



TO: Planning Committee

BY: Head of Development and Building Control

DATE: 18 August 2026

DEVELOPMENT: Use of land for the stationing of 6 static caravans for residential purposes (to be occupied by Gypsies and Travellers) and associated landscape works.

SITE: Land North of Girder Bridge, Gay Street Lane, North Heath RH20 2HW

WARD: Pulborough, Coldwaltham and Amberley

APPLICATION: DC/26/0010

APPLICANT: **Name:** Mr R Pettett **Address:** C/O Promethean Planning, Suite 114, 26 The Hornet, Chichester West Sussex PO19 7BB

REASON FOR INCLUSION ON THE AGENDA: More than eight persons in different households have made written representations within the consultation period raising material planning considerations that are inconsistent with the recommendation of the Head of Development and Building Control.

By request of Pulborough Parish Council

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 application site comprises approximately 0.79 hectares of land located to the north of Gay Street Lane, North Heath, approximately 2km north of the built-up area boundary of Pulborough. The site is currently undeveloped and comprises grassland and scrub vegetation, with areas of rough pasture bounded by mature hedgerows and trees. A mature tree belt runs alongside the western boundary, adjoining Public Footpath PUL1998, while the eastern boundary is defined by the London to Portsmouth railway line.
- 1.3 Access to the site is gained via an existing track from Gay Street Lane which also forms part of the public right of way. To the south of the site lies the dwelling known as Girder Bridge together with associated outbuildings under the applicant's ownership. The surrounding area is predominantly rural in character, comprising agricultural land, woodland, equestrian uses and sporadic residential development along Gay Street Lane and Stallhouse Lane. The site

lies outside the built-up area boundary, within the designated countryside, and is not subject to any national landscape designation.

DESCRIPTION OF THE SITE

- 1.4 Planning permission is sought for the change of use of the land to provide a residential Gypsy and Traveller site comprising six static caravan pitches. Each pitch would accommodate one static caravan together with associated residential amenity space, two vehicle parking spaces, cycle parking and refuse storage.
- 1.5 The proposal also includes the formation of internal access roads and hardstanding, installation of package treatment plant drainage infrastructure, biodiversity enhancements, soft landscaping, boundary planting and associated engineering works necessary to facilitate the development. The proposed access would utilise the existing track from Gay Street Lane, with improvements to its surface where required. The development is intended for occupation by Gypsies and Travellers as defined within the national Planning Policy for Traveller Sites.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

2.2 RELEVANT PLANNING POLICIES

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

2.3 National Planning Policy Framework

Horsham District Planning Framework (HDPF 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 15 - Strategic Policy: Housing Provision
Policy 16 - Strategic Policy: Meeting Local Housing Needs
Policy 22 - Gypsy and Traveller Sites
Policy 23 - Strategic Policy: Gypsy and Traveller Accommodation
Policy 24 - Strategic Policy: Environmental Protection
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
Policy 26 - Strategic Policy: Countryside Protection
Policy 31 - Green Infrastructure and Biodiversity
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 40 - Sustainable Transport
Policy 41 – Parking

Planning Policy for Traveller Sites 2024

2.4 **Pulborough Neighbourhood Plan:**

Policy 1: A Spatial Plan for the Parish
Policy 15: Design

Supplementary Planning Guidance:

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

Planning Advice Notes:

Biodiversity and Green Infrastructure

PLANNING HISTORY AND RELEVANT APPLICATIONS

- 2.6 None Relevant

3. OUTCOME OF CONSULTATIONS

- 3.1 Where consultation responses and representations 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 horsham.gov.uk/planning/planning-applications/view-and-comment-on-planning-applications.

INTERNAL CONSULTATIONS

- 3.2 **HDC Arboricultural Officer:** The Tree Officer advises that further information is required before the impact of the development on the site's mature trees can be fully assessed. The site is bordered by a historic public right of way lined with mature native trees, including several prominent oaks with veteran characteristics that contribute significant ecological and landscape value. A central oak within the field would also need to be removed to accommodate the proposed pitch layout.
- 3.3 Concerns are raised regarding the proposed access arrangements. Although the application refers to an existing driveway and agricultural access, the current track is limited and heavily rutted, with no established access to the proposed field entrance. Upgrading and extending the track could affect the root protection areas of adjacent mature trees, a risk acknowledged within the submitted planning and arboricultural documents.
- 3.4 The Tree Officer therefore requested further information on the access design, including confirmation from the Highway Authority as to whether widening or separate pedestrian provision would be required. If not, detailed construction specifications demonstrating how the access could be delivered without harming nearby trees should be provided, together with details of associated features such as gates, edging and landscaping. In the absence of this information, there was insufficient evidence to demonstrate that the access works would avoid unacceptable harm to the site's tree resource.
- 3.5 **Re-consultation Comments Received (24.02.2026):** Comments - Following the submission of an Arboricultural Method Statement, the Trees Team reviewed the proposed cellular confinement system intended to minimise impacts within the root protection areas of neighbouring trees.
- 3.6 Subject to the submitted drawings accurately reflecting highway requirements, the officer considers the proposed engineering solution to be a reasonable approach for improving and extending the access with the lowest practicable impact on surrounding trees. If permission is granted, the driveway construction details, and tree protection measures could be secured through a compliance condition. The officer also advises that landscaping and boundary treatments should be controlled through pre-commencement conditions.
- 3.7 **HDC Drainage Engineer:** More Information - The applicant has summarised information regarding the intended Foul and Surface Water Drainage strategies within the Planning Statement. In principle HDC Drainage have no objection to the proposed strategies, however the applicant must provide supporting evidence for this application, to demonstrate (for example) that ground conditions are able to support the intended strategies.

- 3.8 **HDC Environmental Health:** More Information – Environmental Health advises that further information is required before the proposal can be fully assessed. In particular, a detailed Foul and Surface Water Drainage Strategy is needed to demonstrate that sewage disposal can be accommodated without adverse environmental impacts and to satisfy Environment Agency requirements. Concerns have also been raised that the proposed sewage treatment plant may not have sufficient capacity to serve the six caravans.
- 3.9 The site's proximity to residential properties also gives rise to potential impacts from noise, lighting and site activities. These matters may be capable of being controlled through planning conditions. Should permission be granted, Environmental Health recommends conditions preventing the storage and burning of waste on site. Overall, further drainage details are required before a final assessment can be made.
- 3.10 **HDC Landscape Architect:** No Objection - The proposed development is small in scale and largely contained within an already well-enclosed site. The retention of existing boundary vegetation, with the exception of one oak tree, ensures that the proposals remain visually well screened, with neutral visual effects anticipated for surrounding receptors due to limited visibility.
- 3.11 While the introduction of built form will result in a minor localised change to landscape character, consistent with the LCA's sensitivity to incremental development, the scheme broadly aligns with landscape guidelines by conserving existing vegetation and reinforcing hedgerow structure.
- 3.12 Further clarification is required regarding the extent of habitat enhancement to the north of the site and location and maintenance prescriptions for new planting. The proposals should consider the opportunities to strengthen integration through the retention of the oak tree (T1) and additional hedgerow planting along the southern plot boundary. Overall, landscape effects are expected to be limited and can be appropriately mitigated through refinement of the proposed landscaping and management measures.

