Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/24/1408

West Wantley Farm, Fryern Road, Storrington, West Sussex, RH20 4BJ

DESCRIPTION:
Erection of a storage building (Class B8 Use Excluding Distribution).

RELEVANT PLANNING HISTORY:

DC/13/0232	Erection of 5 no. loose boxes within existing barn and the formation of an exercise arena	Application Permitted on 03.09.2013
DC/20/0601	Prior approval of proposed change of use of agricultural building to a dwellinghouse (Use Class C3), and for associated operational development	Prior Approval Required and refused on 18.05.2020
DC/20/2245	Demolition of existing outbuildings and the conversion of barn into a dwelling	Application Refused on 06.01.2021
DC/22/2252	Demolition of existing barn and erection of replacement barn including change of use to storage (Use Class B8 excluding distribution)	Application Permitted on 28.02.2023
DC/23/0530	Prior Notification for change of use of an agricultural building to residential (Use Class C3) to form 1no dwellinghouse with associated operational development.	Prior Approval Required and refused on 17.05.2023
DC/23/1385	Erection of a replacement storage building (Class B8 Use Excluding Distribution)	Application permitted on 13/09/2023

SITE AND SURROUNDS

The application site is located to the east of Fryern Road, outside of any defined built-up area. The site is therefore located within a countryside location in policy terms. The site comprises a number of rural buildings including equestrian stables, pole barn, and utility stores, with open paddocks and manege located adjacent to the site. A cluster or agricultural and residential buildings are located immediately to the north and east of the application site, with residential properties located to the west, and situated on either side of the existing access. The wider area is characterised by open countryside, with the built-up area boundary of Storrington located 300m to the south. West Wantley farmhouse itself is a Grade II listed building.

DETAILED DESCRIPTION

The application seeks permission for the erection of a storage building for storage purposes only which would be positioned between two buildings approved under DC/23/1385 & DC/22/2252.

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 31 - Green Infrastructure and Biodiversity
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 34 - Cultural and Heritage Assets
Policy 35 - Strategic Policy: Climate Change
Policy 36 - Strategic Policy: Appropriate Energy Use
Policy 37 - Sustainable Construction
Policy 38 - Strategic Policy: Flooding
Policy 40 - Sustainable Transport
Policy 41 – Parking

Paragraph 33 of the NPPF requires that all development plans complete their reviews no later than 5 years from their adoption. Horsham District Council is currently in the process of reviewing its development plan however at this stage the emerging policies carry only limited weight in decision making. As the HDPF is now over 5 years old, the most important policies for the determination of this application must be considered as to whether they are 'out of date' (NPPF paragraph 11d). This includes, for applications involving the provision of housing, whether the Council can demonstrate a five year supply of deliverable housing sites (NPPF footnote 8).

The Council is currently unable to demonstrate a five year supply of deliverable housing sites, with the supply currently calculated as being 2.9 years. The presumption in favour of development within Paragraph 11d) of the NPPF therefore applies in the consideration of all applications for housing development within the District (unless footnote 7 or Paragraph 14 applies to relevant applications), with Policies 2, 4, 15 and 26 now carrying only moderate weight in decision making.

All other policies within the HDPF as itemised above have been assessed against the NPPF and are considered to be consistent such that they continue to attract significant weight in decision making.

Storrington Sullington and Washington Neighbourhood Plan
Policy 3 Employment Uses
Policy 8 Countryside Protection
Policy 14 Design

Storrington and Sullington Parish Design Statement

Planning Advice Notes:
Facilitating Appropriate Development
Biodiversity and Green Infrastructure

REPRESENTATIONS AND CONSULTATIONS RESPONSES

Where consultation responses have been summarised, it should be noted that Officers have had consideration of the full comments received, which are available to view on the public file at www.horsham.gov.uk

Consultations:

HDC Conservation: Objection

The existing replacement buildings permitted under DC/23/1385 & DC/22/2252 have resulted in harm to the setting of the neighbouring listed building. West Wantley Farm lies close to West Wantley, a grade II listed building. The stable and riding school complex is passed when approaching the listed building along the access lane. Although there is a ground level difference, the utilitarian buildings of the equine building complex are visible when approaching the listed building and do harm its setting by intruding on a visual appreciation of the listed building and diluting its primacy. The proposed building has no architectural interest and reinforces the utilitarian character of the modern equine building complex. It will be positioned between the two existing buildings and in such close proximity to effectively create an unbroken perception of structure. This will exacerbate the harm to the setting of the listed building. This harm will be less than substantial and in the middle of that scale. I am unaware of any public benefit that will result from this proposed building.*

HDC Environmental Health: No Objection subject to conditions

This Service has No Objection the application provided no distribution is proposed. However, we recommend that the following conditions are applied, should the application be Permitted:

1) *No additional external lighting to be installed to serve access to the new building without the written permission of the planning authority.*
2) *During the demolition and/or construction phase of the installation of the new building:*
   a) A licensed waste removal contractor should be used remove any clearance debris and construction waste from site.
   b) No burning of materials should take place on site.
   c) Hours of construction activities (including deliveries and dispatch) should be limited to 08.00 – 18.00 Monday until Friday, 09.00 – 13.00 Saturdays and no activity on Sundays or Bank Holidays.

