DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/25/0522
Richmond Farm Stables, Rye Farm Lane, Barns Green, Horsham, West Sussex, RH13 0QB

DESCRIPTION:
Change of use of a former equestrian store room to provide additional kennel space, associated with the existing mixed residential and dog keeping use of the site (Retrospective)

RELEVANT PLANNING HISTORY:

DC/21/1843	Application to confirm the continuous use of existing building, curtilage and outbuildings as a dwelling/for residential purposes and for the keeping of dogs for a period in excess of ten years prior to the date of this application (Lawful Development Certificate - Existing).	Application 16.12.2021	Permitted on
DC/22/2058	Retrospective application for the erection of a lean-to structure for use as a store only, ancillary to the approved mixed use of the site comprising residential and the keeping of dogs.	Application 10.10.2024	Permitted on

DESCRIPTION OF THE SITE

The application site is located on the eastern side of Rye Farm Lane. Richmond Farm Stables is a two storey dwellinghouse, with land to the rear and side. The site benefits from a Lawful Development Certificate which confirms the lawful use of the site as a dwellinghouse and for the keeping of dogs.

The site is located in the rural countryside setting. However, the site does not fall within a conservation area nor does it fall within a setting of a listed building.

DESCRIPTION OF THE APPLICATION

This application seeks retrospective planning permission for the change of use of a former equestrian storeroom to provide additional kennel space, associated with the existing mixed residential and dog keeping use of the site.

RELEVANT PLANNING POLICIES
The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
Policy 28 - Replacement Dwellings and House Extensions in the Countryside
Policy 31 - Green Infrastructure and Biodiversity
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 41 - Parking

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 Environmental Health: No Objection

WSCC Rights of Way: No Objection
Having consulted the online documents I can confirm that WSCC's Public Rights of Way team have no objection to the proposals

PUBLIC CONSULTATIONS:

Representations:
4 no. letters of Objection have been received from 4 different addresses, objecting to the application on the following grounds:
- There is frequently noise associated with the resident dogs.
- The parking of several cars by volunteers outside the property exceeds original agreements and sometimes reduces the available width of the single track lane.
- The air vent on the south side of Richmond Farm Stables should not, in any event, discharge so close to a neighbouring property, even with noise reduction.
- Noise disturbance.
- Loss of amenity.
- Continuous foot traffic with dog walkers shouting in loud voices, dog waste not being picked up and left, and always loud barking from the kennels.
- Dog boarding, again that is loud and disruptive to all who live along the lane,
- At times animals being dropped off access to my own dwelling has been completely restricted.
- Already the subject of on-going noise and nuisance complaints and any expansion or further development will only exacerbate the problem
- Cars often use the private track further down the lane and frequently partially block Rye Farm lane.
- No thought to the human rights of the close neighbours who are entitled to quiet enjoyment of their properties.
- Privacy Light and Noise.
- Overdevelopment.
- Excessive and disruptive dog noise.
- Impact rural character of area.
- Impact quality of life.

18 no. letters for Support have been received from 18 different addresses, supporting the application on the following grounds:
- There will be NO intensification/increase in dogs on the property, therefore no adverse effect or additional traffic affecting the area.
- Area previously used for the care of animals and had no external modifications; there are no external windows and doors and therefore no impact outside of the site.
- Can confirm that it is a calm and quiet environment for the dogs.
- Provides clean, comfortable kennels in a calm and quiet environment, which is very efficiently run.
- The area previously was part of a former stable building used to caring for horses.
- Accessed via another building used as kennels.
- Enable improved accommodation, with more space and thus better segregation for the dogs.
- The dog's accommodation is well maintained and regularly improved as much as is possible.
- This application provides opportunity for better use within existing buildings allowing the dogs to have more space.
- The existing building will have no impact to nearby properties or wider community.
- An extremely high standard dog care.
- suitability of the site for animal care and the consistent commitment to dog welfare over a significant period of time.

- Focuses on enhancing the accommodation to provide better facilities and improved separation between the dogs.
- Upgrade beneficial for management allows for more effective care, especially for nervous or anxious dogs in the early stages of rehabilitation.
- Offering a calmer, more controlled environment, the proposal supports the dogs' wellbeing.
- Noise disruption is always kept to the minimum and the rescue environment is amazing.
- Improve the management of dogs needing rehabilitation or other special care.
- Each dog is given daily enrichment, and within a few weeks, carefully matched with new owners who are thoroughly vetted for suitability.
- The dogs always receive 5* treatment.
- Will not change the footfall of visitors.
- Serve to benefit the community as a whole.
- Proposed works will be beneficial in the charities' important ongoing work.
- The centre is beautifully kept in comparison with many centres and great care is given to all who live near or visit.
- More space is needed to look after these beautiful dogs.

Parish Comments:
Itchingfield Parish Council: *Objection –*

Parking issues
We restate that the conditions of the NMP should be adhered to and, if evidence is subsequently provided of breaches to the NMP conditions, that further action should be considered.

Air vent in South Elevation onto Richmond Farm
The offer of remedial action for noise abatement does not address the issue of discharge onto the neighbouring property. We note that the room which the vent serves is stated to be used as a room for sick dogs raising the question of possible infection of dogs on the neighbouring property.
Further we are unaware of any Party Wall agreement or prior consent to the installation of the vent. Whether the proposed noise abatement solution is feasible would depend on agreement from the concerned neighbours and as noted would not address the discharging issues.

