DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/24/1433
Goffsland Farm, Coolham Road, West Chiltington, West Sussex,

DESCRIPTION:
External alterations to building 'C', new roller shutters on building 'D', re-siting of mobile home and new fencing along the front boundary.

SITE AND SURROUNDS:
Goffsland Farm lies to the east of Coolham Road. There are a number of buildings within the site. The proposal seeks external alterations to allow for the creation of a farm shop to sell apple juice and other goods, made from produce grown at the farm. The addition of roller shutters on building D are sought to improve the security of the bottling building. Permission is also sought for the addition of new fencing along the boundary and the re-siting of the existing mobile home.

RELEVANT PLANNING HISTORY:

DC/24/0323	Application to confirm the stationing of a mobile home within the farm complex for a period in excess of ten years (Lawful Development Certificate - Existing)	Application Permitted on 22.04.2024

RELEVANT PLANNING POLICIES
The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015)
Policy 10 - Rural Economic Development
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 36 - Strategic Policy: Appropriate Energy Use
Policy 38 - Strategic Policy: Flooding
Policy 40 - Sustainable Transport
Policy 41 - Parking

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old, the most important policies for the determination of this application must be considered as to whether they are 'out of date' (NPPF paragraph 11d).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

The Council is currently unable to demonstrate a five year supply of deliverable housing sites, with the supply currently calculated as being 2.9 years. The presumption in favour of development within Paragraph 11d) of the NPPF therefore applies in the consideration of all applications for housing

development within the District (unless footnote 7 or Paragraph 14 applies to relevant applications), with Policies 2, 4, 15 and 26 now carrying only moderate weight in decision making.

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

Thakeham Neighbourhood Plan (TNP)
Thakeham6- Design
Thakeham9- Development in the Countryside

Thakeham Parish Design Statement

Horsham District Local Plan (2023-40) (Regulation 19)
Policy 1: Sustainable Development
Policy 9: Water Neutrality
Policy 13: The Natural Environment and Landscape Character
Policy 14: Countryside Protection
Policy 17: Green Infrastructure and Biodiversity
Policy 19: Development Quality
Policy 20: Development Principles
Policy 24: Sustainable Transport
Policy 25: Parking
Policy 30: Enhancing Existing Employment
Policy 31: Rural Economic Development
Policy 45: Replacement Dwellings and House Extensions in the Countryside

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:
Natural England: (Protected Species - Bats) No comment.

Natural England: (Water Neutrality) Standing Advice: -

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

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

Landscape Architect: No construction is proposed and little to no visual change is anticipated to be noted from the re-positioning of the mobile home from public right of way (PRoW) 2399 or from Coolham Road. There are no concerns are raised with the principle of development or likely effects on the character of the site and wider area.

Introduction of native hedgerow behind proposed fencing is welcomed. Further information is not required at this stage.

Ecology: A single emergence survey for bats was undertaken on the Building C (brick built building) in June 2024 and the Bat Survey Report (Deepdene Ecology Ltd., July 2024) concludes that no evidence

of roosting bats was detected. Building D (metal barn) has negligible bat roost potential, Building E (mobile home) does not offer any suitable roosting locations, no works are proposed for Buildings A and B and we understand that no trees will be removed for the development (Preliminary Ecological Appraisal (Deepdene Ecology Ltd., June 2024)). Therefore agree that no further surveys for bats are required.

The site comprises part of the wider Goffsland Farm, including a central area of hardstanding yard and several buildings. The site is surrounded by blocks of deciduous woodland and farmland. We understand that the trees and hedgerow within the site will be retained, with planting up of the hedgerow gaps, and native tree planting will be undertaken on the southern boundary of the site. In addition, we understand from the Planning Statement (White & Sons, July 2024) that a native hedge will be planted behind the fencing on the western (front) boundary. Therefore, there will be no severance to the flight lines of foraging or commuting bats from the SAC and habitat connectivity within the site will be maintained.

It is recommended in the Bat Survey Report (Deepdene Ecology Ltd., July 2024) that a sensitive lighting scheme is implemented for this application to mitigate against the increase in light measures following Bat Conservation Trust advice and The Institution of Lighting Professionals. This should be secured by a condition of any consent and implemented in full.

As the site has low potential to support reptiles and amphibians, such as Common Toad (Priority species), a small amount of scrub will be removed, we support the Precautionary Method Statement for reptiles and amphibians in Section 9.3 of the Preliminary Ecological Appraisal (Deepdene Ecology Ltd., June 2024). This should be secured by a condition of any consent and implemented in full.

WSCC Highways: 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 115), and that there are no transport grounds to resist the proposal.

Representations:
One representation has been received, supporting the proposal to make the property more secure, erect shutters on their large shed, relocate their mobile home and open an occasional and small-scale farm shop.

