PLANNING COMMITTEE REPORT

TO:	Planning Committee North
BY:	Head of Development and Building Control
DATE:	5th November 2024
DEVELOPMENT:	Change of use of land and associated siting of 6 No. Eco Lodges for short-term tourist accommodation.
SITE:	Hawksbourne Wood, Rusper Road, Rusper, Horsham, West Sussex RH12 4QS
WARD:	Colgate and Rusper
APPLICATION:	DC/23/1806
APPLICANT:	**Name:** Mr Frederick Goodall **Address:** Hawksbourne Wood Rusper Road Rusper Horsham West Sussex RH12 4QS

REASON FOR INCLUSION ON THE AGENDA: By request of Rusper Parish Council

RECOMMENDATION: To approve full planning permission subject to appropriate conditions and subject to the completion of the necessary section 106 agreement within four months of the decision of this Committee, or such longer period as is agreed by the Director of Place acting reasonably and properly.

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

1.1 The proposal involves changing the use of the land to accommodate tourism by installing six eco-lodges. These eco-lodges will be placed within a natural clearing surrounded by woodland, including the preserved Hawkesbourne Wood. The plan includes enhancing the woodland and developing a woodland management plan in collaboration with the Rusper Ridge Biodiversity Opportunity Area.

1.2 The eco-lodges will be located within an existing woodland clearing, evenly distributed along a track, and will feature a rectangular design. They will be clad in wooden panelling with sedum roofs. Each lodge will contain a bedroom, kitchen, bathroom, and living area, with access to an adjacent open veranda through doors.

1.3 The development will utilize the existing hardcore road that runs through the woodland. This submission states that this is an established road that will be adapted and improved as needed, minimizing additional construction. There are no plans for communal or shared areas that would create activity hubs on the site.

DESCRIPTION OF THE SITE

1.4 The proposed location lies within a rural landscape, roughly 1.5km north of Horsham's urban boundary defined by the A264, and just over 2km southwest of Rusper. Access to the site, west of Rusper Road, is facilitated by this north-south running thoroughfare. Spanning approximately 22 hectares, the site hosts a mix of woodland and industrial units, with the proposed project occupying 0.74 hectares.

1.5 Situated beyond Horsham's built-up boundary, the area surrounding the site retains its rural character, as per planning policy classification. Access to the site is provided by Rusper Road, classified as a C class highway, lacking illumination. Formerly utilized for Matthews Plant Hire access, the road serves as the primary entry point.

1.6 Although approximately 0.5km from the site, a bus stop offers connectivity, albeit beyond typical walking distances. However, given the nature of countryside leisure sites, their placement often prioritises seclusion from densely populated areas. The site includes three areas of ancient woodland within the redline, which form part of the woodland management plan, including: Hawkbourne Wood to the western boundary, Tenacre Gill to the east, and an unnamed woodland to the north-east (forming the entrance to the site). The application site is located some 90m of the boundary with the North of Horsham (Mowbray) strategic development site.

2. INTRODUCTION

STATUTORY BACKGROUND

2.1 The Town and Country Planning Act 1990.

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

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 7 - Strategic Policy: Economic Growth
Policy 9 - Employment Development
Policy 10 - Rural Economic Development
Policy 11 - Tourism and Cultural Facilities
Policy 24 - Strategic Policy: Environmental Protection
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
Policy 26 - Strategic Policy: Countryside Protection
Policy 27 - Settlement Coalescence
Policy 28 - Replacement Dwellings and House Extensions in the Countryside
Policy 29 - Equestrian Development
Policy 30 - Protected Landscapes
Policy 31 - Green Infrastructure and Biodiversity
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 34 - Cultural and Heritage Assets
Policy 35 - Strategic Policy: Climate Change
Policy 36 - Strategic Policy: Appropriate Energy Use
Policy 37 - Sustainable Construction
Policy 38 - Strategic Policy: Flooding
Policy 39 - Strategic Policy: Infrastructure Provision

Policy 40 - Sustainable Transport
Policy 41 - Parking
Policy 42 - Strategic Policy: Inclusive Communities
Policy 43 - Community Facilities, Leisure and Recreation

Rusper Neighbourhood Plan (2021):
RUS1 – Spatial Plan
RUS2 – Rural Diversification
RUS3 – Design
RUS5 – Green Infrastructure and Biodiversity
RUS6 – Walking, Cycling and Equestrian Routes
RUS10 – Dark Skies

Planning Advice Notes:
Facilitating Appropriate Development
Biodiversity and Green Infrastructure

3. OUTCOME OF CONSULTATIONS

3.1 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

3.2 **HDC Arboricultural Officer**: No Objection (*summary*)
The existing vehicle access is well established. Service connections are shown to be already in existence and are to be implemented outside of tree root protection areas. The ancient woodland would not be directly affected by the proposal. The submitted 10 year management plan is considered appropriate. This would need to be approved by the Forestry Commission.

