Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/24/1598
Ridge Farm, Horsham Road, Rowhook, West Sussex, RH12 3QB

DESCRIPTION:
Change of use of land from storage of caravans to flexible storage use.

RELEVANT PLANNING HISTORY:

DC/24/0510	Application for the retention of open storage areas (Class B8) for a period in excess of ten years (Lawful Development Certificate – Existing)	Application Refused on 31.05.2024.
DC/05/0932	Change of use of agricultural buildings to B1 (workshop) and B8 (Storage) (Units 1, 2, 3, 4, 4A and 14)	Application Permitted on 08.06.2005.
DC/04/2090	Change of use of land and 4 workshop buildings for the storage of caravans and retention of earth bund	Application Permitted on 17.11.2004.

DESCRIPTION OF THE SITE

The application site lies approximately 230 metres to the southeast of Horsham Road in Rowhook. Ridge Farm sits close to the district boundary with Waverley. The farm is served by a private access that runs from east to west directly from Horsham Road. There are a number of buildings within the farm complex. The application site relates to the land around the western side of the complex, and measures 0.14 hectares. This part of the site is surrounded by a landscape bund on the southwestern side. Public footpaths lie to the north and east of the site.

DESCRIPTION OF THE APPLICATION

The application seeks to change the use of the land from the storage of caravans to flexible storage use. The planning statement explains that the company that occupies the land are vacating, and the applicant is seeking an alternative use for the land as the previous consent had been specific to the storage of caravans (DC/04/2090).

RELEVANT PLANNING POLICIES
The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):
Policy 1 - Strategic Policy: Sustainable Development
Policy 3 - Strategic Policy: Development Hierarchy
Policy 7 - Strategic Policy: Economic Growth
Policy 9 - Employment Development
Policy 10 - Rural Economic Development
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 35 - Strategic Policy: Climate Change
Policy 36 - Strategic Policy: Appropriate Energy Use
Policy 40 - Sustainable Transport
Policy 41 - Parking

Rudgwick Neighbourhood Plan (-2031):
RNP10: Local Economy

Horsham District Local Plan (2023-40) (Regulation 19):
Strategic Policy 1: Sustainable Development
Strategic Policy 2: Development Hierarchy
Strategic Policy 6: Climate Change
Strategic Policy 9: Water Neutrality
Strategic Policy 13: The Natural Environment and Landscape Character
Strategic Policy 14: Countryside Protection
Strategic Policy 17: Green Infrastructure and Biodiversity
Strategic Policy 19: Development Quality
Strategic Policy 20: Development Principles
Strategic Policy 24: Sustainable Transport
Policy 25: Parking
Policy 31: Rural Economic Development

Supplementary Planning Guidance:
Planning Obligations and Affordable Housing SPD (2017)
Community Infrastructure Levy (CIL) Charging Schedule (2017)

Rudgwick 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 Environmental Health: No Objection
Due to the location and nature of the area this department have no adverse comments to make regarding this application.

Waverley Borough Council: No Objection

Archaeology Consultant: No Objection
The site is close to an Archaeological Notification area- DWS8525- Mesolithic and Neolithic Flint Working Site and a section of the Winterford Heath Roman Road, Rudgwick, but the proposals do not involve any significant ground disturbance that would impact upon buried archaeological remains and so I have no archaeological concerns.

WSCC Highways: Comment
This proposal is for the change of use of land from storage of caravans to flexible storage use. The site is located on Horsham Road, a C-classified road subject to a speed restriction of 60 mph in this location.

There are no proposed changes to the existing access, which is via a private track, part of this track is maintained as Public Footpath no. 1405_1. The private track adjoins the publicly maintained highway at an existing access point onto Horsham Road. From inspection of WSCC mapping, there are no apparent visibility concerns at the existing access point.

The Planning Statement states that the current caravan storage generates 4-8 movements a day. The proposed storage usage is not anticipated to give rise to a material intensification of use of the existing access point.