OUTSIDE AGENCIES

- 3.13 **Ecology Consultant:** Objection - We have reviewed the Reptile Survey Report and Mitigation Method Plan (Sylvatica Ecology Ltd., December 2025), Dormouse Survey Report (Sylvatica Ecology Ltd., December 2025) and Preliminary Ecological Assessment (Sylvatica Ecology Ltd., March 2025) relating to the likely impacts of development on designated sites, protected and Priority species & habitats and identification of appropriate mitigation measures. Please note that comments on mandatory biodiversity net gain are provided by Horsham District Council in-house.
- 3.14 We are not satisfied that there is sufficient ecological information available for determination of this application and recommend that details of survey results, mitigation and enhancement measures for Hazel Dormouse are required to make this proposal acceptable.
- 3.15 **Re-consultation Comments received (26.05.2026):** No Objection – The Ecologist raises no objection, subject to the recommended mitigation measures and planning conditions. The submitted surveys confirm that the development would not adversely affect nearby designated sites, protected species or habitat connectivity. The retention of the western tree line and additional planting will maintain bat commuting and foraging routes, and the proposal is not considered likely to adversely affect the integrity of The Mens SAC or Ebernoe Common SAC. An HRA Screening Report is recommended, and further bat surveys would only be required if future works affect the mature oak tree line.
- 3.16 No evidence of Hazel Dormouse was found, although suitable habitat is present. The Ecologist supports the precautionary dormouse method statement and reptile mitigation measures, including the successful translocation of slow worms, common lizards and grass

snakes in 2025. Precautionary measures for other protected and Priority species, including hedgehogs, are also supported. Overall, the Ecologist is satisfied that ecological impacts can be appropriately mitigated through conditions and the implementation of the recommended measures.

- 3.17 **NatureSpace (District Newt Licencing Scheme):** No Objection - The applicant has been sent their NatureSpace documentation and is expected to submit it to you shortly. If planning permission is granted, the mandatory conditions and informative set out on pages 5–6 of the report must be included verbatim in the decision notice to comply with the council's district licence requirements.
- 3.18 Failure to use the exact wording could delay the issuing of the applicant's authorisation paperwork and may require the decision notice to be reissued. If authorisation has already been issued, it could also result in an administrative breach of the district licence conditions.
- 3.19 **Southern Water:** Standard Advice
- 3.20 **WSCC Highways:** No Objection - WSCC in its role as Local Highway Authority (LHA) has been consulted on highway matters by the Local Planning Authority (LPA) for the proposed use of land for the stationing of six static caravans for residential purposes (to be occupied by Gypsy/Travellers) and associated landscape works. The site is located off Gay Street Lane, a C-classified road subject to national speed limit in this location. Following a review of the submitted application documents, the LHA raise no highway safety or capacity concerns to the proposals.
- 3.21 **WSCC Rights of Way:** Objection - The PROW Officer raises an objection to the application and expresses concerns about the proposed use of the access track, which also forms part of Public Footpath 1998. The officer notes that the development would likely result in a significant increase in vehicular movements along what is currently a relatively quiet footpath, increasing the potential for conflict between pedestrians and vehicles. The application does not appear to address how this conflict would be managed, for example through signage, passing places or other mitigation measures.
- 3.22 A further concern relates to land ownership and access rights. The officer understands that the applicant does not own the track and there is currently no evidence demonstrating that the applicant, or future occupiers of the proposed dwellings, have lawful private vehicular rights over it. As driving a motor vehicle on a public footpath is a criminal offence unless private access rights exist, the officer considers it essential that the applicant provides evidence of these rights before the application can be supported. The officer also notes that any damage caused to the footpath surface through vehicular use would be the responsibility of those exercising the access rights and therefore a clear and robust maintenance arrangement is required.
- 3.23 In addition, any works to improve the track would require prior approval from WSCC's PROW Team, as the route forms part of the public highway. Undertaking works without approval could constitute an offence under the Highways Act 1980. The officer also highlights that if construction works affect public access to the footpath, a temporary path closure would need to be obtained. Overall, the PROW Officer objects to the proposal pending additional information demonstrating how vehicle and pedestrian conflicts would be managed, confirming lawful private vehicular access rights, and clarifying future maintenance responsibilities for the route.
- 3.24 **Re-consultation Comments Received (07.07.2026):** Comments - The PROW Officer advises that the principal issue is not the suitability of the track itself, but whether lawful private vehicular rights exist over the access and whether those rights can be transferred to future occupiers of the proposed development. If the Local Planning Authority is satisfied that such rights exist, PROW considers this would address its concerns and the objection could

be withdrawn. The officer confirms that passing bays and any necessary signage would be acceptable if secured by planning condition. However, the officer also advises that creating or regularising public vehicular rights over the route cannot be achieved through the planning process and would require a separate legal procedure, such as a Definitive Map Modification Order or dedication by the landowner, which is likely to be lengthy, subject to objection, and unlikely to succeed due to the absence of historic public vehicular use of the route.

PUBLIC CONSULTATIONS

3.25 Representations:

29 letters of Objection have been received from 26 addresses, 28 objecting to the application and 1 neutral on the following grounds:

- Access via Gay Street Lane is considered unsafe due to the narrow carriageway, blind bend beneath Girder Bridge, poor visibility and proximity to the A29 junction.
- Increased traffic associated with six pitches is considered likely to increase congestion and collision risk.
- The access track is considered unsuitable for caravans, larger delivery vehicles and emergency vehicles due to its width, condition and manoeuvrability.
- Concerns are raised regarding the constraints of Girder Bridge and the single-lane section beneath it.
- The access follows Public Footpath PUL-1998 and neighbours question whether lawful private vehicular rights exist.
- Concerns are raised that the applicant has not demonstrated legal rights to use the track for vehicular access.
- Neighbour objects on the basis that the proposal fails to assess or mitigate conflict between pedestrians using the PROW and vehicles accessing the site.
- Concern that the existing resident's use and enjoyment of the access would be adversely affected.
- Flood risk, drainage and emergency access
- The site and access are described as regularly flooding and becoming impassable.
- Concern that hardstanding and development would worsen flooding and natural drainage.
- Concerns that flooding could prevent emergency vehicle access and pose risks to residents.
- It is also claimed there is inadequate foul drainage and sewerage infrastructure.
- Railway safety and noise
- The site's proximity to the railway is considered unsuitable for residential occupation.
- Concerns regarding frequent train horns, railway maintenance activities and disturbance.
- Concerns that the location is unsuitable for children due to the adjacent railway and lack of pedestrian infrastructure.
- Concern that the proposal would interfere with Network Rail's maintenance access and parking.
- Concerns regarding conflicting ecological surveys, particularly in relation to Great Crested Newts.
- Claims that surveys were undertaken outside the appropriate survey season and nearby ponds remain unassessed.
- Concern regarding loss of habitat for bats, owls, nightingales and other wildlife through development and hardstanding.
- The proposal is considered an overdevelopment of a rural agricultural site.
- The land has historically been pasture and agricultural land and is unsuitable for residential occupation.
- Concern that six pitches represent excessive development within the locality.
- Concerns regarding increased noise, traffic, disturbance and loss of privacy.