3.3 **HDC Landscape Architect**: Comment (*summary,* suggested conditions)
The inclusion of the woodland management plan is welcomed and gives reassurance that the woodland as a whole will be subject to good management practices and enhancements that secure the longevity of this key landscape feature and diverse habitat which is positive. The proposals would nonetheless give rise to some adverse effects on the landscape character which must be considered within the planning judgment. The woodland management plan denotes parcel 3a, which sits immediately adjacent west and south of the proposed eco-lodges, to be clear fell and restock (2024-2029). This is likely to change the immediate setting of the site and will have a temporary localised high adverse effect on the character of area therefore the applicant is encouraged to maintain a good perimeter buffer so that activity and perception of urbanisation experienced as result of the proposals, is not detrimental to character and amenity of area.

3.4 **HDC Environmental Health**: Comment (*summary,* suggested conditions)
No information is provided about the sewage treatment plant, such as the capacity proposals for disposing of the discharge from the plant. Recommended condition for implementation of drainage strategy prior to occupation.

3.5 **WSCC Highways**: No Objection (*summary*)
The Highway Authority raise no concerns to the access from a highway safety perspective. The access appears to be established and appears to have previously served a business which used larger HGV style vehicles. It has adequate width and good visibility. There are no recorded incidents at the access or in its location to indicate that the access has been operating unsafely.

Based on the sites previous use as described in the planning documents and its proposed use for the eco lodges, there is not expected to be any highway capacity related matters that would warrant a highways objection in line with the criteria as set out in the NPPF (paragraph 111).

3.6 **Ecology Consultant**: No Objection (suggested condition)
We have reviewed the Preliminary Ecological Appraisal (David Archer Associates, November 2023) supplied by the applicant, relating to the likely impacts of development on protected & Priority species and habitats, and identification of proportionate mitigation.

We note from the Preliminary Ecological Appraisal (David Archer Associates, November 2023) that there are no buildings on site and that the two trees to be removed have negligible bat roost potential. We therefore agree that no further surveys for bats are needed.

We also note from the Preliminary Ecological Appraisal (David Archer Associates, November 2023) that the site has negligible potential for Hazel Dormouse. However, as two European Protected Species Mitigation licences have been granted for Hazel Dormouse within 2km of the site and this species may be present in the surrounding woodland, we support the implementation of a wildlife sensitive lighting scheme to prevent light spill onto adjacent woodland (Preliminary Ecological Appraisal (David Archer Associates, November 2023)).

We understand the works will not take place within 15m of Ancient Woodland (irreplaceable habitat) (Preliminary Ecological Appraisal (David Archer Associates, November 2023)), but highlight that if the plans change, then a buffer of 15m will be required between any works and the woodlands in line with Government Standing Advice.

We are satisfied that there is sufficient ecological information available for determination. We have no objections on ecological matters excluding Great Crested Newt. We have been instructed to leave comments on this European Protected Species to the NatureSpace Partnership.

3.7 **Natural England**: No Objection
We concur with the conclusion of your authority's HR appropriate assessment insofar that we have no objections subject to the: delivery, management and maintenance of measures identified in the water neutrality statement to achieve water neutrality.

3.8 **Naturespace**: Comment (*summary*).
An informative is recommended outlining the applicants duty to ensure the protection of newts under the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended).

3.9 **Forestry Commission**: Comments (standard response)
The planning application proposes development very close to ancient woodland.

We would like to highlight that the 15m buffer distance referred to in the Standing Advice is a minimum level and may need to be larger to account for any direct or indirect impacts associated with the proposed developments, as well as to preserve the root protection area of trees within the woodland. This minimum buffer area would apply to a single dwelling and we would question the suitability of applying this minimum for larger scale developments. To help avoid impacts and to maximise any biodiversity gains, we encourage the applicant to:

- Incorporate a larger buffer than is being proposed
- Maximise the ecological value of the buffer area through habitat enhancement, creation and connectivity with other habitats on site and in the surrounding area (eg via lines of trees, hedgerows and areas of habitat).

Adopting these more stringent measures could help to avoid impacts from the development. If they are not applied, it is also likely to be a missed opportunity to help secure the long-term

protection of this irreplaceable habitat and, where possible, expand and bolster these high value habitats especially in the context of national and local policies to recovering nature and expanding tree canopy cover.

Where woodland is within the applicant's control, we also suggest that this is brought into active management if it is not done so already, especially if there is likely to be added pressure from the proposed development. The applicant and Planning Authority can use the Assessment Guide referred to below to help establish if direct or indirect impacts are likely. We can advise further on management if helpful.

PUBLIC CONSULTATIONS

3.10 **Rusper Parish Council:** Objects to the proposal:
The proposed site is in an important environmental location. The made Rusper Neighbourhood Plan acknowledges the Rusper Ridge as an important biodiversity opportunity area. This ridge is also identified in the plan as one of the wildlife corridors that provide important connection, migration, feeding and hunting areas for the rich wildlife of the area. The introduction of what would be 24 hour human activity right in the middle of this important environment would have a significant impact.

