Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/25/0889
The Six Bells , 76 High Street, Billingshurst, West Sussex, RH14 9QS

DESCRIPTION:
Erection of a timber pergola with polycarbonate roof in front garden to provide covered outdoor seating area, with York stone paving to match existing hardstanding. (Full Application).

RELEVANT PLANNING HISTORY:

DC/23/1922	Installation of new flagstone paving to be laid over 2no. existing concrete slabs to front garden to fully match the finish of the existing external seating area. (Full Application)	Application Permitted on 12.12.2023

RELEVANT PLANNING POLICIES
The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):
Policy 9 - Employment Development
Policy 11 - Tourism and Cultural Facilities
Policy 12 - Strategic Policy: Vitality and Viability of Existing Retail Centres
Policy 13 - Town Centre Uses
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 43 - Community Facilities, Leisure and Recreation

Billingshurst Parish Neighbourhood Plan (BPNP) 2019 - 2031:
Policy BILL 2 - Housing Design and Character
Policy BILL7 - Retaining and Enhancing The Vitality and Viability of Billingshurst Village Centre

Billingshurst Parish Design Statement

Horsham District Local Plan (2023-40) (Regulation 19):
Strategic Policy 9: Water Neutrality
Strategic Policy 19: Development Quality
Strategic Policy 20: Development Principles
Policy 21: Heritage Assets and Managing Change within the Historic Environment
Policy 28: Community Facilities, Leisure and Recreation
Strategic Policy 34: Tourism Facilities and Visitor Accommodation
Strategic Policy 36: Town Centre Uses

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: The proposed shelter is not architecturally interesting or reflective of an ancillary structure that might be expected in proximity to a listed building. However, it will provide an expected facility for customers and maintain the viability of the business. In this location it will not be a conspicuous or intrusive structure and the negligible harm to the setting of the listed building is outweighed by the public benefit of maintaining the viability of the important local business.

HDC Environmental Health: This department have received previous complaints regarding noise from events in the garden to this premises. The last reported incident was August 2024.

The Six Bells has a Premise Licence issued by this department under the Licensing Act 2003. There are no conditions on the licence that precludes the premises from holding regulated entertainment in their garden. Most conditions on the licence seek to minimise the impact of noise rather than preventing it. Recommend conditions, include: -

- Only unamplified music to be permitted to take place in the garden.
- Any speakers installed in the pergola to play background music only
- Any external lights are to be positioned to minimise light trespass and glare into neighbouring residential properties.

Note that to comply with the requirements of the Smoke-free (Premises and Enforcement) Regulations 2006 the structure must not be wholly enclosed, or substantially enclosed if allowing patrons to smoke in the covered pergola.

Historic England: No comment.

Natural England: Standing Advice: -

It cannot be concluded that existing abstraction within the Sussex North Water Supply Zone is not having an adverse effect on the integrity of the Arun Valley SAC/SPA/Ramsar sites. Developments within Sussex North must therefore must not add to this impact and one way of achieving this is to demonstrate water neutrality. The definition of water neutrality is the use of water in the supply area before the development is the same or lower after the development is in place.

To achieve this Natural England is working in partnership with all the relevant authorities to secure water neutrality collectively through a water neutrality strategy. Whilst the strategy is evolving, Natural England advises that decisions on planning applications should await its completion. However, if there are applications which a planning authority deems critical to proceed in the absence of the strategy, then Natural England advises that any application needs to demonstrate water neutrality.

Representations:
None received

Parish Comments:
Neutral response, see no cause for objection to the plans as submitted.

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

This application is for the Erection of a timber pergola with polycarbonate roof in front garden to provide covered outdoor seating area, with York stone paving to match existing hardstanding at The Six Bells, 76 High Street, Billingshurst, West Sussex. The Six Bells is a Grade II* Listed Building (indexed 1959) described by Historic England as "[g]ood C16 timber-framed building with roughcast infilling. Horsham slab roof. Casement windows. Two storeys. Four windows. Small projecting wing in red brick to south-west". The Six Bells is itself a public house set back from High Street, with a small amount of hardstanding to the front for customer parking.

