Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/24/0640
Mannings Heath Golf Club, Hammerpond Road, Mannings Heath, West Sussex, RH13 6PG

DESCRIPTION:
Construction of a small compound and plant to support agricultural storage.

RELEVANT PLANNING HISTORY:

DC/18/0958	Demolition of existing barn, erection of a replacement barn for ancillary storage use and laying of hardcore for access track.	Application Permitted on 28.09.2018
DC/20/0756	Retrospective application for the demolition of existing barn, and erection of a replacement barn for agricultural storage use, and laying of hardcore for access track	Application Permitted on 13.08.2020
DC/20/2531	Retention of existing barn currently under construction, to provide a dual-purpose facility for vineyard staff welfare/vineyard storage, and vineyard tours. Associated hard and soft landscaping works.	Withdrawn Application on 15.02.2021
DC/21/0603	Retention of the barn currently under construction, to provide a dual-purpose facility for vineyard staff welfare/vineyard storage, and vineyard tours. Associated hard and soft landscaping works.	Application Refused on 04.06.2021
DC/22/1027	Creation of an access track to provide access to vineyard (Retrospective).	Application Refused on 16.01.2024
DC/22/1553	Internal alterations to convert existing meeting rooms, stores and office spaces to form 9no guest bedrooms with en-suites with associated external alterations.	Application Permitted on 14.11.2022
DC/23/1175	The proposed use of the building for viticulture, specifically the production and storage of wine constitutes an agricultural practice (Certificate of Lawful Development Proposed)	Withdrawn Application on 07.08.2023
DC/23/1791	The proposed use of the building for viticulture, specifically the production and storage of wine constitutes an agricultural practice (Certificate of Lawful Development Proposed)	Application Permitted on 21.11.2023
DC/24/0464	Non-Material Amendment to previously approved application DC/20/0756 (Retrospective application for the demolition of existing barn, and erection of a replacement barn for agricultural storage use and laying of hardcore for access track) Add small compound and plant to support agricultural storage.	Application Refused on 22.04.2024

SITE AND SURROUNDS

Mannings Heath Golf and Wine Estate is a golfing facility and vineyard. The Estate extends to approximately 500 acres and is located outside of any defined built-up area boundary and is therefore located within the countryside. The site is situated within the High Weald AONB with some parts of the golf course also featuring areas of Ancient Woodland, although it is noted in this instance that the application site is not in close proximity to the Ancient Woodland. To the east of the application site is Bridleway ROW2822 which is lined with a dense mix of mature trees and vegetation.

DETAILED DESCRIPTION

The application seeks planning permission for the erection of a plant room of approximately 9 m2 attached to an agricultural storage building. The description of the application indicates a 'small compound', this is considered to describe the external materials (vertical fencing) surrounding the plant equipment.

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 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 35 - Strategic Policy: Climate Change
Policy 37 - Sustainable Construction

Neighbourhood Plan:
Nuthurst Parish Neighbourhood Plan (2015-2031)

Parish Design Statement:
Nuthurst Parish Design Statement

Planning Advice Notes:
Facilitating Appropriate Development
Biodiversity and Green Infrastructure

High Weald AONB Management Plan (2019-2024

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:

Compliance: No compliance comments.

AONB: No Comment received.

Parish Comments:
Objection on the basis of:

- The heat pump would generate unacceptable levels of noise
- Concern over access to unit for maintenance

Representations:
Two objections to the application with concern of:

- Highway Access and Parking and traffic hazard
- Loss of General Amenity
- Privacy Light and Noise
- Trees and Landscaping
- Outlines previous various enforcement issues within the application site
- Concern over the application applying for a biodiversity net gain exemption
- Concern of an industrial process being within an AONB
- Overdevelopment within the AONB
- Biodiversity concerns
- PRoW will be impacted upon
- Lack of visibility splays
- Believes it makes way for future development
- Feel Manning Heath Golf club do not have interest in local community

Member Comments:
None received

HUMAN RIGHTS AND EQUALITY:

The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a person's rights to the peaceful enjoyment of property and Article 8 of the same Act, which sets out their rights in respect to private and family life and for the home. Officers consider that the proposal would not be contrary to the provisions of the above Articles.

The application has also been considered in accordance with Horsham District Council's public sector equality duty, which seeks to prevent unlawful discrimination, to promote equality of opportunity and to foster good relations between people in a diverse community, in accordance with Section 149 of the Equality Act 2010. In this case, the proposal is not anticipated to have any potential impact from an equality perspective.