- Existing residents consider their access, daily activities and enjoyment of their properties would be adversely affected.
- Concerns are expressed regarding stress, anxiety and the effect on the established rural community.
- Neighbours state there are already nearby Traveller sites and that approval would lead to an excessive concentration of pitches within a small rural area.
- Concern that this would disproportionately alter the character of North Heath.
- Claims that there is no adequate electricity, gas, water supply or sewerage infrastructure to serve the development.
- Concern that private utility connections cannot be assumed.
- Pressure on local services.
- Concerns regarding additional pressure on schools, healthcare services and public transport.
- Reference is made to previous refusals and questions are raised regarding what has materially changed.
- Concerns that the proposal conflicts with the emerging Local Plan and adopted HDPF policies relating to safe access, sustainable transport, site location and drainage.
- Neighbours state the proposal would adversely affect their human rights, peaceful enjoyment of property and established way of life.
- Concerns are raised regarding community cohesion and social impacts.
- A neutral representation does not object in principle but recommends retaining the mature oak tree, using indigenous hedgerows instead of fencing, planting trees to help mitigate railway noise, and designing the access to accommodate the existing public footpath.

3.26 Parish Comments:

Pulborough Parish Council: Objection - Members felt there was not enough information. If the officer is minded to approve this application, we would like to request it goes to HDC Planning Committee.

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 Policies 22 and 23 of the HDPF provide the relevant local policy framework for Gypsy and Traveller accommodation. Policy 23 allows proposals for non-allocated sites to come forward subject to satisfying the criteria set out within the policy, including the location of the site in or near an existing settlement and within reasonable distance of local services and community facilities. The Planning Policy for Traveller Sites (PPTS) is also a material consideration.
- 6.2 The Council is currently unable to demonstrate an up-to-date five-year supply of deliverable Gypsy and Traveller sites. There remains an identified need for additional pitches within the District and a lack of sufficient deliverable sites to meet that need. These matters carry significant weight in favour of the provision of additional Gypsy and Traveller accommodation. In accordance with paragraph 28 of the PPTS, where an up-to-date five-year supply cannot be demonstrated, the provisions of paragraph 11(d) of the NPPF apply.
- 6.3 The application would provide six permanent Gypsy and Traveller pitches and would therefore make a meaningful contribution towards meeting the identified need. Whilst the site lies within the countryside and outside a defined built-up area boundary, national and local policy do not preclude Gypsy and Traveller accommodation in rural locations. The PPTS requires such sites to respect the scale of the nearest settled community, avoid undue pressure on local infrastructure and not be isolated from existing settlements.
- 6.4 The site is approximately 2km north of the built-up area boundary of Pulborough, a Key Service Centre providing a range of shops, schools, healthcare facilities and public transport. Future occupiers would have a degree of reliance upon the private car; however, this is not unusual for Gypsy and Traveller sites in rural locations and, having regard to the relationship of the site to Pulborough, the proposal is not considered to be so isolated or re-mote that its location would be unacceptable in principle.
- 6.5 The Council's Strategic Gypsy and Traveller Site Assessment, prepared as part of the evidence base for the emerging Local Plan, also assessed Land North of Girder Bridge as a potential site for Gypsy and Traveller accommodation. Although this did not result in a formal allocation and therefore carries limited weight in the determination of the application, it provides further support for the suitability of the site in principle for this form of development.
- 6.6 Accordingly, having regard to the identified need for additional Gypsy and Traveller pitches, the absence of an up-to-date five-year supply and the location of the site in relation to Pulborough, the proposed development is considered acceptable in principle. The proposal would make a positive contribution towards meeting the identified accommodation need within the District. Its acceptability is therefore subject to compliance with the detailed criteria of Policy 23 and all other material planning considerations, which are assessed below.
- 6.7 The Council's Strategic Gypsy and Traveller Site Assessment, prepared as part of the evidence base for the emerging Local Plan, assessed Land North of Girder Bridge as suitable in principle for five Gypsy and Traveller pitches. Although the site was not subsequently allocated, the assessment is a material consideration and provides some support for the suitability of the site for this form of development.
- 6.8 The current application proposes six pitches rather than the five identified through the strategic assessment. However, the earlier assessment provided an indicative capacity rather than a maximum. The detailed layout submitted with this application demonstrates that six pitches can be accommodated within the site, subject to the assessment of landscape, amenity, access and other material considerations set out below.

- 6.9 Overall, significant weight is afforded to the identified need for Gypsy and Traveller accommodation and the Council's inability to demonstrate an up-to-date five-year supply of deliverable pitches. Having regard to these matters, the location of the site and the Council's previous assessment of its suitability, the development is considered acceptable in principle in accordance with Policies 22 and 23 of the HDPF and the PPTS, subject to the detailed considerations below.

Design and Appearance:

- 6.10 Policies 25, 32, and 33 of the HDPF promote development that protects, conserves and enhances the landscape and townscape character from inappropriate development. Proposals should take into account townscape characteristics, with development seeking to provide an attractive, functional and accessible environment that complements the locally distinctive character of the district. Buildings should contribute to a sense of place, and should be of a scale, massing, and appearance that is of a high standard or design and layout which relates sympathetically to the landscape and built surroundings.
- 6.11 The importance given to the continued protection of rural areas remains a key policy criterion in assessing new gypsy and traveller sites. The PPTS states that Local Planning Authorities should "very strictly limit new traveller site development in open countryside that is away from existing settlements or outside areas allocated in the development plan". Furthermore, it advises that any sites in rural areas respect the scale of, and do not over-dominate, the nearest settled community.
- 6.12 Paragraph 26 of the PPTS advises Local Planning Authorities to attach weight to the following matters when considering new gypsy site proposals: -
- effective use of previously developed land (brownfield), untidy or derelict land;
 - sites being well planned or soft landscaped in such a way as to positively enhance the environment and increase its openness;
 - promoting opportunities for healthy lifestyles, such as ensuring adequate landscaping and play areas for children;
 - not enclosing a site with so much hard landscaping, high walls or fences, that the impression may be given that the site and its occupants are deliberately isolated from the rest of the community.
- 6.13 Policy 23 of the HDPF states that development should not have an unacceptable impact on the character and appearance of the landscape and should be sensitively designed to mitigate any impact on its surroundings.
- 6.14 Criterion (e) of Policy 23 requires that proposals do not have an unacceptable impact upon the character and appearance of the landscape and are sensitively designed to mitigate their impact upon the surrounding area. Accordingly, the principal considerations are the scale, layout, landscaping and overall integration of the proposal within its rural setting
- 6.15 In assessing the proposal against the above policies, it is acknowledged that the development would introduce built form onto an undeveloped parcel of land within the countryside. However, the proposal has been designed to minimise its visual impact and respond positively to the characteristics of the site and its surrounding landscape.
- 6.16 The proposed layout follows the existing linear access arrangement, with the six pitches positioned to the eastern side of the retained access track. This avoids unnecessary sprawl across the site and allows the majority of the existing trees, hedgerows and boundary vegetation to be retained. The spacing between pitches provides sufficient room for the siting of caravans, utility buildings, parking and amenity space without resulting in an overly intensive or cramped form of development.