WSCC Highways: No objection

The Local Highways Authority would not result in unacceptable impact non highway safety or result in severe cumulative impacts on the operation of the highway network.

Parish Comments:

NO OBJECTION. The Councillors want to ensure that rainwater harvesting is considered in alignment with the Storrington and Sullington Parish Council neighbourhood plan

Representations:

None received

Member Comments:

None received

HUMAN RIGHTS AND EQUALITY:

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

The application has also been considered in accordance with Horsham District Council's public sector equality duty, which seeks to prevent unlawful discrimination, to promote equality of opportunity and to

foster good relations between people in a diverse community, in accordance with Section 149 of the Equality Act 2010. In this case, the proposal is not anticipated to have any potential impact from an equality perspective.

PLANNING ASSESSMENT

Principle of Development:

Policy 10 of the Horsham District Planning Framework (HDPF) states that sustainable rural economic development and enterprise within the District will be encouraged in order to generate local employment opportunities and economic, social and environmental benefits for local communities. In the countryside, development which maintains the quality and character of the area, whilst sustaining its varied and productive social and economic activity, will be supported in principle. Any development should be appropriate to the countryside location, and must contribute to the diverse and sustainable farming enterprises within the District, or in the case of other countryside-based enterprises and activities, contribute to the wider rural economy and/or promote recreation in, and the enjoyment of, the countryside; and either be contained wherever possible within suitably located buildings which are appropriate for conversion, or in the case of an established industrial estate, within the existing boundaries of the estate; or result in substantial environmental improvement and reduce the impact on the countryside, particularly if there are exceptional circumstances where new or replacement buildings are involved.

Policy 26 of the HDPF states that outside built-up area boundaries, the rural character and undeveloped nature of the countryside will be protected against inappropriate development. Any proposal must be essential to its countryside location, and in addition meet one of the following criteria: support the needs of agriculture or forestry; enable the extraction of minerals or the disposal of waste; provide for quiet informal recreational use; or enable the sustainable development of rural areas. In addition, proposals must be of a scale appropriate to its countryside character and location. Development will be considered acceptable where it does not lead, either individually or cumulatively, to a significant increase in the overall level of activity in the countryside, and protects, and/or conserves, and/or enhances, the key features and characteristics of the landscape character area in which it is located.

Policy 15 of the Pulborough Neighbourhood Development Plan states that all housing and other buildings must be well-designed, and the scale, density, massing, height, and materials of all development proposals will be required to reflect the architectural and historic character and scale of the surrounding buildings and landscape.

It is outlined that the proposal would be similar to that approved recently under planning reference DC/22/2252 and DC/23/1385 where the proposal would be utilised for storage purposes only. Similar to these previous applications, the Applicant has advised that the intention is to commercially rent the building as an equipment store to a single occupier, where it is stated that there is no intention to allow for distribution from the site. The Applicant thereby considers that this would limit the level of activity.

The proposed development would provide an additional storage unit and would contribute to the wider rural economy, and the proposal would result in economic benefits in this regard. The proposal would result in new build development. The previous two applications were considered a replacement to the previous dilapidated building. Given that the current built form proposed would be viewed partially within this footprint and sited physically between the two storage buildings as approved under the last two applications, the current application can be considered a partly within the context of replacement development. The proposed building is not considered to result in any further environmental impact, with the proposal retaining the existing hardstanding. The proposal is therefore considered to be in general compliance with Policy 10 of the HDPF.

The proposed development would provide commercial storage space only, which could be reasonably secured by condition. As the proposal would offer secure storage purposes only, it is not anticipated that the development would result in a significant increase in activity or movements to and from the site. The proposal would contribute to the rural economy and would enable the sustainable development of

the rural area. As such, the principle of development is considered acceptable, subject to all other material considerations.

Design and Appearance:

Policies 25, 32 and 33 of the HDPF promote development that is of a high quality design, which is sympathetic to the character and distinctiveness of the site and surroundings. The landscape character of the area should be protected, conserved and enhanced, with proposals contributing to a sense of place through appropriate scale, massing and appearance.

Policy 34 of the HDPF states that development should be reinforce the special character of the historic environment through appropriate siting, scale, form and design; and should make a positive contribution to the character and distinctiveness of the area. Proposals should preserve and ensure clear legibility of locally distinctive vernacular building forms and their settings, features, fabric and materials.