Parish Comments: Comment as below: -

- No Objection to the Roller Shutter.
- No Objection to the mobile home being relocated.
- Objection to the Fencing along the front boundary. This is because of road safety. There will be more vehicles coming to and from the site and not public transport as suggested. The sight lines are very poor and the Parish has concerns regarding accidents.

N.B. It is noted that the representation received from the Parish Council includes extensive comments which do not relate to this application, instead relating to DC/23/2146. The comments given above are those which relate to this current application (ref: DC/24/1433).

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:

The application seeks consent for a series of alterations to existing buildings, and the re-siting of an existing mobile home, together with the erection of a new fence parallel with the western boundary of the site. The application does not propose or indicate any material change of use of the buildings or wider site. The application has been considered on this basis and should any such future development occur it would fall to be considered on its own merits as part of a related planning application. The applicant is reminded of this by way of an informative.

The nature and extent of the proposed alterations would be in keeping with the existing use of the site and do not raise any concerns in respect of relevant policies of the HDPF, particularly Policies 10 and 26, or TNP, and Policy Thakeham9.

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.

Policy Thakeham6: Design states that, "*the scale, density, massing, height, landscape design, layout and materials of all development proposals, including alterations to existing buildings, should reflect any architectural or historic characteristics of particular merit in, and the scale of the surrounding buildings and in the wider area. Development proposals will be expected to demonstrate have had regard to the Thakeham Parish Design Statement*".

The external alterations Buildings C and D are considered in keeping with their existing character and appearance, retaining the overall form and perception as agricultural buildings which form part of a larger holding. There would be no adverse impact on the visual amenities of the locality.

The existing 'mobile home' was confirmed as being lawful under an LDC approved under ref: DC/24/0323, with its use related to the maintenance of the farm (rather than any residential occupation). The proposal would re-orientate the 'mobile home' which would continue to be sited within the main cluster of buildings on the site. There would be no harmful encroachment into the open countryside, with the new location broadly reflecting existing tracks within the boundaries of the main complex. It is considered that the re-siting of the mobile home would have a minimal impact on the character and appearance of the site and that of the wider surrounding area.

The proposal includes the erection of 1.8m high green mesh fencing along the western boundary of the site onto Coolham Road. The fence line would be set away from the edge of the carriageway, with the intervening grass verge also adopted highway. This siting would reflect the boundary line which exists at Little Goffs land, a neighbouring dwelling with incidental curtilage, and which is marked by vegetation with an intervening timber gate. It is considered that the nature of the fencing together with its siting would not appear unduly dominant or intrusive in views along Coolham Road, with space retained on both the highway land and within the boundaries of the application for planting to become established. The fencing would not therefore adversely impact on the prevailing character and appearance of the site or wider locality.

Impact on Amenity:

Policy 33 of the HDPF states that development will be required to ensure that it is designed to avoid unacceptable harm to the amenity of occupiers/users of nearby property and land.

The nature and siting of the proposal would not lead to any unacceptable impacts on neighbouring amenity.

As above, the proposal does not entail a material change of use on the site, with the proposed alterations not of a nature which would lead to any increased noise or disturbance.

The amenity impacts of the proposal are therefore considered acceptable and in accordance with the above policy.

Ecology, Trees and Landscaping:

Policy 31 of the HDPF states that development will be supported where it demonstrates that it maintains or enhances the existing network of green infrastructure. Development proposals will be required to contribute to the enhancement of existing biodiversity and should create and manage new habitats where appropriate.

There is no evidence of bat activity at the existing buildings on the site, with the application form indicating that no trees would be removed as a result of the development. It is noted that the Council's Ecologist has commented that external lighting at the site has potential to result in habitat fragmentation, which could impact on bat activity in surrounding habitat. The submitted plans and application form do not though indicate any external lighting being installed as part of this proposal. In these circumstances it is not considered necessary to require details of external lighting as part of this application. The proposal would not therefore be expected to result in any habitat fragmentation and no other adverse impacts on protected species or habitat have been identified.

Highways Impacts:

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

The proposed fencing would be set away from the vehicular carriageway and would not impinge on any sightlines related to existing access points. The proposal, which does not entail a change of use, would not generate additional demand for vehicular movements to or from the site. 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. There are considered to be no reasons to take a different view, and there are no transport grounds to resist the proposal.

Water Neutrality:

There is no clear or compelling evidence to suggest the nature and scale of the proposed development would result in a more intensive use of the site which would amount to development, and which would necessitate an increased consumption of water that would result in a significant impact on the Arun Valley SAC, SPA and Ramsar sites, either alone or in combination with other plans and projects. The grant of planning permission would not therefore adversely affect the integrity of these sites or otherwise conflict with policy 31 of the HDPF, NPPF paragraph 180 and the Council's obligations under the Conservation of Habitats and Species Regulations 2017.