Rusper Parish Council would also challenge the water neutrality statement in terms of expected use of each lodge as 1.32 people, as they seem to be marketed at couples, so a number closer to 2 would be expected and with seating for 6 this could be significantly higher. In the event that permission were granted, the Parish Council would expect serious enforcement of the off-setting measures outlined. Additionally, there would need to be further restrictions to prevent any expansion on the site, or future change of use.

Rusper Parish Council also supports the concerns expressed by neighbouring businesses about the potential impact on their ability to function properly if this application were permitted.

In the event that the officers are minded to propose the acceptance of this application, Rusper Parish Council would ask for it to go to full committee and that the Parish Council is allowed to speak to their objections at the meeting.

3.11 3 letters of representation received from 2 separate addresses *objecting* to the proposal on the following grounds:

- Location plan does not accurately depict the size of the site
- Adverse ecological impact
- Users would experience disturbance from neighbouring farming enterprise
- Conditions would be required to curtail noise / lighting impact
- No mention of pet policy on site
- Incompatible with existing neighbouring uses (shooting)
- Suspected expansion of lodged

4. HOW THE PROPOSED COURSE OF ACTION WILL PROMOTE HUMAN RIGHTS AND EQUALITY

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 The NPPF supports sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. This includes supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres.

6.2 This is reflected by Policy 10 (Rural Economic Development) of the HDPF, which encourages and supports rural economic development in the District's countryside to generate employment opportunities and to provide other benefits to local communities including the promotion of recreation and enjoyment of the countryside. Policy 11 (Tourism and Cultural Facilities) echoes the requirements of the NPPF and Policy 10 of the HDPF, stating that the Council will encourage proposals which promote tourism, including recreation based rural diversification. Policy 11 seeks to ensure that any development is appropriate to its location (in this case, in the countryside) and should increase the range and quality of accommodation for tourists and visitors to the District. A holiday caravan site in the countryside could therefore be considered acceptable in principle so long as it is considered appropriate to its countryside location and maintains the quality and character of the countryside in which it is sited.

6.3 Policy 26 (Countryside Protection) is relevant because the proposed site is located outside any of the District's Built-Up Area Boundaries where development is more strictly controlled. This policy seeks to protect the countryside against inappropriate development, and only allows development where it is essential to its countryside location and meets one of 4 criteria listed in the policy. Policy 26 also seeks to ensure development is of an appropriate scale to its countryside character, and does not lead to an unacceptable increase in activity in the countryside.

6.4 The Horsham District Visitor Accommodation Study dated July 2016 outlines that the District is well-placed to capitalise on the projected growth in domestic short break and overseas tourist markets and the increasing demand for family and friend get togethers, celebrations, and weekends away. The study concludes that there is insufficient provision of all forms of visitor accommodation in the District, with the potential in the rural parts of the District to upgrade existing facilities through the provision of high quality holiday cottages, small holiday lodges/eco lodges etc.

6.5 Policy RUS1 of the Neighbourhood Plan (NP) states that the plan defines the built-up area boundary for Rusper, as shown on the Policies Map, for the purpose of applying Policy 4 of the Horsham District Planning Framework.

6.6 Policy RUS2 of the NP states that Proposals for the development of new business, commercial, community uses and flexible start-up business accommodation outside the built-up area boundary of Rusper, for example as part of farm diversification, will be supported provided they adhere to other policies of the development plan.

6.7 As indicated within both the Horsham District Hotel and Visitor Accommodation Study 2016, there is an identified need for such tourist accommodation as proposed within the District. The proposed scale and nature of the accommodation is considered to be appropriate to the character and location of the area, whilst improving the range and quality of facilities for visitors.

6.8 The site is located on the eastern side of Rusper Road, a main road travelling north/south between Horsham and Rusper with a national speed limit (60mph), and no public footpath or lighting. It is accepted that the area surrounding the site comprises a number of Public Rights of Ways (PROW), including 2946 (footpath) 516m north of the site, 1592 (footpath) 846m due east, and 1569 (footpath) 803m north. However, these PROWs are not connected or directly accessible from the site. Given the lack of a footpath on Rusper Road, and the distance to the wider PROW network, visitors to the site would rely on the use of a car to (safely) access the wider area, or would be limited to experience cyclists to travel out of and into the site. In addition, attempting to access PROW 1592 to the east would only be achieved from entering neighbouring land, which is not likely to be granted (owing to public representations received). As such, the use of the site for holiday let purposes would not likely represent a use that would promote sustainable travel for tourists.

6.9 However, the provision of 6x holiday let units within this location is anticipated to provide for a needed accommodation within the district, bringing with it positive socio-economic benefits that would otherwise not be exploited if the site were to remain in its former use. In addition, as will be demonstrated further below, the application includes several other greater benefits that go beyond what would be typically expected of an application of this kind, thus weighing in favour of granting consent. Though the lack of connections to wider PROW networks is not beneficial to the proposal, this represents a slight conflict with the development plan policies, which would otherwise be outweighed by other benefits that would occur as a result of the permission (further detailed below). As such, the proposal is considered to be acceptable in principle on balance, in accordance with Policy 11 of the Horsham District Planning Framework (2015).