- 6.17 The appearance of traveller sites is often dictated by their functional requirements; nevertheless, the proposal has incorporated a comprehensive landscaping strategy to soften the visual appearance of the development and integrate it into the surrounding countryside. Native hedgerow planting, habitat enhancement and reinforcement of the existing landscape framework are proposed around the site boundaries. The Council's Landscape Architect advises that the site is already well enclosed by mature vegetation and the adjoining railway corridor, limiting visibility from surrounding receptors, and concludes that the proposal would result in only a localised change to landscape character with neutral visual effects anticipated from the wider area.
- 6.18 Overall, whilst the proposal would change the appearance of this parcel of undeveloped land, its scale, layout and landscaping would limit its visual impact and retain the established landscape framework. Having regard to the advice of the Council's Landscape Architect and Tree Officer, and subject to conditions securing landscaping and tree protection measures, the proposal would not result in unacceptable harm to the character or appearance of the countryside. It would therefore accord with Policies 23, 25, 32 and 33 of the HDPF and the relevant provisions of the PPTS and NPPF.

Landscape and Trees:

- 6.19 Policy 25 of the HDPF seeks to protect and enhance landscape character, whilst Policy 33 seeks to retain and protect trees, hedgerows and other landscape features where appropriate. These policies are supported by the guidance contained within the NPPF.
- 6.20 The application site lies within the Billingshurst and North Heath Farmlands Landscape Character Area (LCA J1), characterised by gently undulating farmland enclosed by mature hedgerows, woodland blocks and tree-lined lanes. The Council's Landscape Architect advises that the landscape has a moderate sensitivity to change; however, the site is well contained by existing vegetation and the adjoining railway corridor, substantially limiting wider public views of the development.
- 6.21 The Landscape Architect considers that the proposal is modest in scale and largely contained within the existing landscape framework. Existing boundary hedgerows and woodland planting are predominantly retained, with additional native planting and habitat enhancements proposed as part of the development. Consequently, whilst the proposal introduces built form into the countryside, the visual effects are considered to be localised and largely neutral due to the existing level of enclosure. Subject to additional details relating to landscape management, habitat enhancement, planting specification and permeable surfacing, all of which can be secured by condition, no landscape objection is raised.
- 6.22 The Council's Tree Officer initially raised concerns regarding the potential impact of the access works on retained trees, particularly within Root Protection Areas (RPAs), and requested amendments to ensure that existing trees would be adequately safeguarded during construction. In response, the applicant submitted a revised Arboricultural Method Statement, Tree Protection Plan and supporting engineering details. The revised information confirms that the access arrangements have been amended following the Tree Officer's comments.
- 6.23 The submitted AMS demonstrates that the existing access track will be retained and will not be widened or extended, thereby minimising impacts upon adjacent trees. Where works are required within Root Protection Areas, a no-dig Cellweb cellular confinement system will be utilised to avoid excavation and root severance. Existing ground levels will be maintained, machinery movements within protected areas will be strictly controlled and all works within sensitive areas will be undertaken under the supervision of a qualified arboriculturist.
- 6.24 The AMS also provides a programme of tree protection measures in accordance with BS5837:2012, including pre-commencement arboricultural supervision, installation of

protective fencing prior to any works, strict exclusion zones around retained trees, controls over excavation, storage of materials and construction activities within Root Protection Areas, together with ongoing monitoring throughout the construction period.

- 6.25 Limited arboricultural works are proposed. Tree removal would be limited to Trees 24 and 29, both of which are identified within the revised AMS as Category U specimens which are dead and hazardous. Their removal is therefore required for arboricultural and safety reasons rather than to facilitate the proposed development. All other surveyed trees would be retained, with limited works comprising selective crown lifting to facilitate safe vehicular access and the removal of deadwood from trees adjoining the access track. The proposal would therefore retain the site's important boundary vegetation, with replacement planting, hedgerow reinforcement and biodiversity enhancements further strengthening the site's landscape framework over time.
- 6.26 The Tree Officer is satisfied that, subject to implementation of the AMS, Tree Protection Plan and appropriate arboricultural supervision, the retained trees can be adequately protected throughout construction. The Landscape Architect also raises no objection, subject to conditions securing the detailed landscaping scheme, Habitat Management and Monitoring Plan and long-term maintenance of the proposed planting.
- 6.27 Having regard to the submitted arboricultural information, the revisions secured following the Tree Officer's consultation, and the recommendations of both specialist consultees, Officers are satisfied that the proposal appropriately safeguards existing trees, reinforces the site's landscape structure and integrates the development into its rural setting. Subject to the recommended conditions, the proposal would not result in unacceptable harm to the character of the countryside, the retention of existing boundary vegetation, together with replacement planting and habitat enhancement, will ensure that the proposal integrates successfully into the surrounding countryside. The development therefore complies with criterion (e) of Policy 23 alongside Policies 25 and 33 of the HDPF

Residential Amenity:

- 6.28 Policy 32 of the HDPF states that development will be expected to provide an attractive, functional, accessible, safe, and adaptable environment that contribute 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. Criterion (e) of Policy 23 also requires that development does not result in unacceptable impacts upon neighbouring residential amenity. This includes consideration of noise, disturbance, privacy, outlook and the overall living conditions of existing and future occupiers.
- 6.29 A number of neighbouring occupiers have objected to the proposal, raising concerns regarding increased noise and disturbance, loss of privacy, over-looking, additional activity associated with the occupation of the site, vehicle movements, lighting and the potential impact upon the peaceful rural character of the area. These matters have been carefully considered in the assessment of the application.
- 6.30 The proposed traveller site would be located within a well-contained parcel of land enclosed by mature trees, hedgerows and the adjacent railway corridor. Existing residential properties are separated from the proposed caravan pitches by substantial boundary vegetation and intervening distances, which significantly reduce opportunities for overlooking and maintain an appropriate level of privacy. The proposed landscaping, together with the retention of existing boundary vegetation, will further assist in filtering views and maintaining separation between the site and neighbouring properties.
- 6.33 It is acknowledged that the introduction of a residential use will inevitably result in a greater level of day-to-day activity than the existing use of the land. However, the proposal relates

to a traveller site for residential occupation comprising six static caravans and associated development rather than an intensive commercial use. Whilst some additional vehicle movements and domestic activity are expected, these are not considered likely to result in noise and disturbance of such a magnitude that they would significantly harm the living conditions of neighbouring occupiers. The separation distances, existing vegetation and rural setting all serve to mitigate potential impacts.

- 6.34 Concerns have also been expressed regarding external lighting and activity during the evening. Any external lighting can be appropriately controlled through planning condition to ensure that illumination is kept to the minimum necessary, thereby protecting neighbouring amenity and the rural character of the locality.
- 6.35 The layout provides sufficient space for the siting of caravans, parking, turning, utility/day rooms and private amenity areas, ensuring an acceptable standard of accommodation for future occupiers without creating an overly cramped or oppressive form of development.
- 6.36 Having regard to the site's physical characteristics, the degree of separation from neighbouring dwellings, the existing and proposed landscaping, and the scale of the proposal, it is concluded that the development would not result in unacceptable harm to the living conditions of neighbouring occupiers or future residents. Whilst the concerns of local residents regarding the perceived impact of future occupiers have been carefully considered, planning decisions must be based upon the land use proposed rather than assumptions regarding the behaviour of future occupants. Subject to the recommended planning conditions, Officers are therefore satisfied that the proposal would not result in unacceptable harm to neighbouring living conditions and accordingly complies with criterion (e) of Policy 23.

