Horsham District Council

# DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/25/0477
Great Marl Barn, Marches Road, Warnham, West Sussex, RH12 3SL

DESCRIPTION:
Creation of a new farm access as an alternative to the existing access to serve land to the north of Marches Road, Warnham.

RELEVANT PLANNING HISTORY:

| | | |
|---|---|---|
| DC/23/1141 | Demolition of existing barn and the erection of 5 residential dwellings (Use Class C3), together with associated landscaping. | Application Permitted on 29.04.2025 |

DESCRIPTION OF THE SITE

The application site comprises approximately 0.03 hectares of land forming part of a larger agricultural field located to the north of Marches Road, Warnham, West Sussex. The wider holding, known as Maple Farm, extends to approximately 20.89 acres and is actively used for hay production and sheep grazing.

The site lies in a rural location characterised by open fields, hedgerows, and scattered trees, typical of the Low Weald landscape. The existing access to the field is positioned in the south-western corner, directly off Marches Road. However, it is located on a bend with restricted visibility in both directions due to a hedgerow.

A public right of way runs along the eastern boundary of the field but does not intersect the proposed access location. The surrounding area is predominantly rural with the nearest settlement being the village of Warnham, located approximately 1.2 miles to the south.

DESCRIPTION OF THE APPLICATION

The application seeks full planning permission for the creation of a new farm access to replace the existing unsafe access to the land. The proposal involves the formation of a new vehicular access point directly off Marches Road, including a 5m wide bellmouth entrance with 2m radii on either side, and a field gate set back 25 metres from the highway to allow safe vehicle manoeuvring.

The existing access will be permanently closed following the construction of the new one. The access has been designed to accommodate agricultural machinery and vehicles while improving highway safety through the provision of enhanced visibility splays.

The proposal includes minor hedgerow removal (5m) to facilitate access and compensatory planting of a new species-rich native hedgerow and three new native trees. The scheme is solely for agricultural use and does not involve any new buildings or significant earthworks. The proposal supports the ongoing use of the land for farming and is designed to have a minimal impact on the character and appearance of the countryside.

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 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 40 - Sustainable Transport
Policy 41 - Parking

**Neighbourhood Plan:**
Warnham Parish Neighbourhood Plan was formally made on 26 June 2019.
Policy W5: Design of residential development

**Horsham District Local Plan (2023-40) (Regulation 19)**:
Strategic Policy 1: Sustainable Development
Strategic Policy 8: Sustainable Design and Construction
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 23: Infrastructure Provision
Strategic Policy 24: Sustainable Transport
Policy 25: Parking

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

**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 Arboricultural Officer**: No Objection - The review of the supporting documents regarding trees notes that the proposed development and access construction will require removing a section of mixed-species hedgerow and two semi-mature Ash trees. One Ash tree shows advanced symptoms of Ash dieback (ADB), a fungal disease-causing leaf loss and crown dieback, while the other shows early signs of infection. Due to their condition, both trees have reduced long-term viability and will eventually need removal for highway safety regardless of the application outcome. Therefore, there is no objection to their removal if replacement planting is provided.

However, since these trees are prominent and highly visible from the nearby road, their loss will reduce visual amenity. To mitigate this, it is recommended that both trees be replaced with alternative species such as red Horse-chestnut, Common Lime, or DED-resistant Elm, using standard-sized nursery stock to maintain landscape value.

**WSCC Highways**: No Objection - The proposal involves creating a new farm access on Marches Road, a 'C' classified road with a 60 mph speed limit. The existing access, located near a bend with poor visibility, will be closed and replaced by a new access positioned further east to improve sightlines. The new access will be 5.0 meters wide with 2.0-meter chamfers and include a gate set back 25 meters from the road to allow farm vehicles to wait off the carriageway. The area near the gate will be surfaced with metalled material to prevent debris from being carried onto the highway.