Design and Appearance:

6.10 Policy 32 of the HDPF states that good design is a key element in sustainable development, and seeks to ensure that development promotes a high standard of urban design, architecture and landscape. Policy 33 of the HDPF states that development proposals should make efficient use of land, integrate effectively with the character of the surrounding area, use high quality and appropriate materials, retain landscaping where feasible (and mitigate loss if necessary) and ensure no conflict with the character of the surrounding town or landscape.

6.11 Policy RUS3 of the NP states that proposals for new development, including extensions to existing buildings, must be of the highest design standards, and will be required to reflect the character and scale of surrounding buildings. Proposals should satisfactorily take into account: (iii) The retention of key views, particularly of the street scene and key buildings in the Rusper Conservation Area; (iv) The retention of key views out to the countryside, particularly views out from the playground to the east and from the Sports Field (as shown on the Policy Map); (v) The retention of the visual and amenity value of mature trees and hedgerows in the Parish, where possible; (vi) The achievement of current heat insulation standards; (vii) The achievement of current noise insulation standards; (viii) The provision of features (including renewable energy) that lead to low or zero carbon dioxide emissions,

such as solar panels and air or ground source heat pumps; and (ix) The retention of Rusper's dark skies status, in accordance with Policy RUS10 of this Plan.

6.12 Policy RUS10 of the NP states that all development proposals should be designed to minimise the occurrence of light pollution. The Parish Council will expect such schemes to employ energy-efficient forms of lighting that also reduce light scatter and comply with current guidelines established for rural areas by the Institute of Lighting Professionals (ILP). The requirement for any external lighting should be restricted to areas of specific concern and may include:

i. Road safety in areas where there is a very specific risk to pedestrians and cyclists
ii. Deterring criminal activity
iii. Lighting entrances to buildings used after dark
iv. Lighting for evening sporting or recreational activities
v. Supporting the night-time economy, including lighting for farmers needing to work at night

6.13 Proposals for all development will be expected to demonstrate how it is intended to prevent light pollution. Information on these measures must be submitted with applications, and where a development would potentially impact on light levels in the area, an appropriate lighting scheme will be secured by planning condition.

6.14 The application to proposes to site 6x converted shipping container units within a central portion of the woodland of the site, with three units sited either side of an existing central spine track. The units would be sited between existing trees, with one ash to be removed to accommodate unit 4. Each unit would be set on raised platforms, benefitting from one parking space each, and would comprise a timber clad and painted metal exterior with floor to ceiling glazing and a sedum planted roof.

6.15 The proposed layout would make efficient use of the existing site, utilising the existing track with minimal tree clearance in a logical arrangement. Each unit would be placed on the site at an angle to avoid a repetitive rhythm, set at a reasonable separation distance (between 7m and 20m).

6.16 The resultant layout and arrangement ensures a varied appearance within the woodland setting, which would be adequately accommodated within the site, maintaining appropriate spacing throughout. Moreover, the proposed arrangement around the site's edges with a central grassed area ensures a spacious layout. Overall, the Horsham District Hotel & Visitor Accommodation Study 2016 identified a need for additional holiday accommodation. Considering the proposal's alignment with existing park facilities to the south and the typical countryside location of such sites, no concerns arise. The proposal is therefore considered to accord with the above policies.

<u>Trees and Landscaping:</u>

6.17 Policy 25 states that the Natural Environment and landscape character of the District, including the landscape, landform and development pattern, together with protected landscapes and habitats will be protected against inappropriate development. The Council will support development proposals which: (1) Protects, conserves and enhances the landscape and townscape character, taking into account areas identified as being of landscape importance, the individual settlement characteristics, and maintains settlement separation.

6.18 Policy 33(6) of the HDPF states that developments shall be required to 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.

6.19 Minor tree removal is proposed to accommodate the proposed units, including the felling on an Ash tree within the centre of the site to accommodate plot 4, a group of dead trees to the west (Ash and Birch), and English Oak to the west to accommodate vehicle movement. Given the modest scale of tree felling required to accommodate the use, the Council's Arboricultural Officer has raised no objection to the proposal, further noting that sufficient distance would be retained between the development and the ancient woodland on the site (which would be sited well in excess of the advised 15m buffer). As such, no objection is raised on these grounds.

6.20 In addition to the above, the application includes a detailed woodland management plan which has been endorsed by the Forestry Commission. The plan aims to create woodlands that are both richly biodiverse and visually appealing, enhancing the landscape. The management of these woodlands will positively impact amenities, biodiversity, and silviculture while also improving their natural resilience to climate change, pests, and diseases. Furthermore, sustainable management practices will ensure a continued supply of timber products to local markets.

6.21 The plan states that the woodland has not been managed for many decades (having previously been used for the storage of plant vehicles) and has suffered from Ash dieback. Map 5 attached to the plan illustrates the proposed works which have been granted a licence from the Forestry Commission, highlighting areas that are proposed to be felled and re-stocked, those to be thinned / selectively felled, and those areas to remain untouched (mostly comprising areas the ancient woodland). The resultant works would ensure proper and sustainable management of the woodland for the next ten years, promoting suitable biodiversity on the site that would otherwise be left unenhanced if left in its current condition. The granting of consent would thus enable the plan, and is considered to be a benefit to the scheme that weighs in favour of approval.