Principle of Development:

Policy 43 of the HDPF seeks to acquire the provision for new or improved community facilities where they meet the identified needs of the community. A community's sustainability is dependent on the services and facilities that they access. As such, this policy seeks to provide, retain and enhance existing facilities and services for the local community to benefit from.

Policy BILL7 on the BPNP advocates for ongoing vitality of Billingshurst village centre where proposals which protect, enhance and promote a diverse range of town centre uses – including retail, leisure, commercial, office, tourism, cultural and community - will be supported, subject to the other policies in this Neighbourhood Plan.

The proposed development is for the installation of timber pergola located in the front garden, to the north-east of the Six Bells. The pergola would serve as covered area for outdoor seating allowing enjoyment in fair weather. The proposed would accord with the policies above and is considered acceptable subject to other material considerations.

Design and Appearance:

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

Policy BILL 2 of BPNP advises that development should be of high quality that respects the character and rural feel of the parish. It should reflect the local scale and vernacular of the area and use materials that are in keeping to the character of the area.

Policy 34 of the HDPF seeks to conserve, sustain and protect the cultural and heritage assets that are within the district. It ensures that development within conservation areas is consistent with the special character of buildings and areas of which they are located within. Areas and buildings that fall under conservation, Listed Building designations or are approximate to them will be protected from inappropriate development which will harm the character and setting of the area / building.

Paragraph 208 of the NPPF (2024) states that "the local planning authority should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise". Paragraph 213 adds that "[a]ny harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

The pergola, and related hardsurfacing, is of a lightweight construction and considered to be appropriately sited in relation to the principle listed building and surrounding properties and land. There would be no adverse impacts on principal views of The Six Bells, the historic interest and fabric of which would be unaffected. While the design of the structure is of no particular merit, any related harm would be less than substantial and outweighed by public benefit derived from supporting and enhancing the existing use of the site.

Overall, the presence of a building of the scale, form and nature proposed would not be unexpected in a location such as this, with the visual impact acceptable and in accordance with the above policies.

Amenity Impacts:

Policy 33 of the HDPF states that permission will be granted for development that does not cause unacceptable harm to the amenity of the occupiers/users of nearby properties and land.

The scale and siting of the physical structure would not lead to unacceptable impacts on neighbouring amenity. The structure would not amount a change of use of the land, which would remain in use as outdoor space associated with the public house. It would not therefore be reasonable or necessary to impose restrictions which go beyond those already associated with the use of the site, and indeed any conditions could only relate to the proposed structure and not the wider use of the site. It is considered that restrictions specific to the structure could therefore be easily circumvented by moving outside of the structure, such that they would serve and achieve no meaningful purpose. As such, while the comments of the Environmental Health Team are noted, it is considered that any future noise complaints would be best addressed through non-planning legislation. No conditions in this regard are therefore recommended.

Water Neutrality:

There is no clear or compelling evidence to suggest the nature and scale of the proposed development would result in a more intensive use of the site which would necessitate 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 180 and the Council's obligations under the Conservation of Habitats and Species Regulations 2017.

Biodiversity Net Gain (BNG):

Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) mandates that every development must achieve at least a 10% Biodiversity Net Gain (BNG) unless the development qualifies as exempt under the Biodiversity Gain Requirements (Exemptions) Regulations 2024).

The development qualifies as 'de minimis' under Regulation 4 of the Biodiversity Gain Requirements (Exemptions) Regulations 2024

Conclusions

It is considered that the proposal would accord with relevant local and national planning policies and is therefore recommended for approval.

Recommendation: Application Permitted

Conditions:

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

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

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

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/25/0889

(The approved plans will form Condition 1 on the Decision Notice of all Permitted applications)

Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Location plan	Existing	25.034.M2.R 103	28.05.2025
Site plan	Existing	25.034.M2.R 100	28.05.2025
Site plan	Proposed	25.034.M2.R 101	28.05.2025
Elevation plan	Existing and proposed	25.034.M2.R 102	28.05.2025
Location plan	Proposed	25.034.M2.R 104	28.05.2025
Supporting Statement	Design and access with heritage	NONE	28.05.2025

DELEGATED

Case Officer sign/initial JBurrowes Date: 25/07/2025

Authorising Officer sign/initial Guy Everest Date: 25.07.2025