Swept path analysis confirms that estate cars and delivery vans can safely enter and exit the site. An examination of collision data from the past five years shows three personal injury incidents, all attributed to driver behaviour rather than road design or layout, indicating no inherent safety issues with the highway itself. Visibility splays based on a recent traffic speed survey demonstrate compliance with Design Manual for Roads and Bridges (DMRB) standards, with improved visibility compared to the existing access.

The proposed access works will require WSCC consent to carry out highway-related works. In conclusion, the LHA considers the development will not have an unacceptable impact on highway safety or cause severe cumulative impacts on the highway network. Therefore, it complies with the National Planning Policy Framework (NPPF) paragraphs 114-117 (updated December 2024), and there are no transport-related objections to the proposal.

PUBLIC CONSULTATIONS:

Representations:
None Received

Parish Comments:
**Warham Parish Council**: No Objection

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 26 of the HDPF emphasizes the protection of the rural character and undeveloped nature of the countryside from inappropriate development. Any proposals must demonstrate that they are essential to their countryside location and meet at least one of the following criteria: supporting the needs of agriculture or forestry; enabling the extraction of minerals or the disposal of waste; providing for quiet informal recreational use; or facilitating the sustainable development of rural areas. Additionally, developments must be of a scale appropriate to their countryside setting, must not result in a significant increase in activity in the countryside, and should protect, conserve, or enhance the key features and characteristics of the relevant landscape character area.

Paragraph 183 and Paragraph 88 of the NPPF promotes sustainable development in rural areas. Paragraph 88 specifically encourages planning decisions that support the sustainable growth and expansion of all types of rural businesses, as well as the development and diversification of agricultural and other land-based rural enterprises. Planning decisions should enable developments that contribute to the long-term sustainability of the rural economy while respecting the intrinsic character of the countryside.

The proposal seeks full planning permission for the creation of a new agricultural access to serve farmland north of Marches Road, Warnham, replacing an existing access with limited visibility. This development is considered essential to its countryside location as it directly supports the operational needs of an established agricultural holding. The access is necessary to ensure the safe and ongoing use of the land for farming activities, including hay production and sheep grazing, which are longstanding and legitimate agricultural uses. The new access will improve safety by relocating the entry point away from a blind bend with poor visibility splays, facilitate continued farming without intensifying land use or increasing traffic, and enhance the functionality of the site without introducing non-agricultural development. The proposal is modest in scale, involves minimal engineering, and no new buildings, ensuring it will not cause a significant increase in countryside activity. Additionally, the visual impact is minor, with materials typical of farm access points, and any loss of hedgerow will be compensated by ecological enhancements.

As such, the proposal complies with HDPF Policy 26 by meeting the needs of agriculture in a proportionate and sustainable manner, while safeguarding the rural character and landscape setting of the site. It also aligns with NPPF 2024 objectives by supporting the continuation and safety of a rural business critical to the local agricultural economy.

**Design and Appearance**:

Policy 32 focuses on ensuring that all development proposals achieve high-quality and inclusive design. It emphasizes that development should enhance and protect the character and distinctiveness of the district's built and natural environment, grounded in a clear understanding of the site's characteristics and its surroundings. In addition, Policy 33 sets out development principles requiring new development to make efficient use of land while respecting the character of the surrounding area. It should relate sympathetically to the built surroundings, landscape, open spaces, and natural features, maintain the amenity and privacy of existing and future occupants, and be locally distinctive by reflecting the site's context. Additionally, development must be of a scale, massing, and appearance appropriate to its setting.

The proposal involves the creation of a new agricultural access including a 5m-wide bellmouth entrance with 2m radii, and a 25m stretch of metalled hardstanding. It replaces the existing access which will be closed. The development is modest and functional in scale, in keeping with the agricultural nature of the surrounding landscape. The new access is visually consistent with other rural access points commonly found throughout the District. Its layout and materials (including rural-style gates and metalled surface) reflect the site's countryside location and contribute positively to rural character, in line with Policies 32 and 33.

The new access has been positioned to ensure minimal impact on the landscape. It avoids key views, existing mature trees, and landscape features of value. The associated hedgerow removal is limited to 5m and according to the BNG details submitted with the application will be compensated by planting a species-rich native hedgerow and new trees, enhancing biodiversity and ensuring visual integration over time.

