp Castle, West Grinstead, Horsham RH13 8LJ

DESCRIPTION:

Proposed Extension of Time (variation of condition 3 of application WSCC/050/21) to enable the Approved Development to be Completed Prior to 31st December 2027

DETAILED DESCRIPTION:

The consultation seeks to extend the time limit for completion of the approved landscape restoration and enhancement at Knepp Castle until 31st December 2027. Condition 3 (cessation of operations) of planning permission WSCC/050/21 currently requires cessation by 30th April 2024.

No changes are proposed to the works themselves, which comprise restoration works to Knepp Mill Pond by means of dredging and the construction of landscape enhancement features and land restoration works using imported inert materials, together with the provision of public access and amenity, all initially approved under application.

SITE AND SURROUNDINGS:

Knepp Castle Estate is located approximately 1km south of Southwater, and in total extends to an area of approximately 1,400 hectares (3,500 acres). This comprises Knepp Castle, Knepp Mill Pond, parkland, woodland, areas of grassland, grazing land, farmhouses and cottages, rural offices and light industrial units, together with a polo club and polo fields. The application site itself relates to land that is within that part of the Estate known as Knepp Park. This covers an area of some 274 hectares (677 acres) and is located immediately west of the A24 and south of the A272.

Knepp Castle is located broadly centrally within Knepp Park. This is a Grade II* listed building constructed between 1800 and 1813 as a castellated gothic mansion (List Entry No: 1354214). The property is situated within a Grade II listed Park and garden that extends to some 144 hectares of parkland and incorporates the Knepp Mill Pond. The application site includes a section of the listed Park and garden, comprising land to the east of the Mill Pond, around the area known as Hill House Farm.

To the southeast of the listed Park are the ruins of Knepp Castle. This is a Scheduled Ancient Monument (SAM) (List Entry No: 1010765) and comprises the mound and ruins of a motte castle which dates from shortly after the Norman conquest, together with its surrounding moat, outer bank and approach causeway. The ruins of the castle are separately listed Grade II and comprises the ruins of an early Norman keep (Listing Reference: 1180576). Immediately to the southeast of the listed Park, and north of Knepp Castle ruins is a collection of buildings known as Floodgates Farm. This comprises existing and former agricultural buildings and residential properties.

To the north of this, with access direct off the A24 is Charleston Farmhouse. This residential dwelling, is outside of the ownership of the Estate. To the north and northwest of this property is land that comprises part of the parkland and is used as polo fields (Hill House Lawn).

To the north of this is a woodland, beyond which is a residential dwelling and existing and former agricultural buildings known as Hill House Farm. The dwelling is Grade II listed (List Entry No: 1026960). This is accessed direct off the A24. To the north of this is land that generally rises from a low point defined by the tributary to the Knepp Mill Pond, rising in a westerly direction. To the north of this, and immediately adjacent to the junction of the A24 with the A272 is a petrol service station

and McDonald's restaurant and drive thru; and immediately to the west of this are dwellings known as Buck Barn Bungalows.

The application site predominantly borders the western edge of the A24, which is typically defined by indigenous hedgerows together with a number of mature tree specimens. The application site falls within an Archaeological Notification Area. Knepp Castle is a Registered Park and Garden. West of the application Mill Pond is within Flood Zones 2 and 3. Veteran trees are identified throughout the estate.

RELEVANT PLANNING HISTORY:

WSCC/028/11/SP	Restoration works to Knepp Mill Pond by dredging, and the construction of landscape enhancement features using imported inert materials, together with the provision of public access and amenity	Permitted 10 October 2012
WSCC/073/15/SP	Amendment of conditions 2, 4, 5 and 7 of planning permission WSCC/028/11/SP to amend the phasing of the construction of the landscape enhancement features and the timescales associated with the progressive restoration works	Permitted 23 February 2016
WSCC/064/16/SP	Amendment of condition 4 of planning permission WSCC/073/15/SP to allow development to continue to 31 December 2017	Permitted 17 March 2017
WSCC/037/17/SP	Amendment of condition 4 of planning permission WSCC/073/15/SP to allow development to continue to 31st December 2018	Permitted 17 November 2017
WSCC/029/018/SP	Restoration works to Knepp Mill Pond by dredging and construction of landscape enhancement features using imported inert materials, together with the provision of public access and amenity (amendment to WSCC/037/17/SP), to allow development to 30 April 2020	Permitted 4 October 2018
WSCC/015/20 -	Restoration works to Knepp Mill Pond by dredging and construction of landscape enhancement features using imported inert materials, together with the provision of public access and amenity (amendment to WSCC/037/17/SP), allowing development to 31 December 2020	Permitted 29 April 2020
WSCC/019/20	Proposed construction of landscape enhancement features using imported inert material, together with the provision of public access and amenity; comprising revised landform and details to WSCC/029/18/SP	Permitted 17-05-2021

WSCC/019/20

The works for restoration of Knepp Mill Pond and the construction of landscape enhancement features, associated landscape improvements and public benefits was initially granted planning permission in 2012 and commenced in 2014. The 'Kim Wilkie' revised design proposals were granted planning permission 17th May 2021.