It is noted that the Conservation officer has objected to the proposal, noting that the previous replacement buildings on site *under DC/23/1385 & DC/22/2252 have resulted in harm to the setting of the neighbouring listed building. The reasoning for this is that West Wantley Farm lies close to West Wantley, a grade II* listed building. The stable and riding school complex is passed when approaching the listed building along the access lane. Although there is a ground level difference, the utilitarian buildings of the equine building complex are visible when approaching the listed building and do harm to its setting by intruding on a visual appreciation of the listed building and diluting its primacy. The proposed building has no architectural interest and reinforces the utilitarian character of the modern equine building complex. It will be positioned between the two existing buildings and in such close proximity to effectively create an unbroken perception of structure. This will exacerbate the harm to the setting of the listed building. This harm will be less than substantial and in the middle of that scale. I am unaware of any public benefit that will result from this proposed building.*

The conservation officer's comment is noted, however, the current application does not seek to provide a justification for the previous applications already permitted within the application site. Cumulative impact in terms of the impact of the built form within this site is a consideration as part of this application, however given the siting of the proposal the current building proposed would not be readily visibly from the Grade II listed building as it is positioned in such a way to minimise impact of the proposal from this view. The visual harm that the proposal would represent would be modest, and formed primarily from the continuation of built form. Nevertheless, given the siting and scale that would be commensurate with the developments on either site, the proposal would be viewed within this context. It is acknowledged that subsequent applications to this current development would have potential to result in an unacceptable, unjustified impact on the application site and the listed building if it encroached outside of the cluster of buildings permitted under *DC/23/1385 & DC/22/2252.*

Furthermore, the proposed siting of the building is a substantial distance from the Listed Building, the proposal would reflect the design and external appearance of similar buildings within the locality and immediate site. Given the existing context, which is defined by modern, utilitarian buildings, the proposal is not considered to result in any further and significant harm to the setting of the Listed Building.

The proposal is therefore appropriately reflective of the design and external appearance of the existing complex. The proposal is therefore considered to accord with Policies 25, 32, and 33 of the Horsham District Planning Framework (2015).

Trees:

Policy 33 of the HDPF states that development shall presume in favour of the retention of existing important landscape and natural features, for example trees, hedges, banks, and watercourses. Development must relate sympathetically to the local landscape and justify and mitigate against any losses that may occur through the development.

A discharge of condition application was submitted under DISC/23/0209 which included details pertaining to tree protection in a during the construction process within the site and was subsequently approved. The document within the Arboricultural method statement dated September 2023 remains pertinent to this application. As such, a condition would be attached to ensure the Tree protection measures outlined to maintain the trees to the south and east. These trees are a cohesive feature that makes a positive contribution to the landscape character of the area and are effective in enclosing the site and partially screening the buildings situated at the higher level to the Public Right of Way.

Subject to the inclusion of the aforementioned condition, it is not considered that the proposal would result in a direct impact on the trees.

Amenity Impacts:

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.

Environmental Health have been consulted during the application and have no objections to the proposal subject to the above relevant conditions. The Planning Statement outlines that the proposed building would be used for storage purposes only, where activity would be limited to collections and deliveries of stock/other items, as required by the Tenant. Given the small scale of development and the nature of the proposed usage, it is not considered that the anticipated activity would exceed that resulting from the previous use of the site.

This is in part considered as the proposal would include relevant conditions suggested by Environmental Health where they are considered reasonable and necessary for a B8 storage building in this location in some proximity to residential uses. This includes restrictions on the hours of use, hours of delivery, no plant and machinery, and no storage of scaffolding. Subject to the inclusion of these conditions, the development would not result in adverse noise and disturbance to residential development in the wider area in accordance to Policies 32 and 33 of the Horsham District Planning Framework (2015).

Highways Impacts:

Policies 40 and 41 of the HDPF promote development that provides safe and adequate access, suitable for all users.

A Technical note was submitted and it is noted that this is dated from October 2022 which is the same document previously submitted as part of the application under DC/23/1385. As per the previous arrangement on site following this last permission, the proposal would utilise an existing access to Fryern Road, which passes a number of residential dwellings to the east. Given the small scale of the storage building in this instance, the existing level of hardstanding on site would be sufficient for parking requirements generated as a result of the proposal.

Following consultation with the Local Highways Authority, there is no evidence to suggest that the existing access is operating unsafely or that the proposal would exacerbate an existing safety concern.

The proposed development is not considered to result in a material intensification in the number of trips to and from the site, and the proposal is unlikely to result in material intensification of use onto Fryern Road or the wider road network.

For these reasons, it is considered that the proposal would result in no adverse harm to the function and safety of the public highway, in accordance with Policies 40 and 41 of the Horsham District Planning Framework (2015).