In terms of local distinctiveness, the proposal is low impact, sympathetic to the area's rural grain, and designed for agricultural function without introducing urbanising features. The visual impact from Marches Road will be limited and softened by planting, while the setback position of the gate ensures it does not dominate the street scene.

The development therefore complies with HDPF Policies 32 and 33, delivering a well-considered, rural-appropriate scheme that protects and reinforces the landscape character and visual qualities of the site and its wider countryside setting.

**Trees and Landscaping**:

Policy 31 seeks to ensure that development contributes to the enhancement of the District's green infrastructure network and biodiversity. It requires proposals to conserve and enhance existing landscape features such as trees, hedgerows, and woodlands. Where the loss of such features is unavoidable, appropriate mitigation or compensation measures must be secured. The policy also promotes the incorporation of new green infrastructure and habitats as part of new development to strengthen ecological networks and support biodiversity.

The application will require the removal of a 5m section of native hedgerow and two semi-mature Ash trees. According to the Council's Arboricultural Officer, one of the Ash trees is already showing advanced symptoms of Ash Dieback (ADB), and the other is displaying early signs of the disease. Given their poor health and compromised long-term viability, their removal is considered acceptable and would likely be required in any case for highway safety reasons.

While the trees contribute positively to local amenity and rural character, their loss is mitigated through the planting of three new native trees and a new species-rich native hedgerow. The replacement planting will be undertaken using standard nursery stock and may include more resilient species such as red horse-chestnut, common lime, or Dutch Elm Disease-resistant elm, as advised by the Arboricultural Officer. This approach ensures that landscape character and biodiversity value are maintained over the long term and as such a Landscaping condition has been recommended with an informative.

Furthermore, the new hedgerow and trees will be integrated with the existing landscape structure and subject to a management regime that ensures their establishment and ongoing contribution to the green infrastructure network. This enhancement is consistent with the aims of Policy 31, which supports biodiversity net gain and the creation of connected habitats within the rural landscape.

In conclusion, the proposed development will result in the limited loss of compromised tree stock but delivers meaningful and policy-compliant compensatory planting. The scheme demonstrates an appropriate response to the rural landscape and aligns with the objectives of HDPF Policy 31.

**Residential Amenity**:

Policy 33 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.

It is considered that the siting and layout of the proposed access and the resulting relationship with adjoining properties would be sufficient to prevent any unacceptable harm to neighbouring amenity.

**Highways Impacts**:

Policies 40 and 41 of the HDPF states that development should provide safe and adequate access and parking, suitable for all users.

The application proposes the closure of an existing agricultural access located on a bend in Marches Road with substandard visibility, and the creation of a new access point approximately 70 metres to the east. The new access is designed to address highway safety concerns by providing significantly improved visibility splays in both directions, in line with Design Manual for Roads and Bridges (DMRB) standards.

West Sussex Highways Authority reviewed the proposal and raised no objections, confirming that the new access arrangements would result in a substantial safety betterment compared to the existing situation. A 7-day Automatic Traffic Count (ATC) survey was undertaken to inform the required visibility

splays, which were found to be achievable without impacting third-party land or requiring excessive vegetation removal.

The new access includes a 5m wide bellmouth with 2m chamfers and a field gate set back 25 metres from the carriageway to allow safe waiting space for entering vehicles. A metalled surface will be installed at the entrance to prevent mud and debris from transferring onto the public highway, addressing maintenance and safety concerns.

Swept path analysis confirms that typical agricultural vehicles, including tractors and trailers, can safely enter and exit the site without encroaching on opposing traffic lanes. Collision data reviewed over the past five years did not reveal any pattern of incidents attributable to road layout, further supporting the safety credentials of the new access.

As the proposal does not generate any increase in vehicle movements and simply redistributes existing trips, there is no material impact on highway capacity. The development therefore complies with HDPF Policies 40 and 41, ensuring that access arrangements are safe, suitable for agricultural operations, and have no adverse effect on the highway network.

