



DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/25/1938

Merrion Farm, Bines Green, Partridge Green, West Sussex, RH13 8EH

DESCRIPTION:

Erection of a new milking parlour and feed silo. (Part Retrospective).

RELEVANT PLANNING HISTORY:

No relevant planning history

DESCRIPTION OF THE SITE

The application site forms part of Merrion Farm, Bines Green, located within the parish of Ashurst. The site lies outside of any defined built-up area boundary and is therefore designated as countryside.

Merrion Farm is an established agricultural holding comprising approximately 63 hectares of owned land, with the vast majority used as grazing land. The farm operates as a dairy farm, with a herd of around 150 cows.

The proposed milking parlour and feed silo will be located with the existing cluster of agricultural buildings, accessed by a private track from the B2135. A Public Right of Way (2519) runs along the access track and adjacent the northern boundary of this cluster of buildings. The surrounding area is predominantly rural in character, surrounded by enclosed agricultural fields, with sporadic residential buildings, the closest located 68 metres to the north.

DESCRIPTION OF THE APPLICATION

This application seeks full planning consent for the erection of a new milking parlour building and retrospective consent for a feed silo.

RELEVANT PLANNING POLICIES

The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):

Policy 1 - Strategic Policy: Sustainable Development

Policy 7 - Strategic Policy: Economic Growth

Policy 10 - Rural Economic Development

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

Ashurst Neighbourhood Plan

Ashurst Parish Council voluntarily withdrew their parish from the Neighbourhood Development Plan process on 12 October 2017.

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old, the most important policies for the determination of this application must be considered as to whether they are 'out of date' (NPPF paragraph 11d).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 1 year. 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):

Strategic Policy 1: Sustainable Development

Strategic Policy 6: Climate Change

Strategic Policy 8: Sustainable Design and Construction

Strategic Policy 9: Water Neutrality

Strategic Policy 10: Flooding

Strategic Policy 14: Countryside Protection

Strategic Policy 17: Green Infrastructure and Biodiversity

Strategic Policy 19: Development Quality

Strategic Policy 20: Development Principles

Policy 25: Parking

Policy 31: Rural Economic Development

Supplementary Planning Guidance:

Planning Obligations and Affordable Housing SPD (2017)

Community Infrastructure Levy (CIL) Charging Schedule (2017)

Planning Advice Notes:

Shaping Development in Horsham District

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:

INTERNAL CONSULTATIONS

HDC Environmental Health: No Objection

Due to location and nature of area, EH no objections to this application.

OUTSIDE AGENCIES

None received

PUBLIC CONSULTATIONS:

Representations:

None received

Parish Comments:

Ashurst Parish Council: No response

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:

The application site is not within a defined Built-up Area Boundary (BUAB) and is therefore considered to form part of the District's countryside. Policy 26 (Countryside Protection) of the Horsham District Planning Framework (HDPF) is therefore of key importance when determining this application. This Policy makes provision for development in the countryside where certain criteria are complied with. In addition, Policy 10 (Rural Economic Development) of the HDPF and Paragraph 83 of the National Planning Policy Framework (NPPF) are also relevant when considering the acceptability of development in the countryside where it is proposed to contribute to sustainable rural economic development and rural employment opportunities.

Policy 26 of the HDPF aims to protect the countryside from inappropriate development and states that development in these locations would only be considered acceptable if it is essential to the countryside location and meets one of four criteria. In accordance with the first criteria of Policy 26, development in countryside locations is considered acceptable in principle if it supports the needs of agriculture. In addition to this, in order to be acceptable under Policy 26, any proposal in the countryside must be of a scale appropriate to its countryside character and location. Acceptable development would not lead to a significant increase in the overall level of activity in the countryside, and would protect, conserve and enhance the key features of the landscape in which it is located.

Policy 10 of the HDPF aims to support rural economic development in order to generate economic, social and environmental benefits for local communities. The principle of rural economic development proposed in the countryside will be supported by the Council if it maintains the quality and character of the area and contributes to the sustainable farming enterprises within the district. Paragraph 83 of the NPPF echoes the aims of HDPF Policy 10 and seeks to support a prosperous rural economy by allowing the sustainable growth of rural businesses.

The application is for approximately 288 square metres of an agricultural building for use as a new milking parlour, along with retrospective consent for a feed silo, within an established farm holding. As such, provided that the use of the building is strictly to support the needs of agricultural activities on the

associated holding; and that is of an appropriate scale and design to accommodate these needs, it would be considered acceptable in principle.

The applicant's Planning Statement details that the existing milking parlour was erected in the 1960s and is no longer suitable for purpose, in need of extensive modifications to bring the building in line with current standards. These modifications are not viable to undertake, with replacement parts no longer available. None of the existing buildings are suitable for repurposing or available for the use as a milking parlour hence the requirement for a purpose-built new farm building. The current condition and arrangement of the existing building was witnessed during the officer's site visit, confirming this account. The existing feed silo is required for modern working standards and is practical and suitable arrangement.

