Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/25/0129
Tickfold Farm, Marches Road, Kingsfold, West Sussex, RH12 3SE

DESCRIPTION:
Change of use of Buildings B, C and D from agriculture to Light Industrial (Use Class E) and Storage and Distribution (Use Class B8) together with associated works and parking.

RELEVANT PLANNING HISTORY:

DC/18/0618	Prior Approval for a proposed change of use of an agricultural building to flexible commercial use.	Prior Approval Required and PERMITTED on 04.06.2018
DC/18/2592	Demolition of agricultural buildings and erection of 3 business units (class B1/B8) and new track	Application Permitted on 08.05.2019
DC/20/1031	Erection of an agricultural dwelling.	Application Permitted on 30.07.2021
DISC/22/0067	Approval of details reserved by conditions 3, 4 and 5 on application DC/20/1031.	Application Permitted on 15.11.2022
DC/23/0423	Change of use of Buildings B, C and D from agriculture to Light Industrial (Use Class E) and Storage and Distribution (Use Class B8) together with associated works and parking.	Application Refused on 07.03.2024
DC/24/1109	Change of use of Buildings B, C and D from agriculture to Light Industrial (Use Class E) and Storage and Distribution (Use Class B8) together with associated works and parking	Application Refused on 20.09.2024

DESCRIPTION OF THE SITE

Tickfold Farm is located on the north side of Marches Road in the village of Kingsfold and to the west of the A24. The main farmhouse and complex of outbuildings can be accessed via two entrances from Marches Road to the east and south. The outbuildings and farm office are for the purposes of storing of the product, farm machinery, straw and corn.

The buildings relating to the current application are located within the main complex of buildings in a mix of commercial and agricultural uses.

The application site itself is outside of the built up area boundary and are therefore considered to be within the countryside for policy assessment. Within the wider site approximately 60 metres away is Tickfold Farmhouse which is a C16th two storey timber framed house located to the east of the site, the building is Grade II listed. The application site is within an Amber zone for the Great Crested Newt however given the nature of the change of use would not warrant consultation.

DESCRIPTION OF THE APPLICATION

Buildings B, C and D are currently used for processing of smallholding and pet feed from hay which is considered agricultural ancillary and sited towards the south western part of the application site. There would be internal changes proposed as part of the development, with the external changes being roller shutter doors to partly enclose the open buildings B and C and clad walls to match the existing. There would be a toilet block erected to serve the staff of the light industrial units.

RELEVANT PLANNING POLICIES

The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):
Policy 1 - Strategic Policy: Sustainable Development
Policy 2 - Strategic Policy: Strategic Development
Policy 3 - Strategic Policy: Development Hierarchy
Policy 4 - Strategic Policy: Settlement Expansion
Policy 7 - Strategic Policy: Economic Growth
Policy 9 - Employment Development
Policy 10 - Rural Economic Development
Policy 24 - Strategic Policy: Environmental Protection
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
Policy 26 - Strategic Policy: Countryside Protection
Policy 30 - Protected Landscapes
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 37 - Sustainable Construction
Policy 41 - Parking

Neighbourhood Plan:
Warnham Neighbourhood Development Plan

Supplementary Planning Guidance:
Planning Obligations and Affordable Housing SPD (2017)
Community Infrastructure Levy (CIL) Charging Schedule (2017)

Planning Advice Notes:
Facilitating Appropriate Development
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:

HDC Arboriculture officer: The proposed change of use and alterations have no foreseeable direct physical impact on the adjacent Tickfold Ghyll Ancient Woodland to the SW. No arboricultural concerns.

Existing agricultural units have a longstanding relationship to the ghyll and associated woodland habitat. Any impacts of change of use will foreseeably be restricted to ecological significance in respect of light, pollution, control of associated activities etc.

HDC Conservation Officer: I am satisfied the proposed alterations to the farm buildings will have a neutral impact within the setting of the listed building. Please determine as you see fit.