Highways Impacts:

- 6.37 Policy 40 of the HDPF seeks to ensure that development provides safe and suitable access arrangements, adequate parking and manoeuvring facilities, and does not result in an unacceptable impact on the safety or operation of the highway network. Paragraph 116 of the NPPF advises that development should only be refused on highways grounds where there would be an unacceptable impact on highway safety, or where the residual cumulative impacts on the road network would be severe. Criterion (b) of Policy 23 requires that non-allocated Gypsy and Traveller sites are served by safe and convenient vehicular and pedestrian access and do not result in significant hazards to other road users. These matters have been assessed by the Local Highway Authority.
- 6.38 A number of third-party representations raise concerns regarding the suitability of Gay Street Lane to accommodate additional traffic, the use of the existing access track, highway safety, and the potential conflict between vehicles, pedestrians and users of the Public Right of Way.
- 6.39 The application has been assessed by the County Council, as Local Highway Authority, which raises no objection to the proposal. Access to the site would continue to be taken from the existing established vehicular access onto Gay Street Lane, with no alterations proposed to the existing point of access. The LHA is satisfied that the access provides suitable visibility in both directions for the recorded vehicle speeds and that the proposal would not result in a significant material intensification of traffic using the public highway.
- 6.40 The LHA acknowledges that the application site is served by a private access track linking the maintained highway to the site. Whilst this track also forms part of a Public Right of Way, the LHA advises that any matters relating to the use of the Public Right of Way or any resurfacing or repair works fall within the remit of the Public Rights of Way Authority and do not provide justification for resisting the planning application on highway safety grounds.

- 6.41 The proposal provides two parking spaces per pitch, which accords with the recommendations contained within the Good Practice Guide on Designing Gypsy and Traveller Sites. Adequate on-site turning space is also provided, enabling vehicles to enter and leave the site in a forward gear, thereby promoting highway safety.
- 6.42 In terms of sustainability, whilst it is acknowledged that the site occupies a rural location with limited immediate services and no formal footways or street lighting, the Highway Authority notes that the A29 lies approximately 600 metres to the west, where bus services provide connections to larger settlements. Secure cycle parking is also proposed within the development.
- 6.43 Having regard to the LHA's consultation response, the existing access arrangements, parking provision and internal turning facilities, it is concluded that the proposal would not result in an unacceptable impact on highway safety or the operation of the local highway network. Subject to the recommended planning conditions, having regard to the advice of the Local Highway Authority, Officers are satisfied that the proposal provides safe and suitable access and therefore complies with criterion (b) of Policy 23.

Public Right of Way:

- 6.44 Policy 40 of the Horsham District Planning Framework requires development to provide safe and suitable access arrangements whilst ensuring that the operation of the highway network and other public infrastructure is not adversely affected.
- 6.45 A number of representations have raised concerns regarding the use of the existing access track, which also forms part of a Public Right of Way (Public Footpath No. PU-1198), and the potential for conflict between vehicles and pedestrians using the route.
- 6.46 The application has been considered by the County Council, acting as the Local Highway Authority, which notes that the existing private access track provides the only means of access to the site and that no alterations are proposed to the existing vehicular access onto Gay Street Lane. The Highway Authority advises that matters relating to the Public Right of Way itself, including its use by vehicles and any resurfacing or repair works, fall within the remit of the Public Rights of Way Authority rather than the Local Planning Authority.
- 6.47 The proposed development would continue to utilise the existing access arrangement, and the Local Highway Authority has concluded that the level of traffic generated by a single-family traveller site would not result in a significant material intensification of movements or an unacceptable impact on highway safety. Furthermore, sufficient on-site turning provision is included within the scheme to enable vehicles to enter and leave the site in a forward gear, thereby reducing conflict with other users.
- 6.48 The existing access track coincides with Public Footpath FP1998. The public right of way status does not itself confer private vehicular access rights. The applicant advises that vehicular rights exist over the track; however, the existence and extent of any such private rights is ultimately a separate legal matter. For planning purposes, the access is considered suitable, and it must be noted that the granting of planning permission does not override any other legal requirements that may arise. Officers are satisfied that the proposal would not prejudice the continued use of the Public Right of Way and would comply with criterion (b) of Policy 23 and Policy 40 of the HDPF.

Ecology:

- 6.49 Policy 31 of the HDPF seeks to protect, conserve and enhance biodiversity and geodiversity, ensuring development safeguards protected species and habitats whilst delivering measurable biodiversity net gains. Paragraphs 187, 192 and 193 of the NPPF similarly

require planning decisions to minimise impacts on biodiversity and secure opportunities for enhancement.

- 6.50 The application has been reviewed by Place Services Ecology, who raise no objection to the proposal subject to conditions securing the implementation of the submitted ecological mitigation, biodiversity enhancements, Biodiversity Gain Plan and Habitat Management and Monitoring Plan. Place Services advise that, with these measures secured, the proposal is acceptable in eco-logical terms and complies with national and local planning policy.
- 6.51 The ecological assessment identifies that the site is predominantly improved grassland bounded by mature hedgerows, trees and areas of scrub which provide habitat connectivity within the wider landscape. The development has been designed to retain the majority of existing boundary vegetation whilst incorporating additional native planting and habitat enhancement. The submitted Biodiversity Net Gain Assessment demonstrates that the statutory biodiversity net gain can be achieved through on-site habitat creation and long-term management.
- 6.52 With regard to Great Crested Newts, the application has been registered under the NatureSpace Great Crested Newt District Licensing Scheme, and a District Licence Report has been submitted in support of the application. The report confirms that the development falls within the District Licensing Scheme and that impacts upon Great Crested Newts will be appropriately addressed through the strategic compensation and conservation measures delivered by the District Licensing Scheme. Subject to the recommended planning condition requiring the submission of the NatureSpace Certificate prior to commencement of development, together with the mandatory informative required by the licensing scheme, the proposal is considered to satisfy the requirements of the Conservation of Habitats and Species Regulations 2017 (as amended).
- 6.53 The Council's Landscape Architect has also reviewed the proposal and supports the retention of the site's boundary vegetation and habitat features, whilst recommending further details regarding the extent of habitat enhancement to the northern part of the site and the long-term maintenance of the proposed planting. These matters are secured through the submitted Habitat Management and Monitoring Plan and landscaping conditions.
- 6.54 Overall, having regard to the submitted ecological information, it is concluded that the proposal would conserve and enhance biodiversity and would not result in unacceptable harm to protected species. The development is therefore considered to accord with Policy 31 of the HDPF, the NPPF and the Conservation of Habitats and Species Regulations 2017 (as amended).

Water Neutrality:

- 6.55 A 2021 Position Statement from Natural England identified that it could not be concluded with the required degree of certainty that new development in the Sussex North Water Supply Zone would not have an adverse effect on the integrity of the Arun Valley SAC, SPA and Ramsar sites. As a consequence, and to comply with the legal duties set out in the Conservation of Habitats and Species Regulations 2017 (known as the Habitat Regulations), all new development since has been required to demonstrate water neutrality.
- 6.56 On 31st October 2025 Natural England formally withdrew the 2021 Position Statement, citing a package of measures that they were satisfied would safeguard the Arun Valley sites. Principal amongst these measures is a reduction in the Southern Water abstraction licence 'by March 2026'. However, given the licence change has not yet taken place Horsham District Council, as competent authority under the Habitats Regulations, cannot yet be certain that new development will not result in adverse impacts on the Arun Valley sites.