6.22 In terms of landscape impact: the site is located within a woodland setting. The site falls within the I2 – Warnham and Rusper Wooded Edge Character Area of the Horsham District Landscape Character Assessment. Key relevant characteristics include dense, undulating wooded ridges, secretive wooded ghylls, strong pattern of shaws and hedgerows and mostly rural character. Ancient woodland is a typical historic feature and key issues include poor woodland and hedgerow/shaw management, localised intrusion from suburban features and increasing traffic pressure on roads. Overall sensitivity to change is high. Planning and Land Management Guidelines recommend conserving and managing the rural wooded character of the area and ridgetop woodlands, ghyll woodlands and shaws/hedgerows, ensuring any small scale new development responds to local design and building materials, including half timber with plaster/brick, tile hanging and weatherboarding.

6.23 Initially, it was considered that while the development would be well contained and would not offer publicly available views, this proposal is likely to give rise to adverse landscape character effects due to the introduction of built form within a rural setting and increase in the overall level of activity in the countryside. The submitted Landscape Visual Impact Assessment (LVIA) concludes that the site is of high value and high landscape sensitivity. The Council's Landscape Architect has noted that the proposals would give rise to Medium adverse effects on the landscape character, which would reduce to residual effects of slight to moderate adverse over time. Initial concerns were raised by the Council's Landscape Team, requesting the submission of a Landscape and Visual Appraisal (LVA) (subsequently received), in addition to detailed woodland management proposals and management of the landscape. Further to the submission of additional landscaping information, and LVA and woodland management plan, officers were satisfied that these concerns were addressed and conditions suggested to ensure the approved details is undertaken as approved.

6.24 The potential landscape impact is noted, which would reduce over time as planting and woodland management matures. In addition, as above, the management of the woodland would ensure longevity of this key landscape feature and diverse habitat, the benefit in which

is considered to suitably outweigh the potential landscape harm identified. With the above in mind, the proposal is not considered to result in adverse landscape or arboricultural harm.

Amenity Impacts:

6.25 Policy 33(2) of the Horsham District Planning Framework 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.

6.26 The site is located within relative isolation from existing nearby residential uses, the nearest of which being Allingham Farm some 250m north of the site. Given this separate distance, in addition to the site of the units within the centre of the site surrounded by established woodland, the proposal is not anticipated to result in adverse harm to neighbouring amenity by way of overlooking, overshadowing, or overbearing.

6.27 Neighbouring concerns regarding noise and activity on the site are noted. However, the site was most recently in use as a storage facility for plant hire, which regular comings and goings to and from the site, including vehicle movements. The proposed use for holiday let, though infrequent, is not anticipated to result in an adverse increase in activity over the former arrangement. In terms of noise, a condition is suggested below to limit the use of outdoor amplified music.

6.28 Wit the above in mind, the proposal is not considered to adversely impact on neighbouring amenity, in accordance with Policy 33(2) of the HDPF.

Highways Impacts:

6.29 Policy 40 of the HDPF supports proposals which provide safe and suitable access for all vehicles, pedestrians, cyclists, horse riders, public transport and the delivery of goods, whilst Policy 41 requires adequate parking facilities within developments. Chapter 9 of the National Planning Policy Framework sets out that ‘development should only be refused on transport grounds if there would be an unacceptable impact on highway safety grounds, or the residual cumulative impacts on the road network would be severe'.

6.30 Policy RUS6 of the NP states that development proposals will be supported, provided that, where appropriate to their location, they have regard to the following principles: i. if the proposal adjoins a public footpath or bridleway, the development must have regard to maintaining the functionality and rural character of the footpath or bridleway, unless this cannot satisfactorily be achieved, in which case the route must be diverted in a way that remains safe and convenient for users ii. If a proposal lies in a location that enables a new pedestrian, cycle link and/or bridleway to be created to join an existing public footpath or bridleway, that the layout and access arrangements of the scheme allow for such an improvement, provided the development avoids or minimises the loss of mature trees and hedgerows and use materials that are consistent with a rural location; and iii. Access to the Parish by walking, cycling and riding can already be satisfactorily achieved.

6.31 The proposal would utilise an existing access into the site from Rusper Road, which is not proposed to be altered. WSCC Highways have commented on the proposal, stating that the established access appears to have previously served a business which used larger HGV style vehicles and it has an adequate width and good visibility. There are no recorded incidents at the access or in its location to indicate that the access has been operating unsafely. Based on the sites previous use as described in the planning documents and its proposed use for the units, there is not expected to be any highway capacity related matters that would warrant a highways objection in line with the criteria as set out in the NPPF (paragraph 111).

6.32 As above, the proposal lacks direct access to the wider PROW network. Therefore, the use would likely rely on the use of motorised vehicles. This impact is considered in the overall planning balance below.