**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.

**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.

A Biodiversity Net Gain (BNG) Assessment and accompanying BNG Metric were submitted as part of the planning application for the new farm access at Land to the North of Marches Road, Warnham. The assessment, prepared by AEWC Ltd, is based on a walkover survey conducted in February 2025 and utilizes the Defra Statutory Biodiversity Metric Tool. The key findings indicate that the proposal will result in the loss of 5 metres of native hedgerow with trees and a small area of modified grassland. To mitigate these losses, ecological enhancements are proposed, including the creation of a new species-rich native hedgerow with trees along the new access and the planting of three native trees within the adjacent pasture.

According to the statutory metric, the development achieves a net gain of +15.35% in habitat units and +10.84% in hedgerow units, with no change in watercourse units as none are present on site. All

trading rules under the metric have been satisfied, negating the need for any off-site compensation. The ecological survey identified no protected species, though precautionary measures concerning nesting birds will be followed. Management measures will ensure that the new habitats meet “good” condition criteria, with tree and hedgerow planting carried out according to best ecological practices and maintained for a minimum of 30 years in line with statutory BNG requirements.

**Conclusions**:

The proposed development delivers a necessary and well-designed improvement to site access that supports ongoing agricultural use. It complies with relevant planning policies, particularly in relation to countryside protection, design, biodiversity, and highway safety. The scheme represents a proportionate and appropriate rural intervention and is therefore considered acceptable in planning terms.

**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-occupation Condition**: Prior to the first occupation of any part of the development hereby permitted, full details of all hard and soft landscaping works shall 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
- Details of all boundary treatments

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 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).

4 **Pre-Use Condition**: No use of the proposed vehicular access shall take place until such time as the vehicular access serving the site has been constructed and visibility splays are achievable in accordance with the details shown on the drawing titled "2025-6808-001 Rev C'.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of road safety and 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).

NOTE TO APPLICANT

**Biodiversity Net Gain Condition**
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.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission is Horsham District Council.

**This permission will require the submission and approval of a Biodiversity Gain Plan before development is begun.**

For guidance on the contents of the Biodiversity Gain Plan that must be submitted and agreed by the Council prior to the commencement of the consented development please see the link:
Submit a biodiversity gain plan - GOV.UK (www.gov.uk).

*Statutory exemptions and transitional arrangements*
There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These can be found at Paragraph: 003 Reference ID: 74-003-20240214 of the Planning Practice Guidance, which can be found at https://www.gov.uk/guidance/biodiversity-net-gain.

*Irreplaceable habitat*
If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

*Works within the Highway - Implementations Team*
The applicant is required to obtain all appropriate consents from West Sussex County Council, as Highway Authority, to cover the off-site highway works. The applicant is requested to contact The Implementation Team Leader (01243 642105) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.

*Arboriculture*
HDC Arboricultural Officer has advised to mitigate the loss of trees to the boundary, it is recommended that both trees to be replaced with alternative species such as red Horse-chestnut, Common Lime, or DED-resistant Elm, using standard-sized nursery stock to maintain landscape value.

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/25/0477**
Schedule of plans/documents **approved**:

| Plan Type | Description | Drawing Number | Received Date |
|---|---|---|---|
| Tree plan | | NONE | 26.03.2025 |
| Tree plan | | NONE | 26.03.2025 |
| Location plan | | NONE | 26.03.2025 |
| Supporting Statement | Biodiversity Net Gain | NONE | 26.03.2025 |
| Supporting Statement | Technical note | NONE | 26.03.2025 |
| Block plan | Existing | NONE | 26.03.2025 |
| Block plan | Proposed | NONE | 26.03.2025 |
| Supporting Statement | Biodiversity metric | NONE | 26.03.2025 |
| Elevation plan | Proposed Gate | NONE | 26.03.2025 |

**DELEGATED**

Case Officer sign/initial Shazia Penne Date: 12.06.2025

Authorising Officer sign/initial RHERMITAGE Date: 13.06.2025