HDC Environmental Health: Objection further information required

Noise

Given the low background noise levels in this part of Horsham District the proposed change of use from agriculture to mixed commercial storage (Class B8) and light industrial (Class E) has the potential to have a significant adverse impact on residential amenity, in particular those properties located in close proximity the access road to the site.

Given the above the application should therefore be supported by a noise impact assessment, undertaken by a suitably competent acoustic consultant, which quantifies and assesses the impact of noise on residential amenity and, crucially, provides the LPA with confidence that noise levels are capable of being mitigated through conditions.

A report of the nature has not however been submitted with the proposals – it has therefore not been adequately demonstrated that noise will not give rise to adverse impacts on the amenity of the occupiers of nearby dwellings.

Air Quality

We note that an air quality assessment has not been submitted in support of the application. Horsham District Council, in association with other Local Authorities in Sussex, have prepared guidance for developers to assess the air quality impact of developments and this document is titled “Air quality and emissions mitigation guidance for Sussex (2020)”. This guidance should be applied to this development and an assessment of the air quality impacts and any proposed mitigation submitted in support of the application. In accordance with the above-mentioned guidance, a damage cost calculation is also required from all developments classified as ‘Major’. Applicants are required to submit a mitigation plan detailing proposed measures to mitigate and/or offset the impacts and providing itemised costing for each proposed measure, with the total estimated value of all the measures being equal to the total damage costs.

Land Contamination

Given the historic agricultural use of the site, a land use which Environmental Health considers potentially contaminating, the application should be supported by a Phase 1 Preliminary Risk Assessment, undertaken by a suitably competent and qualified environmental consultant.

Proposed Water Supply

The applicant states that water demand for the new development will be met through offsetting arrangements.

Construction phase

During site clearance, preparation and construction there is the potential for local residents to experience adverse impacts from noise, dust and construction traffic movements. These should be minimised and controlled by the developer and a construction environmental management (CEMP) plan will be recommended as a condition, once we are happy that the above comments have been addressed.

WSCC Highways: Comment

No existing visibility issues at the point of access onto Marches Road. The geometry and form of access appear wide enough to support anticipated vehicles and has been serving large agricultural vehicles for a number of years. No traffic incidents in the vicinity of the existing point of access within the past 5 years. The Application Form states that 51 parking spaces are proposed but has had no plans submitted to support this. The floor area of the buildings to be changed to light industrial/storage is 1503sqm yet no Transport Statement has been provided. Further detail is requested to outline

vehicle trip generation and sustainable transport accessibility. A monitoring fee of £1,635 would usually be required through legal agreement with WSCC.

Natural England: No objections subject to appropriate mitigations. Natural England have been consulted on the application with an understanding that the application will be determined on the basis of a Grampian style condition which will provide details of the mitigation at a later date.

PUBLIC CONSULTATIONS:

Representations:
None received.

Parish Comments:
Parish Council: No comment 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 26, Countryside Protection, of the HDPF states that all proposals (in the Countryside) must be essential to its countryside location and meet one of the following criteria:

1. Support the needs of agriculture or forestry;
2. Enable the extraction of minerals or the disposal of waste;
3. Provide for quiet informal recreational use; or
4. Enable the sustainable development of rural areas.

In addition, proposals must be of a scale appropriate to its countryside character and location. The policy also notes that development will be considered acceptable where it does not lead, either individually or cumulatively, to a significant increase in the overall level of activity in the countryside, and protects, and/or conserves, and / or enhances, the key features and characteristics of the landscape character area in which it is located.

Policy 10, Rural Economic Development, of the HDPF confirms that in the countryside, development which maintains the quality and character of the area, whilst sustaining its varied and productive social and economic activity will be supported in principle. Policy 10 (1) confirms that the development must be appropriate to its countryside location and must contribute to the diverse and sustainable farming enterprises within the District and moreover, criterion (1a) confirms that such activities should be contained within suitability located buildings which are appropriate for conversion, or in the case of an established rural industrial estate, within the existing boundaries of the estate.