- 6.57 To ensure development can come forward as water neutral in the meantime, the Council has agreed with Natural England to use the significant water savings made by Southern Water in 2024/25 through their programme of leakage reduction (amongst other measures). This has generated some 3,240,000 litres per day of water savings that can now be attributed to new development without increasing water abstraction in the Arun Valley beyond baseline. These savings were previously to be used to launch the Sussex North Water Certification Scheme (SNWCS), however following the withdrawal statement SNWCS will no longer be launching. Natural England standing advice dated 10 November 2025 raises no objection to using these savings to enable development to come forward. The standing advice clarifies that it functions as Natural England's formal response pursuant to Regulation 63(3) of the Conservation of Habitats and Species Regulations 2017 to all relevant planning applications which seek to achieve water neutrality using the above Southern Water savings.
- 6.58 Officers have undertaken an Appropriate Assessment which demonstrates that the anticipated increase in mains water consumption from this development, alongside all other development granted since the 31st October 2025, will not exceed 3,240,000 litres per day.
- 6.69 Accordingly, Officers consider that the proposed development will not have an Adverse Effect on the Integrity of the Arun Valley Site, either alone or in combination with other plan and projects, thereby complying with Regulations 63 and 70 of the Conservation of Habitats and Species Regulations 2017, HDPF Policy 31, and paragraph 193 of the NPPF.

Drainage and Flood Risk:

- 6.60 Policy 38 of the HDPF seeks to ensure that development is not at unacceptable risk of flooding and is served by appropriate surface water and foul drainage infrastructure.
- 6.61 The application site lies within Flood Zone 1 and is therefore at low risk of fluvial flooding. The available flood mapping has also been reviewed in respect of surface water flood risk. Whilst areas of mapped flood risk are present within the wider locality, including in proximity to the railway corridor and watercourses, the submitted drainage information proposes that surface water arising from the development would be managed through infiltration. Soakaways would be informed by site-specific infiltration testing in accordance with BRE365, with permeable hardstanding also proposed to assist infiltration.
- 6.62 In terms of foul drainage, the proposal would utilise individual package treatment plants serving each pitch. Wastewater would be treated within the package treatment plant before the treated discharge is disposed of to ground through an appropriately designed infiltration system. The detailed design would be subject to confirmation of ground conditions and compliance with the relevant regulatory requirements. The treatment plants would be installed in accordance with the manufacturer's specifications.
- 6.63 The Council's Drainage Officer initially requested further information to demonstrate that the proposed foul and surface water drainage arrangements were feasible. The additional information establishes an intended drainage strategy comprising infiltration and permeable surfacing for surface water and package treatment plants with associated drainage fields for foul water. However, detailed infiltration testing, engineering design and final specifications remain outstanding. These outstanding matters relate to the detailed design of the drainage arrangements rather than demonstrating an overriding constraint to development. It is therefore considered reasonable to secure a comprehensive foul and surface water drainage strategy by pre-commencement condition, including the results of infiltration testing and details of the final means of disposal.
- 6.64 Subject to this condition, Officers are satisfied that appropriate foul and surface water drainage can be provided and that the development would not result in an unacceptable increase in flood risk. The proposal therefore accords with Policy 38 of the HDPF.

Services

- 6.65 Criterion (c) of Policy 23 requires that Gypsy and Traveller sites can be properly serviced with essential infrastructure including water supply, electricity, sewerage, drainage and waste disposal. The policy also requires sites to be of sufficient size to provide adequate vehicle parking, circulation space, residential amenity and play areas.
- 6.66 The proposed development provides six well-proportioned pitches, each capable of accommodating a static caravan together with associated parking, turning space, private amenity areas, refuse storage and ancillary infrastructure. The submitted layout demonstrates that adequate circulation space is available throughout the site, enabling vehicles to manoeuvre safely without prejudice to residential amenity.
- 6.67 Foul drainage is proposed via package treatment plants with treated effluent discharging to drainage fields, whilst surface water will be managed through infiltration drainage and permeable surfacing. The Council's Drainage Officer has confirmed that these arrangements are acceptable in principle subject to detailed design being secured through planning condition.
- 6.68 There is no evidence before the Local Planning Authority that the site cannot be connected to the necessary utility infrastructure or that essential services cannot be provided. Waste and recycling storage is incorporated within the layout and can be appropriately managed in the normal manner.
- 6.69 Officers are therefore satisfied that the proposal can be properly serviced, provides adequate parking, circulation space and residential amenity, and accordingly complies with criterion (c) of Policy 23.

Other Matters:

Climate Change:

- 6.70 Policies 35, 36 and 37 require that development mitigates to the impacts of climate change through measures including improved energy efficiency, reducing flood risk, reducing water consumption, improving biodiversity and promoting sustainable transport modes. These policies reflect the requirements of Chapter 14 of the NPPF that local plans and decisions seek to reduce the impact of development on climate change. The proposed development includes the following measures to build resilience to climate change and reduce carbon emissions:
- o Requirement to provide full fibre broadband site connectivity
 - o Dedicated refuse and recycling storage capacity
 - o Opportunities for biodiversity gain
 - o Cycle parking facilities

Biodiversity Net Gain (BNG):

- 6.71 Section 13 of the Environment Act 2021 requires qualifying development to deliver a minimum 10% Biodiversity Net Gain, secured for a period of at least 30 years. Policy 31 of the HDPF also seeks to protect and enhance biodiversity and secure measurable ecological improvements where appropriate.
- 6.72 The application is accompanied by a BNG Assessment and Statutory Biodiversity Metric prepared in accordance with the DEFRA Small Sites Statutory Biodiversity Metric. The assessment identifies that the site currently comprises modified grassland, mixed scrub, ruderal habitat, scattered trees, a treeline and hedgerows. The proposed development has been designed to retain and protect the most valuable habitats where possible, whilst

introducing new native planting, species-rich hedgerows and ecological enhancements as part of the overall landscaping scheme.

- 6.73 The submitted metric identifies a baseline value of 4.62 habitat units and 2.36 hedgerow units. Following the proposed habitat retention, enhancement and creation works, the development would deliver 5.12 habitat units and 2.98 hedgerow units, representing a net gain of 10.84% for area habitats and 26.26% for hedgerows. No watercourse units are affected by the proposal. The biodiversity enhancements are to be managed and maintained for a minimum period of 30 years, ensuring the long-term delivery of the ecological benefits associated with the development.
- 6.74 The accompanying assessment explains that the scheme has followed the mitigation hierarchy by retaining existing woodland and mature vegetation where practicable, incorporating habitat creation and enhancement within the landscaping proposals, and providing additional native scrub and species-rich hedgerow planting to improve habitat connectivity and ecological resilience across the site. The assessment concludes that the proposed development will achieve a measurable biodiversity net gain exceeding the statutory requirement.
- 6.75 The Council's Ecology Consultant has reviewed the submitted ecological information and Biodiversity Metric and raises no objection to the proposal, subject to conditions securing the implementation of the submitted ecological mitigation measures, the Biodiversity Gain Plan and the long-term management and monitoring of the created habitats.
- 6.76 Accordingly, subject to the recommended planning conditions, the proposal is considered to comply with the requirements of Schedule 7A of the Town and Country Planning Act 1990 (as amended by the Environment Act 2021), together with Policy 31 of the HDPF, by securing a measurable biodiversity net gain in excess of the mandatory 10% requirement.