Water Neutrality:

The application site falls within the Sussex North Water Supply Zone as defined by Natural England which draws its water supply from groundwater abstraction at Hardham. Natural England has issued a Position Statement for applications within the Sussex North Water Supply Zone which states that it cannot be concluded with the required degree of certainty that new development in this zone would not have an adverse effect on the integrity of the Arun Valley SAC, SPA and Ramsar sites.

Natural England advises that plans and projects affecting sites where an existing adverse effect is known will be required to demonstrate, with sufficient certainty, that they will not contribute further to an existing adverse effect. The received advice note advises that the matter of water neutrality should be addressed in assessments to agree and ensure that water use is offset for all new developments within the Sussex North Water Supply Zone.

The application relates to the erection of a building to be used for storage purposes only as a replacement to a recently removed building. The previous two applications were considered a replacement to the previous dilapidated building. Given that the current built form proposed would be viewed partially within this footprint and sited physically between the two storage buildings as approved under the last two applications, the current application can be considered a partly within the context of replacement development. The Floor Plans provided indicate that no facilities are proposed, with the Planning Statement confirming that there would be no dedicated water supply to the building. As such, there is no clear or compelling evidence to suggest the nature and scale of the proposed development would result in a more intensive occupation of the dwelling necessitating an increased consumption of water that would result in a significant impact on the Arun Valley SAC, SPA and Ramsar sites, either alone or in combination with other plans and projects. The grant of planning permission would not therefore adversely affect the integrity of these sites or otherwise conflict with policy 31 of the HDPF, NPPF paragraph 186 and the Council's obligations under the Conservation of Habitats and Species Regulations 2017.

Biodiversity Net Gain (BNG):

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

The Applicant has submitted an application form that details that it is a de minimus exception. In this instance, there is an area of hardstanding where the proposal would be sited such that it is not considered a priority habitat or to result in new built form over 25sqm. As the applicant has submitted on these grounds, no biodiversity net gain metric would be required.

Conclusions:

The development would support, sustain and contribute to the varied and productive economic activity within the rural location. This is a material consideration of weight. The proposal would result in a modest level of activity and would not result in a significant increase in the overall level of activity in the countryside, nor noise and disturbance to the amenity of neighbouring residential properties and users of land. The modest number of vehicle movements could be adequately accommodated, with no concerns raised by the Local Highways Authority in this regard. The proposed building would be within the context of two existing storage buildings and similar to these, would be regarded as part of the replacement of an existing agricultural barn that required no mains wate usage. On the balance of these considerations, the development is considered acceptable, in accordance with the relevel local and national planning policies.

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 tree protection measures outlined within the Arboricultural Method Statement dated September 2023 and approved under DISC/23/0209 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).

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

Reason: Changes of use as permitted by the Town and Country Planning (General Permitted Development) Order or Use Classes Order 1987 are not considered appropriate in this case due to the countryside location and the amenity of the locality under Policy 26 and 33 of the Horsham District Planning Framework (2015).

5 **Regulatory Condition:** Deliveries, loading and unloading shall be restricted to:

- 0800 hours and 1700 hours on Mondays to Fridays inclusive,
- 0800 hours and 1300 hours on Saturdays,
- At no time on Sundays.

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

6 **Regulatory Condition:** No steel stockholding or heavy plant hire shall take place on site.

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

7 **Regulatory Condition:** No bulk storage of fuels, oils, chemicals, explosives or pyrotechnic devices shall be permitted without the prior written approval of the local planning authority.

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

8 **Regulatory Condition:** No external storage of any materials or waste shall take place at any time.

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

9 **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).

10 **Regulatory Condition**: The premises shall not be open for trade or business except between the hours of:

- 0800 hours and 1700 hours on Mondays to Fridays inclusive,
- 0800 hours and 1300 hours on Saturdays,
- At no time on Sundays.

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

NOTE TO APPLICANT
The Applicant is reminded that, under the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended), it is an offence to (amongst other things): deliberately capture, disturb, injure, or kill Great Crested Newts; damage or destroy a breeding or resting place; intentionally or recklessly obstruct access to a resting of sheltering place. Planning permission for a development does not provide a defence against prosecution under this legislation. Should Great Crested Newts be found at any stage of the development works, then all works should cease, and a professional and/or suitably qualified and experienced ecologist (or Natural England) should be contacted for advice on any special precautions before continuing, including the need for a licence.

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/24/1408
Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Site plan	Proposed	NONE	12/09/2024
Location plan		NONE	12/09/2024
Supporting Statement	Technical note	NONE	12/09/2024
Supporting Statement	Planning	NONE	12/09/2024
Elevation & Floor plan	Proposed	DWG 001	12/09/2024
Site plan	Existing	NONE	12/09/2024
Supporting Statement	Arboriculture method statement		10/10/2024

DELEGATED

Case Officer sign/initial Hannah Darley Date: 05/11/2024

Authorising Officer sign/initial RHERMITAGE Date: 29.11.2024