PLANNING ASSESSMENT

Principle of Development:

The principle of an agricultural barn in this location was considered acceptable under DC/20/0756 and DC/18/0958. A small plant room to facilitate the continuation of the use of the agricultural barn would represent a use ancillary to this such that it would not be considered to represent a change of use, or development that would be unacceptable in light of Policy 26 of the HDPF. The development would be a continuation of the existing use on site and would relate to a countryside-based enterprise which contributes to the wider rural economy providing rural employment opportunities and would fit within the boundaries of the existing estate. The overall acceptability of the plant room will however depend on its compliance with other policies of the HDPF, as discussed below.

Design and Appearance:

The plant and small compound would be very modest in scale when compared to the agricultural building to which it serves, and it is not considered that given the resultant relationship in this regard that the development would be unacceptable in scale. Furthermore, the small fences compound would screen the plant equipment such that it would not be readily visible from any public viewpoints such that its presence on the site would be overly prominent. The vertical timber fence would be an acceptable addition to an existing agricultural building, would be modest in scale and acceptable in design. There are no objections to the proposal on the basis of what has been proposed in this regard.

Amenity Impacts and PRoW:

Given the relatively isolated location of the proposed, the main amenity consideration in relation to this proposal concerns the users of the adjacent public bridleway ROW2822. Objection has been raised with concerns that the proposal will cause amenity issues arising from the plant equipment and access to the site to maintain the plant equipment. The bridleway itself is not included in the red line of the proposal, and the application does not propose any changes to it, however it is acknowledged that plant equipment would likely generate additional noise within the site that has potential to impact upon the enjoyment of the PRoW. It is considered however that the scale of the proposal in this case would be modest such that additional noise would be unlikely to be to such an extent that it would be unacceptable. Access to the site is not proposed to change as part of the application and has been approved as part of the previous application already. This last Officer's report included an informative noting the applicant of their responsibility with regards to the PRoW and reminding them that access along a public bridleway by motorised vehicles is only lawful if the user can prove that they have a private right of access (under the Road Traffic Act 1988 section 34(1)). It is the applicant's responsibility to ensure they have the correct rights in place to avoid any offences under the Road Traffic Act.

Given that the application would result in facilitation of existing development already permitted within the application site and the modest scale of the proposal, the development would not on balance be considered to result in unacceptable impacts on amenity.

Highways Impacts:

Concern has been raised with regards with traffic hazard creation, highways access, visibility splays and parking. As per the preceding section, no alterations to the existing site arrangements have been raised with regards to site access or the abovementioned concerns. It is not considered that the plant equipment would require an additional access and no information has been submitted for assessment under the current application. There are no objections to the proposal arising from a Highways safety perspective.

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 application would result in additional built form on site including plant equipment and a small, fenced compound to screen it. The scale of the proposal is modest, and the use of the plant equipment is to serve the existing agricultural building. There is nothing to suggest that the use or scale of the proposal would result in a material additional water abstraction such that the application would warrant mitigation. Given the nature of the proposal which would not require material additional water usage, there are no adverse effects on the integrity of the Arun Valley SAC, SPA and Ramsar sites.

Biodiversity Net Gain (BNG) and Ecology:

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.

Concern has been raised from objectors in light of the Application form submitted which states that there is an exemption to the requirement for Biodiversity Net Gain. The Application form outlines that the proposal would have represent a de minimus exemption to the usual requirement for Biodiversity net gain and the objections received indicate that this is incorrect. The additional built form on site would be less than 25sqm such that it would be an exemption to the requirement for Biodiversity net gain. There are no objections to the proposal in light of Biodiversity net gain requirements.

Conclusions:

The principle of the application is acceptable, with the proposal facilitating the existing use on site which is a rural enterprise that contributes to the wider rural economy providing rural employment opportunities. It is considered that the design and scale would not result in an unacceptable form of development and it is not considered that the proposal would result in undesirable harm to the amenity of nearby users of the land, PRoW or highway safety. The proposal is recommended for approval for the above reasons.

Recommendation: Application Permitted

Conditions:

2 **Standard Time Condition**: The development hereby permitted shall begin before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

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

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).

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/24/0640
Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Floor plan	Existing	24:33/401	24.04.2024
Site plan	Existing block and elevations	24:33/402	24.04.2024
Floor plan	Proposed	24:33/403 REV C	24.04.2024
Site plan	Proposed block and elevations	24:33/404 REV C	24.04.2024

Location plan		24:33/405	24.04.2024
Supporting Statement	Planning	NONE	07.05.2024
Supporting Statement	Technical note	NONE	07.05.2024

DELEGATED

Case Officer sign/initial Hannah Darley Date: 05/08/2024

Authorising Officer sign/initial RHERMITAGE Date: 13.08.2024