Conclusions and Planning Balance:

- 6.77 The proposal has been assessed against the Development Plan as a whole, the NPPF, the Planning Policy for Traveller Sites (PPTS) and all other material planning considerations. The development would introduce six Gypsy and Traveller pitches onto an undeveloped parcel of countryside and would result in a degree of change to the character and activity of the site. However, the proposal would retain the established landscape framework and, subject to the recommended mitigation and planning conditions, the resulting impacts would be limited and localised.
- 6.78 The Council is currently unable to demonstrate an up-to-date five-year supply of deliverable Gypsy and Traveller pitches. Paragraph 28 of the PPTS therefore confirms that the provisions of paragraph 11(d) of the NPPF apply. Accordingly, planning permission should be granted unless policies in the NPPF that protect areas or assets of particular importance provide a strong reason for refusal, or any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole.
- 6.79 The proposal would provide six permanent Gypsy and Traveller pitches and make a meaningful contribution towards meeting the identified need for additional accommodation within the District. Significant weight is afforded to this benefit. The application site has also previously been identified through the Council's evidence base as suitable in principle for Gypsy and Traveller development, which provides further support for the proposal.
- 6.80 The concerns raised by residents, the Parish Council and the Public Rights of Way Officer have been carefully considered. As set out in the assessment above, the proposal would not result in unacceptable harm in respect of highway safety, residential amenity, landscape character, ecology or drainage. The development is also considered to satisfy the criteria of

Policy 23 of the HDPF in respect of barriers to development, access, servicing and infrastructure, proximity to settlements and community facilities, landscape character and neighbouring amenity. Matters relating to the Public Right of Way can be appropriately addressed through planning conditions and, where necessary, separate legal controls.

- 6.81 Applying the tilted balance in paragraph 11(d) of the NPPF, the limited adverse impacts identified would not significantly and demonstrably outweigh the benefits of providing six additional Gypsy and Traveller pitches in circumstances where there is a identified need and no up-to-date five-year supply. There are no policies in the NPPF which protect areas or assets of particular importance that provide a strong reason for refusing the development. The proposal therefore accords with Policies 22 and 23 of the HDPF, the PPTS and the NPPF. Planning permission is accordingly recommended, subject to the conditions set out below.

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 until a drainage strategy detailing the proposed means of foul and surface water disposal has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

Reason: As this matter is fundamental to ensure that the development is properly drained and to comply with Policy 38 of the Horsham District Planning Framework (2015).

- 4 **Pre-Commencement Condition:** No development shall commence, including demolition pursuant to the permission granted, ground clearance, or bringing equipment, machinery or materials onto the site, until the following preliminaries have been completed in the sequence set out below:

- (a) All trees on the site shown for retention on approved drawing number [insert number], as well as those off-site whose root protection areas ingress into the site, shall be fully protected throughout all construction works by tree protective fencing affixed to the ground in full accordance with section 6 of BS 5837 'Trees in Relation to Design, Demolition and Construction - Recommendations' (2012).
- (b) 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.
- (c) 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.

Any trees or hedges on the site which die or become damaged during the construction process shall be replaced with trees or hedging plants of a type, size and in positions agreed by the Local Planning Authority.

Reason: 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).

- 5 **Pre-Commencement Condition:** The development hereby permitted shall not commence until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the Biodiversity Gain Plan and including:
- (a) a non-technical summary;
 - (b) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the Biodiversity Gain Plan; and
 - (c) the management measures to maintain habitat in accordance with the Biodiversity Gain Plan from the completion of development.

has been submitted to, and approved in writing by, the Local Planning Authority.

The created and/or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP. Any proposed or retained planting, which within a period of 5 years after the completion of development, dies, is removed, or becomes seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 and Policy 31 of the Horsham District Planning Framework (2015).

- 6 **Pre-Commencement Condition:** Prior to commencement a construction environmental management plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the local planning authority.

The CEMP (Biodiversity) shall include the following:

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones".
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To conserve protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (as amended).

- 7 **Pre-Commencement Condition:** No development shall commence, including demolition pursuant to the permission granted, ground clearance, or bringing equipment, machinery or materials onto the site, until an Arboricultural Method Statement detailing all trees/hedgerows on site and adjacent to the site to be retained during construction works, and measures to provide for their protection throughout all construction works, has been submitted to and

approved in writing by the Local Planning Authority. The development shall be implemented and thereafter carried out at all times strictly in accordance with the agreed details.

Any trees or hedges on the site which die or become damaged during the construction process shall be replaced with trees or hedging plants of a type, size and in positions agreed by the Local Planning Authority.

Reason: 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).

- 8 **Pre-Commencement (Slab Level) Condition:** No development above slab level shall take place until details of the proposed passing bay(s) and signage associated with the access track from Gay Street Lane have been submitted to and approved in writing by the Local Planning Authority. The approved details shall include the location, dimensions and construction of the passing bay(s), together with the design, siting and wording of any signage. The approved measures shall be implemented in full prior to the first occupation of any pitch and shall thereafter be retained and maintained as approved.

Reason: To safeguard the safe and convenient use of the public right of way and in the interests of highway and pedestrian safety, and Policy 40 of the Horsham District Planning Framework (2015).

- 9 **Pre-Commencement (Slab Level) Condition:** Prior to any works above slab level, a Biodiversity Enhancement Strategy for protected, Priority and threatened species, prepared by a suitably qualified ecologist in line with the recommendations of the Preliminary Ecological Assessment (Sylvatica Ecology Ltd., March 2025) shall be submitted to and approved in writing by the local planning authority.

The content of the Biodiversity Enhancement Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed enhancement measures;
- b) detailed designs or product descriptions to achieve stated objectives;
- c) locations of proposed enhancement measures by appropriate maps and plans (where relevant);
- d) persons responsible for implementing the enhancement measures; and
- e) details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details shall be retained in that manner thereafter.

Reason: To enhance protected, Priority and threatened species and allow the LPA to discharge its duties under paragraph 187d of NPPF 2024 and s40 of the NERC Act 2006 (as amended).

- 10 **Pre-Commencement (Slab Level) Condition:** No development above ground floor slab level of any part of the development hereby permitted shall take place until a schedule of materials and finishes and colours to be used for external walls, windows and roofs of the approved building(s) has been submitted to and approved by the Local Planning Authority in writing and all materials used in the construction of the development hereby permitted shall conform to those approved.

Reason: As this matter is fundamental to enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 11 **Pre-Occupation Condition:** No part of the development hereby permitted shall be first occupied until full details of all hard and soft landscaping works shall have been submitted to and approved, in writing, by the Local Planning Authority. The details shall include plans and measures addressing the following:
- (a) Details of all existing trees and planting to be removed and retained
 - (b) Details of all proposed trees and planting, including schedules specifying species, planting size, densities and plant numbers and tree pit details
 - (c) Details of all hard surfacing materials and finishes
 - (d) Details of all boundary treatments

The approved landscaping scheme shall be fully implemented in accordance with the approved details within the first planting season following the first occupation of any part of the development. Unless otherwise agreed as part of the approved landscaping, no trees or hedges on the site (other than those within private gardens) shall be wilfully damaged or uprooted, felled/removed, topped or lopped without the previous written consent of the Local Planning Authority until 30 years after completion of the development. Any proposed or retained planting outside of private gardens, which dies, is removed, or becomes seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure a satisfactory development that is sympathetic to the landscape and townscape character and built form of the surroundings, and in the interests of visual amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 12 **Pre-Occupation Condition:** No part of the development hereby permitted shall be first occupied until full details of the car parking spaces as shown on approved plan reference 'Proposed Site Plan' shall be constructed in accordance with the approved details. The car parking spaces shall be retained at all times for their designated purpose.