There is relevant planning history for the application, where an applications for a change of use from agriculture to light industrial and storage and distribution (DC/23/0423 and DC/24/1109) was refused due to concern on that the application would have potential to result in additional water abstraction without sufficient mitigation to result in a water neutral development.

As per the officer's report for the previous application, there are no objections to the proposal in principle, with commercial and storage buildings being considered to contribute to the local economy and would be considered acceptable in light of policy 10 of the HDPF.

It is considered that there is a need for commercial units within the locality, with the proposed development providing a greater offer of such units within the District. It is therefore considered that the proposal is acceptable in principle, subject to all other material considerations.

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.

Policy 34 of the Horsham District Planning Framework, which is the main policy against which works to Listed Buildings are assessed. Development should reinforce the special character of the district's historic environment through appropriate siting, scale, form, and design, and should make a positive contribution to the character and distinctiveness of the area. In addition, development should preserve and ensure clear legibility of locally distinctive vernacular building forms and their setting, features, fabric and materials, and should seek to secure the viable and sustainable use of heritage assets through continued preservation by uses that are consistent with the significance of the heritage asset.

The proposal would result in a modest change of appearance to the existing units, with two roller shutter doors added to the north elevation and some of the openings within the south west and north eastern elevation would close. This would not result in a development incongruous with the wider site. The proposal would not be considered to result in harmful visual impact. Given the distances from the nearby Grade II listed building, the modest nature of the alterations and that the buildings would not result in landscape harm, the proposal would not be considered to result in harm to the historic fabric of the listed building. No objections in regards to policies 25, 32, 33 and 34 of the HDPF.

Residential Amenity:

Policy 32 of the HDPF states that development will be expected to provide an attractive, functional, accessible, safe, and adaptable environment that contributes a sense of place both in the buildings and spaces themselves. Policy 33 continues that development shall be required to ensure that it is designed to avoid unacceptable harm to the amenity of occupiers/users of nearby property and land.

Policy 33 of the HDPF states that development should consider the scale, massing and orientation between buildings, respecting the amenities and sensitivities of neighbouring properties.

Environmental Health have objected to the proposal in light of the potential noise impacts of the proposal given the potential impacts on residential amenity where there are residences in proximity to the access road, air quality concerns, potential for the land to be contaminated, and Water Neutrality statement where they consider the information unclear in regards to water supply. Overall, Environmental Health object to the proposal on the basis of insufficient information and the proposal is not considered to have demonstrated that the development would avoid unacceptable harm to the amenity of occupiers and users of the land in this regard.

The consultation response from Environmental Health has been considered as they have offered advice regarding potential noise generated by the proposed development, and as such would recommend hours of operation. As such, a condition will be attached to prevent the development from having an unacceptable impact on residential amenity. In regards to the concern raised around air quality, the proposal would not be considered capable of resulting in a significantly harmful air quality

arising from the development to nearby occupiers given the nature of development being light industrial/storage, and distance from neighbouring properties. Furthermore, there is as part of agricultural activities, potential for adverse air quality such that the development would not be considered to be harmful over and above what is already capable within the application site. Environmental health note that there is potential for contaminated land within the site given the existing agricultural activities and have suggested a Phase 1 Preliminary risk assessment would be requested. However this would not be considered a proportionate request given the change of use would not be to a more sensitive use such as a residential dwelling and the existing activities undertaken within the site are already known.

Overall, there are no objections to the proposal in light of policies 32 and 33 of the HDPF subject to the inclusion of relevant conditions.

Highways Impacts:

Policies 40 and 41 of the HDPF state that development should provide safe and adequate access and parking, suitable for all users. The proposed dwellings would be served by the existing access point.