Biodiversity Net Gain (BNG):

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

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

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

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

3 **Pre-Commencement (Fencing) Condition**: No development pertaining to the fencing hereby permitted shall take place until a Biodiversity Enhancement Layout, providing the finalised details and locations of the enhancement measures contained within the Preliminary Ecological Appraisal (Deepdene Ecology Ltd., June 2024), has been submitted to and approved in writing by the Local Planning Authority. The enhancement measures shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: To enhance protected and Priority species & habitats and allow the LPA to discharge its duties under the NPPF 2023 and s40 of the NERC Act 2006 (as amended) and in accordance with Policy 31 of the Horsham District Planning Framework (2015).

4 **Pre-Commencement (Fencing) Condition**: No development pertaining to the fencing hereby permitted shall take place until details of new soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. The details shall include plans and measures addressing the following:

- Details of all existing trees and planting to be retained
- Details of all proposed trees and planting, including schedules specifying species, planting size, densities and plant numbers and tree pit details

The approved landscaping scheme shall be fully implemented in accordance with the approved details within the first planting season following the first occupation of any part of the development. Unless otherwise agreed as part of the approved landscaping, no trees or hedges on the site shall be wilfully damaged or uprooted, felled/removed, topped or lopped without the previous written consent of the Local Planning Authority until 5 years after completion of the development. Any proposed or retained planting, which within a period of 5 years, dies, is removed, or becomes seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to 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).

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

Reason: To enable the Local Planning Authority to control the development in detail in the interests of visual amenity and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

6 **Regulatory Condition**: The development hereby permitted shall be carried out in accordance with the mitigation measures within the Preliminary Ecological Appraisal (Deepdene Ecology Ltd., June 2024). This includes the Precautionary Method Statement for reptiles and amphibians in Section 9.3 of the Preliminary Ecological Appraisal (Deepdene Ecology Ltd., June 2024).

Reason*:* To conserve and enhance protected and Priority species and allow the LPA 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 (as amended) and Policy 31 of the Horsham Development Framework.

NOTE TO APPLICANT
Biodiversity Net Gain
Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 states that planning permission is deemed to have been granted subject to the "biodiversity gain condition" which means development granted by this notice must not begin unless:

(a) a Biodiversity Gain Plan has been submitted to the planning authority, and
(b) the planning authority has approved the plan.

Under Regulations 4, 5, 7 & 8 of the Biodiversity Gain Requirements (Exemptions) Regulations 2024 the statutory biodiversity gain condition required by Schedule 7A to the Town and Country Planning Act 1990 (as amended) does not apply in relation to planning permission for development which:

1. does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (a hedgerow habitat or watercourse habitat identified for the purposes of the biodiversity metric);

2. is the subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015;

3. is undertaken solely or mainly for the purpose of fulfilling, in whole or in part, the biodiversity gain planning condition which applies in relation to another development (In determining whether a development is undertaken solely or mainly for this purpose, no account is to be taken of any facility for the public to access or to use the site for educational or recreational purposes, if that access or use is permitted without the payment of a fee);

4. consists of no more than 9 dwellings, is carried out on a site which has an area no larger than 0.5 hectares, and consists exclusively of dwellings which are self-build or custom housebuilding ("Self-build or custom housebuilding" has the same meaning as in section 1(A1) of the Self-build and Custom Housebuilding Act 2015 (as amended)).

Based on the information submitted in the planning application documents, the Planning Authority considers that this permission is exempt from biodiversity net gain, and as such does not require approval of a biodiversity gain plan before development is begun

NOTE TO APPLICANT
The applicant is advised that this decision relates solely to the development indicated on the application documents. It does not purport to relate to any use of the site other than for agricultural

purposes. Any future material change(s) of use of the site would constitute development in their own right for which planning permission may be required.

NOTE TO APPLICANT
The applicant is advised that it is an offence to intentionally or recklessly destroy a bat roost, regardless of whether the bat is in the roost at the time of inspection. All trees should therefore be thoroughly checked for the existence of bat roosts prior to any works taking place. If in doubt, the applicant is advised to contact the Bat Conservation Trust at Quadrant House, 250 Kennington Lane, London, SE11 5RD, Tel: 0345 1300 228, email: equiries@bats.org.uk, website: http://www.bats.org.uk/.

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/24/1433
(The approved plans will form Condition 1 on the Decision Notice of all Permitted applications)

Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Site plan	Proposed	3929-PL-02	24.09.2024
Elevation & Floor plan	Proposed	3929-PL-06	29.08.2024
Elevation & Floor plan	Proposed	3929-PL-04	29.08.2024
Supporting Statement		PRELIMINARY ECOLOGICAL APPRAISAL: REV 1	29.08.2024
Supporting Statement		BAT SURVEY REPORT: REV 1	29.08.2024

DELEGATED

Authorising Officer sign/initial Guy Everest Date: 17.02.2024