The applicant proposes 15 car parking spaces onsite; the site area is 1400sqm which would require 14 car parking spaces as per WSCC parking standards. Therefore, the LHA is satisfied with the proposed level of parking provision. From inspection of the plans, there is ample space within the site to accommodate the parking provision and on-site turning appears achievable.

The LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 116), and that there are no transport grounds to resist the proposal.

WSCC Rights of Way: No Objection
This proposal has been considered by means of a desktop study, using the information and plans submitted with this application, in conjunction with other available WSCC map information. In respect to the above planning application, I would provide the following comments.

The application site is accessed along a private road that carries Public Footpath 1405_1. The proposed development has the potential to increase vehicular traffic along this public right of way. The Local Planning Authority should consider the safety of the public using the public footpath and the applicant should give consideration to how any increase in conflict between vehicular traffic and the public using the right of way will be managed.

It is understood that the application does propose any alteration to the Public Right of Way. Therefore, the Public Right of Way team offer no objection to the proposal. If the applicant does now, or in future, propose any alteration to the public rights of way then they must first consult directly with West Sussex County Council, Public Rights of Way team (prow@westsussex.gov.uk).

PUBLIC CONSULTATIONS:

Representations:
1 representation received which had no objections.

Parish Comments:
Rudgwick Parish Council: Comment
The application proposes change of use to flexible storage, which is a very broad term. It is also noted that the application form indicates an additional 15 parking spaces will be required to accommodate a variety of vehicle types. It is suggested that, if permitted, the hours of working currently outlined by the applicant (0600 -2200, 7 days a week including bank holidays) be further amended/restricted so as to not cause undue disturbance to the residents of Rowhook, particularly those dwelling near to the junction of Horsham Road and the Ridge Farm access road.

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 HDPF, Rural Economic Development, 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:

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.

Policy 26 of the HDPF relates to countryside protection, stating 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 meet a specified criterion, which includes enabling the sustainable development of rural areas.

The application seeks to change the use of land from the storage of caravans to flexible storage use. The planning statement states that the company currently occupying the land are vacating and the applicant is seeking an alternative use for the site as there is a condition imposed on previous consent (ref: DC/04/2090) which restricts the use of the site for the storage of caravans. No tenant has been found for the site, so the application is to change the use of the land from storage of caravans to a flexible storage use.

Ridge Farm is a recognised area of employment, which is mentioned in Policy RNP10 of the Rudgwick Neighbourhood Plan. The policy seeks to retain employment areas, such as Ridge Farm, and ensures that development proposals within these areas do not result in unacceptable noise or disturbance for nearby properties. The proposed change of use would therefore conform to the relevant policy relating to the local economy, by retaining the employment area for commercial use.

The application site is subject of a previous planning application, ref: DC/04/2090, which sought to change the use of the land and workshop buildings for the storage of caravans. The site has permission for Class B8 use for storage and distribution. The intention of this application, however, was for caravan storage only and therefore the permission attached the following condition:

Caravan storage shall not take place anywhere on site except within the areas marked on the approved plan.

Reason: In the interests of amenity and to ensure the use of the site does not have a harmful environmental effect and in accordance with policy EDC19 of the Horsham District Local Plan 1997.

The planning statement argues that there is no material change of use as the application seeks to move from the storage of one thing, caravans, to another, flexible use. The site has permission for Class B8 use for storage and distribution so there would be no change of use class, just what is stored on site. The application would retain the existing layout of the site and utilise the existing access road. There would be limited changes as the application seeks to change the use of the site with no proposed development involved. There is no clear intention for the particular storage use on site, as no tenant has been found, so the applicant seeks to keep it flexible. It is considered that the proposed change of use, while still broad with flexible storage use, would sustain farm diversification and support local rural economy in accordance with policy 10 of the HDPF, as the site would retain commercial employment use.

Design and Appearance:

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.