Noise from dogs in the application room
It is acknowledged that the application room, as described, appears to have been constructed using materials and techniques which should go some way to mitigate noise nuisance from the room in the absence of other conduits for noise nuisance such as the afore mentioned Air vent.

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

The application has been assessed on the basis of the submitted details, together with the planning history of the site and adjoining properties, site visit and photographs supplied by the agent. These details were considered sufficient to allow the application to be properly considered and determined.

Principle of Development:

Policy 10 of the Horsham District Planning Framework (HDPF) seeks to ensure 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. Any development should be appropriate to the countryside location and must:

1. 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
    a. Be contained wherever possible within suitably located buildings which are appropriate for conversion or, in the case of an established rural industrial estate, within the existing boundaries of the estate; or
    b. Result in substantial environmental improvement and reduce the impact on the countryside particularly if there are exceptional cases where new or replacement buildings are involved. New buildings or development in the rural area will be acceptable provided that it supports sustainable economic growth towards balanced living and working communities and criteria a) has been considered first.
2. Demonstrate that car parking requirements can be accommodated satisfactorily within the immediate surrounds of the buildings, or an alternative, logical solution is proposed.

The proposal relates to the change of use of a former equestrian storeroom to provide additional kennel space for an existing established dog kennel business located in the countryside. The proposal would be situated within the existing site boundaries. It is considered that the proposal would support and enhance an existing rural commercial activity within the District which would generally be supported by Policy 10 of the HDPF

Design and Appearance

Policies 32 and 33 of the HDPF seek 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.

The proposal involved the internal alteration to a former equestrian storeroom with no material external changes to the structure. As a result, the visual impact of the proposal is therefore considered acceptable and would not be harmful to the character or appearance of the site or surrounding area, in accordance with the above policies.

Residential Amenity:

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 proposal relates to the conversion of a former equestrian storeroom to provide additional kennel space to serve an existing established dog kennel business.

Numerous concerns have been raised in respect to the additional kennelling units and the presence of an air vent positioned on the south elevation. However, following consultation with the Council's Environmental Health team it is acknowledged that the air conditioning unit used in the room was a domestic mobile unit not a fixed commercial sized installation. The applicant has proposed to install an acoustically silenced vent which will help to reduce any noise from the extract duct. During the course

of this application a full technical specification of the duct was provided which the Environmental Health Officer is satisfied with.

The applicant explained that the room would only be used for dogs that are sick or injured and require a quiet environment for recuperation. The room was not used routinely for the kennelling of dogs. Therefore, a conditioned has been imposed to limit the use of the room to only dogs that are recovering from injury, disease or veterinary procedures.

Subject to this condition, granting retrospective permission for the site is not considered to cause significant additional impacts on neighbouring amenity, beyond the pre-existing situation.

Water Neutrality:

The proposal relates to the change of use of a former equestrian storeroom to provide additional kennel space dogs that are recovering from injury, disease or veterinary procedures. There would be no increase in the number of dogs kept on site. Therefore, 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 site 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 193 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) and that every planning permission granted for the development of land in England shall be deemed to have been granted subject to the condition that development must not be begun unless a Biodiversity Gain Plan has been submitted to the planning authority and the planning authority has approved the Plan.

The Biodiversity Gain Plan must show how the development will achieve the required minimum 10% BNG using the statutory biodiversity metric tool, and must demonstrate how the habitats will be managed and maintained for 30 years, starting from the date the development is completed. Off-site gains and significant on-site enhancements will be secured over this period by way of a Legal Agreement.

The Applicant has demonstrated that the development is exempt from the requirement to achieve a minimum 10% BNG by reason of:

- The application is retrospective made under Section 73(A) of the Town and Country Planning Act.

Conclusions:

The proposal is considered to comply with relevant local and national planning policies and is therefore recommended for approval.

Recommendation: Application Permitted

Conditions:

2 **Regulatory Condition**: The change of use of a former equestrian storeroom hereby permitted shall be used only to accommodate dogs that are recovering from injury, disease or veterinary procedures. At no time shall there be an increase in the number of dogs kept on the overall site exceeding a maximum of 22 dogs at any one time.

Reason: The increase in kennelling dogs would give rise to an over-intensive use of the site and/or lead to an unsatisfactory relationship between independent units of living accommodation contrary to Policies 26 and 33 of the Hors ham District Planning Framework (2015).

3 **Regulatory Condition**: The acoustically silenced vent to be placed over the existing extract duct on the south elevation shall be installed in accordance with the manufacturer's details (recevied 07.08.2025) and shall be thereafter retained as such.

Reason: In the interests of the amenities of adjacent occupiers 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/25/0522

Schedule of plans/documents **approved**:

Plan Type	**Description**	**Drawing Number**	**Received Date**
Location plan		260-21-010 REV B	28.03.2025
Block plan		260-21-040A	28.03.2025
Site plan	Layout	260-21-060 REV B	28.03.2025
Design & Access Statement		NONE	28.03.2025

DELEGATED

Case Officer sign/initial Halima Chowdhury Date: 11.09.2025

Authorising Officer sign/initial RHERMITAGE Date: 22.09.2025