6.33 The site is located some 90m north of the North Horsham (Mowbray) strategic development site, both of which are accesses via Rusper Road which travels north to south. Given the relatively modest use of the site the impacts of this scheme would not result in a significant highways impact, in conjunction with the Mowbray site, especially when considering the pre-existing use of the site.

6.34 A Sustainable Transport Note (STN) was received by the Council on 12 August 2024. The STN outlines the travel strategy for the proposed eco-lodge development. The rural site, intended for six eco-lodges, presents accessibility challenges due to the lack of formal footways and limited transport links. However, the strategy addresses these concerns by offering sustainable travel options, including e-bikes, an electric vehicle (EV) shuttle service, and partnerships with low-emission taxi providers. The plan also integrates existing public transport options, with a local bus service operating a 'hail and ride' arrangement and future potential for a formal bus stop. Additionally, electric vehicle charging points will be available on-site for guests.

6.35 The strategy aims to reduce car dependency and promote environmentally responsible travel. Guests will receive detailed pre-arrival information and welcome packs, including maps of local cycling and walking routes. The development's proximity to the expanding Horsham infrastructure, including improvements to cycling routes and public transport links, supports its eco-friendly ethos. Overall, the plan demonstrates a proactive approach to sustainable tourism, aligning with local policies while enhancing the guest experience through comprehensive travel options.

6.36 WSCC have reviewed the STN, noting it clearly reflects the applicant's commitment to sustainable travel by offering a variety of transportation options for customers to access the site. This includes an EV shuttle service and confirmation from the local bus company, Compass Travel, that a 'hail and ride' service will operate to support visitors traveling to and from the site without the need for a private vehicle. In line with the National Planning Policy Framework (NPPF) and Section 9, which focuses on promoting sustainable travel, paragraph 114 states that 'appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location.' Based on this, the Local Highway Authority (LHA) is of the opinion that, considering the size, use, and location of the development, there would be no unacceptable impact on highway safety.

6.37 With the above in mind, the proposed use would be serviced by an existing access onto the main road, which was previously used in connection with the heavy plant use on the site. In addition, suitable parking would be provided. The impact relating to lack of sustainable transport links is considered in the overall planning balance below. Accordingly, the proposed use is considered to accord with Policies 40 and 41 of the HDPF.

Ecology:

6.38 Policy 31 of the HDPF states that Development proposals will be required to contribute to the enhancement of existing biodiversity, and should create and manage new habitats where appropriate. The Council will support new development which retains and /or enhances significant features of nature conservation on development sites. The Council will also support development which makes a positive contribution to biodiversity through the creation of green spaces, and linkages between habitats to create local and regional ecological networks.

6.39 Policy RUS5 of the NP states that the plan will support proposals that protect, manage and enhance the rich natural features that are a key component of the Low Weald landscape

which provide habitats for Rusper's diverse species populations. Development proposals on land that lies within the broad location of the Green Infrastructure Network (as shown on Policy Maps RUS5 A to D) will be required to demonstrate how they enhance habitat connectivity. The site is located within the wildlife corridor as identified on Policy Map C. Development proposals must ensure their landscape schemes, layouts, access and public open space provision and other amenity requirements contribute to the connectivity, maintenance and improvement of the Network. Proposals should also consider the habitat connectivity provided for by footpaths and bridleways.

6.40 The application was accompanied by a detailed Preliminary Ecological Appraisal (PEA) which notes the likely impacts of development on protected & Priority species and habitats, and identification of proportionate mitigation. The site has negligible potential for Hazel Dormouse. However, as two European Protected Species Mitigation licences have been granted for Hazel Dormouse within 2km of the site and this species may be present in the surrounding woodland, the implementation of a wildlife sensitive lighting scheme to prevent light spill onto adjacent woodland is advised (by way of condition). Suitable mitigation is also detailed and reasonable biodiversity enhancements, which have been recommended to secure net gains for biodiversity, as outlined under Paragraph 180(d) of the NPPF.

6.41 As above, the woodland management of the site would provide significant biodiversity improvements over and above the existing arrangement, especially if left in its current condition. Ultimately, this would provide for beneficial biodiversity improvements. The layout and use of the units proposed would be located within an existing clearing, therefore not disturbing any existing corridors that may be used by wildlife. As the units would be built and place on site (rather than a 'bricks and mortar' construction), minimal interference to ground conditions would occur. This is particularly salient given the existing use of the site and the woodlands which has previously historically used for the storage of heavy plant machinery, which has resulted in the laying of hardstanding and soil compaction. Overall, the proposed use would significantly improve the ecological condition of the site.

6.42 The Council's Ecological Consultant has raised no objection to the proposal subject to the imposition of suggested conditions, as detailed below.

Climate change:

6.43 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, which are to be secured by way of condition:

- Water consumption limited to 105.48litres per person per day (per unit)
- Dedicated refuse and recycling storage capacity
- Opportunities for biodiversity gain (including woodland management)

Water Neutrality:

6.44 The application site falls within the Sussex North Water Supply Zone as defined by Natural England and which includes supplies from groundwater abstraction which cannot, with certainty, demonstrate no adverse impacts upon the defined Arun Valley SAC, SPA and Ramsar sites.