Reason: To provide car-parking space for the use the development in accordance with policy 40 of the Horsham District Planning Framework (2015).

- 13 **Pre-Occupation Condition:** No part of the development hereby permitted shall be first occupied until full details of the cycle parking facilities shall be submitted to and approved in writing by the Local Planning Authority. Within 1 month of the approval of the details submitted, the cycle parking facilities shall be retained at all times for their designated purpose.

Reason: To ensure that there is adequate provision for the parking of cycles in accordance with Policy 40 of the Horsham District Planning Framework (2015).

- 14 **Pre-Occupation Condition:** No part of the development hereby permitted shall be first occupied until full details of the necessary in-building physical infrastructure and external site-wide infrastructure to enable superfast broadband speeds of 30 megabits per second through full fibre broadband connection shall be provided to the premises.

Reason: To ensure a sustainable development that meets the needs of future occupiers in accordance with Policy 37 of the Horsham District Planning Framework (2015).

- 15 **Regulatory Condition:** No development hereby permitted shall take place except in accordance with the terms and conditions of the Council's Organisational Licence (WML-OR136, or a 'Further Licence') and with the proposals detailed on plan "Land North of Girder Bridge: Impact plan for great crested newt District Licensing (Version 1)", dated 19th January 2026.

Reason: In order to ensure that adverse impacts on great crested newts are adequately mitigated and to ensure that site works are delivered in full compliance with the

Organisational Licence (WML-OR136, or a 'Further Licence'), section 15 of the National Planning Policy Framework, Circular 06/2005 and the Natural Environment and Rural Communities Act 2006.

- 16 **Regulatory Condition:** No development hereby permitted shall take place unless and until a certificate from the Delivery Partner (as set out in the District Licence WML-OR136, or a 'Further Licence'), confirming that all necessary measures regarding great crested newt compensation have been appropriately dealt with, has been submitted to and approved by the planning authority and the authority has provided authorisation for the development to proceed under the district newt licence. The delivery partner certificate must be submitted to this planning authority for approval prior to the commencement of the development hereby approved.

Reason: In order to adequately compensate for negative impacts to great crested newts, and in line with section 15 of the National Planning Policy Framework, Circular 06/2005 and the Natural Environment and Rural Communities Act 2006.

- 17 **Regulatory Condition:** No development hereby permitted shall take place except in accordance with Part 1 of the Great Crested Newt Mitigation Principles, as set out in the District Licence (WML-OR136, or a 'Further Licence') and in addition in compliance with the following:

- Works which will affect likely newt hibernacula may only be undertaken during the active period for amphibians.

Reason: In order to ensure that adverse impacts on great crested newts are adequately mitigated and to ensure that site works are delivered in full compliance with the Organisational Licence (WML-OR136, or a 'Further Licence'), section 15 of the National Planning Policy Framework, Circular 06/2005 and the Natural Environment and Rural Communities Act 2006.

- 18 **Regulatory Condition:** All mitigation measures and/or works shall be carried out in accordance with the details contained in the Dormice Survey Report (Sylvatica Ecology Ltd., May 2026), Reptile Survey Report and Mitigation Method Plan (Sylvatica Ecology Ltd., December 2025), Dormouse Survey Report (Sylvatica Ecology Ltd., December 2025) and Preliminary Ecological Assessment (Sylvatica Ecology Ltd., March 2025), as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. This includes the Precautionary Method Statement for reptiles in Section 5.12 of the Preliminary Ecological Appraisal (CSA Environmental, September 2024), which avoids impacts on protected species.

This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

Reason: To conserve protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (as amended).

- 19 **Regulatory Condition:** No 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).

- 20 **Regulatory Condition:** This permission does not authorise use of the land as a caravan site by any persons other than Gypsies and Travellers, as defined in Annex 1 of Planning Policy for Traveller Sites (Department for Communities and Local Government 2015).

Reason: To enable the Local Planning Authority to control the use of the site and in accordance with Policy 21, Policy 22 and Policy 23 of the Horsham District Planning Framework (2015).

- 21 **Regulatory Condition:** There shall be no more than 6 pitches on the site as a whole, as identified on the site location plan, with no more than one caravan (as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968) stationed on each pitch at any time.

Reason: To enable to the Local Planning Authority to control the development, to avoid an overcrowded appearance and to secure satisfactory standards of space and amenity in accordance with Policies 22 and 33 of the Horsham District Planning Framework 2015.

- 22 **Regulatory Condition:** No industrial, commercial or business activity shall be carried on from the site, including the storage of materials.

Reason: In the interests of amenity and in accordance with Policies 26 and 33 of the Horsham District Planning Framework (2015).

- 23 **Regulatory Condition:** No vehicle over 3.5 tonnes shall be stationed, parked or stored on the site.

Reason: In the interests of amenity and in accordance with Policy 33 of the Horsham District Planning Framework 2015.

- 24 **Regulatory Condition:** Each pitch hereby approved shall meet a water usage of no more than 110 litres per person per day. The subsequently installed water limiting measures shall thereafter be retained.

Reason: To limit water use in order to improve the sustainability of the development and to ensure the development is water neutral to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites in accordance with Policies 31 and 37 of the Horsham District Planning Framework (2015), Paragraph 193 of the National Planning Policy Framework (2024), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority Habitats & Species).

INFORMATIVES

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:

<https://www.gov.uk/guidance/submit-a-biodiversity-gain-plan>

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>

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.

Note to Applicant - Nature Space: Great Crested Newts

It is recommended that the NatureSpace Best Practice Principles are considered and implemented where possible and appropriate.

It is recommended that the NatureSpace certificate is submitted to this planning authority at least 6 months prior to the intended commencement of any works on site.

It is essential to note that any works or activities whatsoever undertaken on site (including ground investigations, site preparatory works or ground clearance) prior to receipt of the written authorisation from the planning authority which permits the development to proceed under the District Licence (WML-OR136, or a 'Further Licence') are not licensed under the great crested newt District Licence. Any such works or activities have no legal protection under the great crested newt District Licence and if offences against great crested newts are thereby committed then criminal investigation and prosecution by the police may follow.

It is essential to note that any ground investigations, site preparatory works and ground / vegetation clearance works / activities (where not constituting development under the Town and Country Planning Act 1990) in a red zone site authorised under the District Licence but which fail to respect controls equivalent to those detailed in the planning condition above which refers to the NatureSpace great crested newt mitigation principles would give rise to separate criminal liability under the District Licence, requiring authorised developers to comply with the District Licence and (in certain cases) with the GCN Mitigation Principles (for which Natural England is the enforcing authority); and may also give rise to criminal liability under the Wildlife & Countryside Act 1981 (as amended) and/or the Conservation of Habitats and Species Regulations 2017 (as amended) (for which the Police would be the enforcing authority).

8. USE OF AI

- 8.1 This report has been prepared with the support of artificial intelligence tools. All content has been reviewed and approved by the report author to ensure accuracy, appropriateness and compliance with council policies.

Background Papers: DC/26/0010