The proposed change of use will utilise the existing site and the existing hard standing within the existing boundaries of the complex. The site is well screened from public vantage points by a bund and vegetation to the south, west and north, in addition to the existing buildings on site. There would be limited changes and no additional buildings proposed on site, so it is considered that there would not be significant visual impact beyond the existing use on site.

Residential Amenity:

Policy 33 states 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.

There is considered to be limited impact on the neighbouring residential properties, as the location of the storage area sits within an established commercial site which is located on a private track surrounding by fields and vegetation which screens the site from public vantage points. The nearest residential properties are over 400m from the site, so there would be limited impact. The proposed change of use is therefore not expected to result in significant potential for harmful levels of noise or disturbance.

Highways Impacts:

Policy 40 of the HDPF deals with sustainable transport and seeks new developments to provide safe and suitable access for all vehicles, pedestrians, cyclists, horses riders, public transport, and the delivery of goods. Policy 41 which relates to parking requires adequate parking and facilities to be provided within developments to meet the needs of anticipated users.

The proposed storage use will be served by an existing concrete access road that leads off the main drive to the east. There are no proposed changes to the existing access, which is via a private track. WSCC Highways considered that there were no apparent visibility concerns at the existing access point. The planning statement states that the current caravan storage generates 4-8 movements a day and the proposed storage usage is not anticipated to give rise to a material intensification of use of the existing access point.

WSCC Highways were satisfied with the proposed level of parking provision, as the site area is 1400 sqm, which would require 14 car parking spaces as per WSCC parking standards. The parking requirements can be met on site. From inspection of the plans, there is ample space within the stie to

accommodate the level of parking provision and on-site turning appears achieveablre. The proposed change of use would therefore be in accordance with the above policies.

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 site is located outside of the water supply zone and therefore there is no requirement to demonstrate water neutrality.

Other Matters

Public Rights of Way

The application site is accessed along a private drive that carries a Public Footpath. It is considered that the proposed change of use would not significantly increase the intensity of the vehicular traffic along the public right of way, above the existing arrangement. There are no alterations proposed to the public right of way and therefore the WSCC Public Rights of Way have no objections to the proposal.

Noise

Regarding noise, due to the location and the nature of area, with residential dwellings over 400 metres from the site, there are considered to be limited noise and vehicular movement impacts associated with the use. The Council's Environmental Health team had no adverse comments to make regarding the use of the application.

Archaeology

The site is located close to an Archaeological Notification area. Archaeology were consulted and concluded that the proposal do not involve significant ground disturbance that would impact on archaeological remains, and as such there were no archaeological concerns.

Drainage and Flood Risk:

The site is not located within a flood risk zone and therefore there is no significant risk.

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 development qualifies as 'de minimis' under Regulation 4 of the Biodiversity Gain Requirements (Exemptions) Regulations 2024. There is no operational development, it is a change of use only.

Conclusions:

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

Recommendation: Application

Conditions:

2 **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), or the Town and Country Planning (Use Classes) Order 1987 (as amended), the premises hereby permitted shall be used for B8 storage purposes 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 and in accordance Policy 33 of the Horsham District Planning Framework (2015).

3 **Regulatory Condition**: The premises shall not be open for trade or business except between the hours of 06:00-22:00 7 days a week.

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

4 **Regulatory Condition**: No new 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).

5 **Regulatory Condition**: Deliveries to the site shall not occur unless between the hours of 06:00-22:00 7 days a week.

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

NOTE TO APPLICANT

A. The granting of planning permission does not authorise obstruction of, interference to or moving of any Public Right of Way (PROW); this can only be done with the prior consent of West Sussex County Council (WSCC), as highway authority, and possibly also a legal Order process by the relevant local planning authority. Further advice can be provided on request.

B. Safe and convenient public access is to be available at all times across the full width of the PROW, which may be wider than the available and used route - advice on the legal width can be provided by the WSCC PROW Team.