6.45 An advice note from 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.

6.46 The proposal falls within the Sussex North Water Supply Zone and would result in a greater level of water abstraction. Planning permission is sought for the change of use of land and associated siting of 6 No. Eco Lodges for short-term tourist accommodation.

6.47 The submitted strategy indicates an existing baseline water demand of 0/d. The proposed development would comprise a water demand on 632.89/d (105.48lpd x 6) from the use of water efficient fixtures and fittings within the proposed units. The detailed breakdown of the use of each unit is detailed within the WNS Part G calculations (2.2). The proposal incorporates offsite offsetting to 49-70 Hurst Court (owned and rented out by the applicant), reducing the existing water demand by 658.9l/d. This would be achieved by each individual flat being equipped with shower flow restrictors, which will reduce the water flow rate from 18 litres per minute to 14 litres per minute, resulting in an average daily water saving between 21-39.3lpd.((29.91 x 18) + (39.3 x 2) + (21 x 2)). The strategy therefore demonstrates that the proposed use would use less water than the existing use.

6.48 Accordingly, Officers are satisfied that the proposal would be water neutral, subject to the offsite offsetting measures as identified within the water neutrality statement being secured by way of legal agreement and undertaken as approved.

Biodiversity Net Gain

6.49 While every grant of planning permission in England is deemed to have been granted subject to the biodiversity gain condition, commencement and transitional arrangements, as well as exemptions, mean that certain permissions are not subject to biodiversity net gain.

6.50 Biodiversity net gain has only been commenced for planning permissions granted in respect to an application made on or after 12 February 2024. Permissions granted for applications made before this date are not subject to biodiversity net gain.

6.51 As the application was submitted prior to the relevant date as above, the Planning Authority considers that biodiversity net gain does not apply.

Drainage

6.52 The application form states that surface water will be disposed of via an existing water course and sustainable drainage system, and foul / sewage dealt with by means of a package treatment plan. Following the submission of further information relating to water treatment on the site, the Council's Environmental Health Officer raised no objection in relation to the proposed detail.

Conclusions and Planning Balance:

6.53 The Council's Hotel and Visitor Accommodation Study 2016 identified a clear need for facilities such as the proposed holiday let and additional accommodation within the District. This demand highlights the potential for the development to contribute positively to the local tourism sector. However, a significant drawback of the proposed site is its lack of direct and safe access to the wider Public Rights of Way (PROW) network. The site is also situated on a busy road, which may present safety concerns, particularly for inexperienced cyclists. These factors suggest that the location might not be ideal for promoting sustainable travel options for tourists, potentially leading to an increased reliance on car usage rather than eco-friendly alternatives.

6.54 This increased car dependence is seen as a conflict with the Local Plan policies, which advocate for sustainable transportation solutions. Despite this, the proposal brings several significant benefits that arguably outweigh the mentioned conflict with the Local Plan.

6.55 Firstly, the development would likely boost tourism and generate additional income for the District. An increase in tourism can lead to economic growth, providing support for local businesses and creating jobs, which is vital for the overall prosperity of the area.

6.56 Secondly, the proposal involves the re-use of a rural site that is currently used for storing heavy plant machinery. Transforming this site into a holiday let would be a more appropriate use of the land, enhancing its utility and aesthetic value. This repurposing aligns with the broader objectives of land use planning, which seek to optimise the use of available land resources in a manner that benefits the community.

6.57 Lastly, the development includes a woodland management plan for a site located within the Rusper Neighbourhood Plan Development (NPD) wildlife corridor. This plan aims to create a more diverse woodland, which would have significant ecological benefits. Effective woodland management can improve biodiversity, enhance habitat quality, and contribute to the conservation of native species. These ecological improvements would support the sustainability goals of the District, fostering a healthier and more resilient natural environment.

6.58 In conclusion, while the proposed use of the site for holiday let purposes does present some conflicts with Local Plan policies, particularly concerning sustainable travel and short term landscape harm, the anticipated benefits are substantial. Increased tourism and economic gains, the re-use of a currently underutilized site, and enhanced ecological management are compelling factors that support the proposal. These advantages suggest that the development could deliver considerable value to the District, justifying the approval of the project despite its challenges.

7. RECOMMENDATIONS

7.1 To approve the application subject to the completion of the legal agreement currently in draft, and in accordance with the conditions detailed below:

Conditions:

1 **A List of the Approved Plans**

2 **Regulatory (Time) Condition**: The development hereby permitted shall be begun 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 (Slab Level) Condition**: No development above ground level shall take place until a scheme of soft landscaping for the site drawn to a scale of not less than 1:200 has been submitted to and approved in writing by the Local Planning Authority. The soft landscaping details shall include planting plans (to include details of hedgerow, ditches and minimum 2-3m wide infrequently cut grassland areas to provide connecting corridors as requirement as identified within the submitted LVIA by Petrow Harley Limited, Feb 2024); written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants noting species, plant sizes and proposed numbers/densities; tree pit details.