The site already benefits from hardstanding and the access from Marches road would not be altered as part of the proposal. Having consulted WSCC Highways with regards to the proposal, they suggest that access would be acceptable and outline that a Travel Plan statement would usually be required, with an accompanying legal agreement. This is not required in this instance, given that the proposed footprint would be for a change of use and not new footprint as there would be some agricultural vehicles used within the development in its current format. As such, there is already an existing amount of travel to and from the site in its existing agricultural use such that the proposal would not be considered to amount to a significant increase in activity within the site.

The application has suggested 51 parking spaces would be included however they have not demonstrated these within a submitted plan and have asked for this to be included such that it can be considered. Nevertheless, the application site within the applicant's ownership is extensive and would not require additional hardstanding as part of the development. It is further considered that the existing agricultural use has no limitation on the number of agricultural vehicles that could be reasonably contained within the application site. The existing land within the applicant's wider ownership is therefore considered to be sufficient to meet the requirements of the development. In regards to the concern over vehicular movements, it is considered that agricultural units have potential to generate a great number of vehicular trips and the change of use proposed would be able to be restricted in regards to hours of operation through condition such that the increase in vehicular trips would not be seen as a significant increase over and above what would be currently possible within the application site.

It is considered on balance that subject to the inclusion of relevant conditions, the proposals would be in accordance with policies 40 and 41 of the Horsham District Planning Framework (2015).

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.

The applicant has submitted a Water Neutrality statement which outlined that the baseline usage on site is nil given that the units are being used for agricultural storage. The consumption has been

calculated by the number of staff proposed by OffPAT calculations and BREEAM calculations to get a total consumption of 136 litres per day. As such, offsite mitigation would be required to make the proposed development water neutral. In this instance, the applicant has sought to make the proposal water neutral by retrofitting an existing HMO property in Crawley with flow restricting valves. An amendment was sought by the officer during the course of the application to seek more robust evidence for the baseline usage of the HMO property such that the amount of water the valve restrictors would save could be achieved with greater certainty. The applicant has submitted during the course of the application an amended water strategy. Although the Water neutrality strategy would demonstrate in principle water neutrality, it would require a s106 legal agreement to ensure that the mitigation is maintained. In this instance, the applicant has decided to seek to enter into the Council's SNOWS scheme instead such that the amended WNS is not pursued.

An alternative option available to the applicants, as supported by recent appeal decisions, could be to utilise the emerging Sussex North Offsetting Water Scheme (SNOWS). Under this scheme, it is proposed to allow development supported in a made plan or a post-submission plan the option of offsetting its water demand through the purchasing of water credits via the Council. As the application site is policy compliant in terms of the principle of development, the development would be eligible for SNOWS. The applicant has during the process of determining this application, confirmed that they wish to pursue Snows as an alternative to the Water Neutrality Statement mitigation at this time such that conditions will be attached to seek achieving water neutrality through SNOWs.

This condition would ensure the site is water neutral and would enable the Council to conclude as to the absence of potential adverse effects upon the integrity of the Arun Valley SAC, SPA and Ramsar designations. Natural England have been consulted and have raised no objection to this approach.

Biodiversity Net Gain (BNG):

Biodiversity Net Gain (BNG) is mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). This requires that development must achieve at least 10% BNG on all habitats within the development site.

The Application form has indicates that the proposal would de minimus, not resulting in an increase in floor space above 25sqm. This is accepted and no Biodiversity net gain increase is required in this instance.

Conclusions:

It is recognised that the proposed development, would potentially contribute to the diversity and vitality of the rural economy with associated public benefit.

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 either:

i.) Details have been submitted to and been approved in writing by the Local Planning Authority confirming that the necessary credits to achieve water neutrality have been secured via the Sussex North Offsetting Water Scheme;
or
ii.) A site-specific water neutrality mitigation scheme has been submitted to and been approved in writing by the Local Planning Authority. The site-specific water neutrality mitigation

scheme shall include full details of the means of any and all onsite and offsite mitigation and any necessary agreements pursuant to S106 of the Town and Country Planning Act 1990 to deliver and secure the approved mitigation; and

iii.) The development shall not be first occupied until evidence has been submitted to and been approved in writing by the Local Planning Authority confirming that the approved site-specific water neutrality mitigation scheme has been fully implemented. The approved mitigation shall thereafter be retained, maintained and operated to the same or better water performance standard.

Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SAC/SPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraph 193 of the National Planning Policy Framework (2024), and to enable the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

4 **Regulatory Condition**: All works of demolition, construction and ancillary activities, including deliveries and dispatch, shall be restricted to 08:00-18:00 hours on Monday to Friday, from 08:00 to 13:00 hours on Saturdays and at no time on Sundays or Bank Holidays.

Reason: To safeguard the amenities of adjacent occupiers in accordance with Policy 33 of the Horsham District Planning Framework (2015).

5 **Regulatory Condition**: No external lighting or floodlighting shall be installed or operated without the prior written approval of the local planning authority. Any lighting shall be installed and maintained in accordance with the approved details.

Reason: To enhance protected and Priority species & habitats and allow the Local Planning Authority to discharge its duties under paragraph 187d of NPPF 2024 and s40 of the NERC Act 2006 (as amended).

6 **Regulatory Condition**: No caravans and no open storage to be kept or stored at the site at any time.

Reason: To safeguard the amenities of the locality and in accordance with Policies 26 and 33 of the Horsham District Planning Framework (2015).

7 **Regulatory Condition**: No waste material, including construction, demolition, excavation arisings and green wastes, shall be imported or stored at the site.

Reason: To safeguard the amenities of the locality in accordance with Policies 32 and 33 of the Horsham District Planning Framework (2015).

8 **Regulatory Condition**: No part of the site shall be open for trade or deliveries apart from between the hours of 07:00 and 19:00 hours on Monday to Friday, the hours of 07:00 and 16:00 hours on Saturdays, and at no time on Sundays and Bank / Public Holidays.

Reason: To safeguard the amenities of adjacent occupiers in accordance with Policy 33 of the Horsham District Planning Framework (2015).

9 **Regulatory Condition**: The materials to be used in the development hereby permitted shall strictly accord with those indicated on the approved plan and Planning Statement.

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).

10 **Regulatory Condition**: Notwithstanding the provisions of the Town and Country Planning Act (General Permitted Development) (England) Order 2015 (or any order amending or revoking

and/or re-enacting that Order), the premises hereby permitted shall be used for light industrial uses (Class E(g)(iii)), storage and distribution activities (Class B8) and not for other purposes whatsoever, (including those others falling within Classes B8 and E as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended by The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) without express planning consent from the Local Planning Authority first being obtained.

Reason: Changes of use as permitted by the Town and Country Planning (General Permitted Development) Order or Use Classes Order 1987 are not considered appropriate in this case due to its location to neighbouring dwellings under Policy 33(2) of the Horsham District Planning Framework (2015).

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/25/0129

Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Location plan		D 1124/722/01	28.01.2025
Block plan		D 1124/722/02B	28.01.2025
Floor plan	Existing	D 1124/722/03	28.01.2025
Floor plan		D 1124/722/04B	28.01.2025
Elevation plan	Existing	D 1124/722/05	28.01.2025
Elevation plan	Proposed	D 1124/722/06B	28.01.2025
Elevation & Floor plan	Proposed Toilet Block	D 1124/722/07	28.01.2025
Elevation & Floor plan	3D Visual	9266996	28.01.2025
Photos	Site	none	28.01.2025
Design & Access Statement	and Heritage	none	28.01.2025
Supporting Statement	Water Neutrality	AEG04836	28.01.2025
Supporting Docs	Cover Letter	none	28.01.2025

DELEGATED

Case Officer sign/initial Hannah Darley Date: 08.04.2025

Authorising Officer sign/initial RHERMITAGE Date: 29.04.2025