C. The path is not to be obstructed by vehicles, plant, scaffolding or the temporary storage of materials and / or chemicals during any works. These will constitute an offence of obstruction under the Highways Act 1980.

D. No new structures, such as gates and stiles, are to be installed within the width of the PROW without the prior consent of the WSCC PROW Team. These will constitute an offence of obstruction under the Highways Act 1980.

E. Any down pipes or soakaways associated with the development should discharge into an existing or new drainage system and away from the surface of the PROW. No drainage system is to be installed through the surface of the path without the prior consent of the WSCC PROW Team.

F. Where the ground levels adjacent to the PROW are to be raised above existing ground levels, this could increase the potential to flood the path. A suitable drainage system must be installed adjacent to the path to a specification agreed with the WSCC PROW Team prior to development commencing.

G. Any alteration to or replacement of the existing boundary with the PROW, or the erection of new fence lines, must be done in consultation with the WSCC PROW Team to ensure the legal width of the path is not reduced and there is no unlawful encroachment.
H. Access along a PROW by contractors' vehicles, deliveries or plant is only lawful if the applicant can prove it has a vehicular right; without this an offence under the Road Traffic Act 1988 section 34(1) is being committed.

I. The applicant is advised that a public access right has precedence over a private access right. Where a PROW runs along a route also used for private access purposes, usually for private vehicle access, this shared use has the potential for accident or injury - the applicant must consider how access is managed so the public is not endangered or inconvenienced.

J. Some properties have private rights over them for the benefit of a particular individual or property; for example, a landowner may have the right to drive over a neighbour's track to gain access to property. This right of access is granted to individuals and / or properties only and does not extend to the public. The WSCC PROW Team does not hold records of private rights of access; the applicant is encouraged to check that no private access rights will be detrimentally affected by this proposal.

K. It is an offence to damage the surface of a PROW without the prior consent of the WSCC PROW Team. The applicant must supply a specification and secure the approval of the WSCC PROW Team before works affecting the PROW begin, even if the surface is to be improved. Where a PROW surface is damaged and there was no prior consent, the applicant will be liable and required to make good the surface to a standard satisfactory to the WSCC PROW Team.

L. Where it is necessary to undertake works within the legal width of a PROW, e.g. install utilities, (or for development works immediately adjacent to a PROW that can not reasonably be managed through different Health and Safety practice) the applicant must be advised to apply to WSCC PROW Team for a temporary path closure. The applicant must be advised there is no guarantee an application will be approved; that a minimum of 6 weeks is needed to consider an application.

M. Where it will be necessary to permanently divert or extinguish a path 'to enable development to take place' by means of a Public Path Order (PPO) (most often under Town & Country Planning Act 1990 s257), to be applied for by the developer through the Local Planning Authority prior to development, WSCC PROW Team is not able to grant a temporary path closure as a precursor to a PPO. In such circumstance, WSCC PROW Team will only consider an application for a temporary path closure once the Local Planning Authority has made and confirmed a PPO.

N. Consented development is often subject to various environmental requirements, which can impact on the availability of PROW. For example, Great Crested Newt fencing has often been known to be laid across a PROW, which is either subject to installation of unauthorised stiles or gates, or unlawfully diverted around the site edge. The applicant must be advised that any environmental licence, such as from Natural England, does not negate the need to provide the legal line of a PROW without additional structures.

O. If the development proposes shared use of a PROW with vehicles (and / or introduces a vehicle crossing point of a PROW), which may increase the risk of accident or injury to a PROW user, then the applicant is encouraged to introduce signage to advise vehicle drivers of the hazard and to act responsibly.

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/24/1598

Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Location plan		none	02.10.2024
Block plan		none	02.10.2024
Supporting Statement	Planning	none	02.10.2024

DELEGATED

Case Officer sign/initial Bethan Tinning Date: 20.02.2025

Authorising Officer sign/initial RHERMITAGE Date: 28.02.2025