The approved scheme of soft landscaping works shall be implemented not later than the first planting season following commencement of the development (or within such extended

period as may first be agreed in writing with the Local Planning Authority). Any planting removed, dying or becoming seriously damaged or diseased within five years of planting shall be replaced within the first available planting season thereafter with planting of similar size and species unless the Local Planning Authority gives written consent for 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).

4 **Pre-Commencement (Slab Level) Condition**: No development above ground level shall take place until details of a hard landscaping scheme for the site have been submitted to and approved in writing by the Local Planning Authority. These details shall include proposed finished levels and contours showing earthworks and mounding; surfacing materials; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulations areas; hard surfacing materials; minor artefacts and structures (for example decking, signage, refuse and / or other storage units, lighting and similar features); proposed and existing functional services above and below ground (for example drainage, power, communications cables and pipelines, indicating lines, manholes, supports and other technical features). The scheme shall be implemented prior to the occupation of any part of the development (or within such extended period as may first be agreed in writing with the Local Planning Authority).

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).

5 **Pre-Commencement (Slab Level) Condition**: No development above ground level shall take place until a Landscape Management and Maintenance Plan (LMMP) has been submitted to and approved in writing by the Local Planning Authority. The details should include the long-term design objectives, management responsibilities, specifications, maintenance schedules and periods for all hard and soft landscape areas, and including all woodland, hedgerows, trees, meadow, native buffer and sedum roofs, including maintenance operations to deal with invasive species identified, together with a timetable for the implementation of the LMMP. The LMMP shall include details of the arrangements for its implementation and shall be carried out in accordance with the approved details, supporting documents / reports, surveys, and timetable(s) unless the Local Planning Authority gives written consent for any variation.

Reason: To ensure a satisfactory development and in the interests of visual amenity and nature conservation in accordance with Policy 33 of the Horsham District Planning Framework (2015).

6 **Pre-Commencement (Slab Level) Condition**: A Biodiversity Enhancement Layout, providing the finalised details and locations of the enhancement measures contained within the Preliminary Ecological Appraisal (David Archer Associates, November 2023) shall be submitted to and approved in writing by the local planning authority.

The enhancement measures shall be implemented in accordance with the approved details prior to occupation and all features shall be retained in that manner thereafter.

Reason: To enhance Protected and Priority Species and allow the Local Planning Authority to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species).

7 **Pre-commencement (Slab Level) Condition**: No development above ground floor slab level shall commence until full details of the water efficiency measures and rainwater/greywater harvesting system required by the approved water neutrality strategy

(Prepared by B & C Bryant Plumbing and Heating received 27.09.2023) have been submitted to and approved in writing by the Local Planning Authority.
Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 185 and 186 of the National Planning Policy Framework (2023), and to allow the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

8 **Pre-Occupation Condition**: A lighting design scheme for biodiversity based on GN: 08/23 shall be submitted to and approved in writing by the local planning authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To allow the Local Planning Authority 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 (Priority habitats & species).

9 **Pre-Occupation Condition**: The approved drainage strategy shall be implemented prior to occupation of any of the lodges hereby approved and thereafter retained as such.

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).

10 **Pre-Occupation Condition**: The use hereby permitted shall not be first bought into use until evidence has been submitted to and been approved in writing by the Local Planning Authority that the approved water neutrality strategy for each unit has been implemented in full. The evidence shall include the specification of fittings and appliances used, evidence of their installation, and completion of the as built Part G water calculator or equivalent. The installed measures shall be retained as such thereafter.

Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 185 and 186 of the National Planning Policy Framework (2023), and to allow the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

11 **Regulatory Condition**: No music, live or recorded, shall be played on any part of the application site (shown edged in red on plan approved site and location plans) unless otherwise agreed to and approved in writing by the Local Planning Authority.

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

12 **Regulatory Condition**: All works shall be executed in full accordance with the submitted Arboricultural Impact Assessment/Method Statement (prepared by David Archer Associated, received 03.10.2023).

Reason: To ensure the successful and satisfactory protection of important trees, shrubs and hedges on the site in accordance with Policies 30 and 33 of the Horsham District Planning Framework (2015).

13 **Regulatory Condition**: All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (David Archer Associates, November 2023), as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

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 and enhance protected and Priority species and allow the Local Planning Authority 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 (Priority habitats & species) and Policy 31 of the Horsham Development Framework.

14 **Regulatory Condition**: The development hereby approved shall be undertaken in strict accordance with the submitted Woodland Management Plan (received 14.05.2024) unless otherwise agreed to and approved in writing by the Local Planning Authority.

Reason: As this matter is fundamental to the acceptable delivery of this permission, to ensure the underground services do not conflict with satisfactory landscaping in the interests of amenity, and provide suitable ecological and biodiversity improvements as proposed, in accordance with Policies 31 and 33 of the Horsham District Planning Framework (2015).