WSCC/050/21
Proposed construction of landscape enhancement features using imported inert material, together with the provision of public access and amenity; comprising revised landform and details to WSCC/029/018/SP.
Approved 08/08/2022.

Whilst the application submissions approved under WSC/019/20 detailed the requirement for a 3-year time period for implementing the development, the grant of planning permission was the subject of a planning condition (Condition 3) which required a cessation of all operations by 30th April 2023 (i.e. a little under 2 years). A subsequent application WSCC/050/21 was approved in August 2022, to enable implementation of the development up to 31st December 2024.

Works in the implementation of the development have continued since this approval.

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

National Planning Policy for Waste
National Planning Practice Guidance – Waste
National Planning Policy Framework
West Sussex Joint Minerals Local Plan July 2018

West Sussex Waste Local Plan April 2014
Policy W12 (High Quality Developments)
Policy W2 (Safeguarding Waste management Sites and Infrastructure)
Policy W10 (Strategic Waste Allocations)
Policy W11 (Character)
Policy W14 (Biodiversity and Geodiversity)
Policy W15 (Historic Environment) s
Policy W16 (Air, Soil, and Water)
Policy W17 (Flooding)
Policy W18 (Transport)
Policy W19 (Public Health and Amenity)

Horsham District Planning Framework (HDPF 2015)
1 - Strategic Policy: Sustainable Development
24 - Strategic Policy: Environmental Protection
25 - Strategic Policy: The Natural Environment and Landscape Character
26 – Strategic Policy: Countryside Protection
31 - Green Infrastructure and Biodiversity
32 – Strategic Policy: The Quality of New Development
33 - Development Principles
34 – Cultural and Heritage Assets
35 – Climate Change
36 – Energy
37 – Sustainable Design and Construction
38 – Strategic Policy: Flooding
40 – Sustainable Transport

REPRESENTATIONS AND CONSULTATION RESPONSES:

Consultations:

District Environmental Health: No Objection

District Landscape Architect: Awaited

Representations:
None received.

PUBLICITY:
Undertaken by West Sussex Country Council.

MEMBER COMMENTS:
None

HUMAN RIGHTS:
Article 8 (right to respect of a private and family life) and Article 1 of The First Protocol (protection of property) of the Human Rights Act 1998 are relevant to the application. Consideration of human rights is an integral part of the planning assessment set out below.

PLANNING ASSESSMENT:

Principle

This application seeks an extension of time to enable implementation of the development up to 31st December 2027. It is said by the applicant to be required due to the reduction in supply of locally available and suitable clean, inert soils, required to form the landscape enhancement features. This is largely a result of the Position Statement of Natural England, on water neutrality, which has had the effect of restricting construction activity in the area covered by the Sussex North Water Resource (Supply) Zone.

The quantum of material that has been imported into the site since the submission of the application for the Kim Wilkie scheme has been 130,000m3 of material. This results in a residual quantum of some 113,000m3 of material still to be imported to complete the Kim Wilkie scheme design. This represents a little under 50% of the material required, since December 2019 (the date of the submission of the application for the Kim Wilkie scheme). Based on the current importation rate, determined by the availability of material locally, it is considered that the development will take a further 36 months to be completed. This would comprise 30 months to complete the material importation, and 6 months for the removal of all associated plant.

As no other changes are envisaged under this application and given there has been no material change in site circumstance since the last permission, HDC does not seek to revisit the acceptability of the development as previously assessed in terms of other matters of Landscape Character and Visual Impact; Archaeology and Heritage; Ecology; Drainage and Flood Risk. Whilst this application would result in these benefits being delivered later than originally planned, this is due to circumstance largely beyond the control of the applicant. Overall, the scheme will continue to deliver net gain benefits to local landscape character and visual appearance, and the effect of the constructions works remains temporary and minimised.

Given its own evidence of a downturn in construction in the district since the Natural England Position Statement being issued, Horsham District Council (HDC) does not challenge the applicant's position on this and raises no objection to the principle of a further extension of time.

Environmental Protection and Amenity

In consideration of the last application, HDC when in consultation by WSCC noted that the extension of time for implementation of the development had the potential to impact local residential amenity.

However, it is acknowledged that few concerns had been raised since work began on the site a little over 10 years ago. This suggests impacts have been effectively controlled by planning condition and the good operating practices of those implementing the scheme. In respect of this proposal, it is submitted that the same operational conditions would be imposed, thus ensuring the good working practices that have protected local residential amenity will continue to be employed. Furthermore,

the application will not result in any additional works to the site. The Council's Environmental Protection team have reviewed the proposal and have no comments to make.

Conclusions

The applicant has explained the need for the extension of time until 31st December 2027. HDC does not challenge this.

The previous application WSCC/050/21 was approved to enable an extended implementation of the development in compliance with other planning conditions attached to the planning approval WSCC/019/20, in relation to vegetation clearance and HGV movement controls.

With amenity and other matters (such as ecology) safeguarded under the previous application WSCC/050/21, it is not considered that the extension of the deadline to 31 December 2027 to complete the works secured under this planning permission would result in harm to the District Council's interests.

Recommendation: NO OBJECTION to Notification

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**.**

DELEGATED

Case Officer sign/initial Matthew Porter Date: 12-08-2024

Authorising Officer sign/initial J Hawkes Date: 12.08.2024