The scale and use of the building is fully justified in terms of the needs of the applicant's farming enterprise, then this type of development in this location is in accordance with HDPF Policies 10 and 26, as well as NPPF Paragraph 83; and the principle is acceptable.

Design and Appearance:

Policies 32 and 33 of the HDPF seek to ensure that development promotes a high standard and quality of design in order to enhance and protect locally distinctive characters. The policies also seek to ensure that the scale, massing and appearance of development relates sympathetically with the built surroundings, landscape, open spaces and routes within and adjoining the site, including any impact on the skyline and important views.

The proposed milking parlour will have measurements of 24 metres by 12 metres, with an eave's height of 3 metres and a ridge height of 4.6 metres, with a single internal space. Constructed using materials of grey fibre cement roof, concrete panel sides and slate-coloured steel sheeting infilling up to the eaves, it will have a typical agricultural design. The silo has a height of 7.4 metres and a width of 2.5 metres. Both the proposed building and the silo are/will be situated within the existing farmstead, minimising the landscape and visual impact and so they would not appear out of place in the proposed location. While a Public Right of Way (2519) runs adjacent to the northern boundary of the site, the buildings would still be perceived as part of the established agricultural character of the farm.

Taking into account the siting, scale and agricultural character of the development, the proposed development would integrate acceptably within the site and would not result in harm to the rural landscape character. The proposal is therefore considered to accord with Policies 25, 26, 32 and 33 of the Horsham District Planning Framework (HDPF).

Amenity Impact:

Policy 33 of the HDPF requires that new developments do not cause unacceptable harm to the amenity of nearby properties and land.

It is noted that no letters of objection have been received. There are two residential properties located approximately 68 metres to the north, in which the submitted Planning Statement details that both properties are associated with the farm and are occupied by agricultural workers. Excluding these two properties, the closest residential properties are approximately 370 metres to the west. The development would serve an established agricultural site and would not introduce a new use to the site. The nearest residential properties would remain a suitable distance away, and the proposed building would not be significantly closer to them than existing structures.

It is therefore considered that the proposal would not cause adverse impacts to residential amenity, in accordance with Policy 33 of the HDPF.

Water Neutrality:

The proposed development will not result in any increase in mains water demand and therefore will not lead to adverse effects on the integrity of the Arun Valley SAC, SPA or Ramsar sites, either alone or in combination. The proposal can therefore be screened out at the HRA Stage 1 Screening and does not require progression to Appropriate Assessment. On this basis, the development is considered acceptable in ecological terms and compliant with Policy 31 of the HDPF and relevant national policy

Other Matters:

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 (on unregistered sites) 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 17.40% net gain, which is achievable by way of onsite biodiversity gain. This would be secured by the statutory condition.

Conclusions:

The proposed development is reasonably required for the purposes of agricultural use and 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 **Regulatory Condition:** The materials to be used in the development hereby permitted shall strictly accord with those indicated on the approved plans and application form.

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).

- 4 **Regulatory Condition:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order amending or revoking and/or re-enacting that Order), the development hereby permitted shall be used for agricultural purposes only, as defined in Section 336(1) of the Town and Country Planning Act 1990 and for no other purposes whatsoever without express planning consent from the Local Planning Authority first being obtained.

Reason: The site lies in an area where, in accordance with Policy 26 of the Horsham District Planning Framework (2015) development which cannot be justified as essential to the needs of agriculture or forestry would not normally be permitted.

- 5 **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).

- 6 **Regulatory Condition:** The development hereby permitted shall be undertaken in strict accordance with the ecological mitigation and enhancement measures set out in Protected Species Walkover Survey reference 25-085 by Animal Ecology & Wildlife Consultants Ltd dated November 2025.

Reason: As these matters are fundamental to safeguard the ecology and biodiversity of the area in accordance with Policy 31 of the Horsham District Planning Framework (2015), and to enhance Protected and Priority Species/habitats and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority Habitats & Species).

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 \(www.gov.uk\)](https://www.gov.uk/guidance/biodiversity-net-gain).

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/25/1938

(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 plan	Existing Silo Plans	NONE	08.12.2025
Location plan		NONE	08.12.2025
Elevation plan	Proposed Milking Parlour - East and West Elevations	NONE	25.11.2025
Block plan	Existing Block Plan	NONE	25.11.2025
Floor plan	Proposed Milking Parlour Floor Plan	NONE	25.11.2025
Roof plan	Proposed Milking Parlour Roof Plan	NONE	25.11.2025
Elevation plan	Proposed Milking Parlour - North and South Elevations	NONE	25.11.2025
Block plan	Proposed Block Plan	NONE	25.11.2025
Supporting Statement	Protected Species Walkover Survey by Animal Ecology & Wildlife Consultants Ltd dated November 2025	25-085	25.11.2025

DELEGATED

Case Officer sign/initial Sam Nye Date: 02/02/2026

Authorising Officer sign/initial Tamara Dale Date: 02/02/2026