Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/24/1973
Waterside , Five Oaks Road, Slinfold, West Sussex, RH13 0RL

SITE LOCATION & DESCRIPTION:

The proposal seeks permission for the retention of existing hardstanding. Following additional information from the applicant it has become apparent that the proposal also seeks to restore some existing hardstanding back to grass.

The applicant has confirmed the hardstanding would be used for temporary storage and the storage of business vehicles. Photos from the applicant show vans, storage containers and other containers which would be expected to hold a liquid.

The site lies to the north of the A264. To the south of the site, across the road Old Pinkhurst a Grade II Listed Building is located. Bramble Hill Farm is situated to the west of the site.

RELEVANT PLANNING HISTORY:

None relevant

RELEVANT PLANNING POLICIES

The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):
Policy 7 - Economic Growth
Policy 10 - Rural Economic Development
Policy 25 - District Character and Natural Environment
Policy 26 - Countryside Protection
Policy 33 - Development Principles
Policy 35 - Climate change
Policy 38 - Flooding
Policy 40 - Sustainable Transport

Slinfold Neighbourhood Plan
Policy 5 Development Principles

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old, the most important policies for the determination of this application must be considered as to whether they are 'out of date' (NPPF paragraph 11d).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.

Horsham District Local Plan (2023-40) (Regulation 19):
Strategic Policy 1: Sustainable Development
Strategic Policy 2: Development Hierarchy
Strategic Policy 3: Settlement Expansion
Strategic Policy 6: Climate Change
Strategic Policy 7: Appropriate Energy Use
Strategic Policy 8: Sustainable Design and Construction
Strategic Policy 9: Water Neutrality
Strategic Policy 11: Environmental Protection
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
Policy 31 Rural Economic Development

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

Slinfold 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:

INTERNAL CONSULTATIONS

HDC Arboricultural officer:

No significant arboricultural concerns in respect of the area of hardstanding applied for. Facilitation drainage works and spoil dumping/bund creation may have detrimental impacts on surrounding landscape features.

OUTSIDE AGENCIES

District Licensing Officer:

The type of development is not considered to be relevant to the District Licensing Scheme in this case and we consider there would be no likely impact on great crested newts or their habitats. Therefore, have no comments to make at this time.

PUBLIC CONSULTATIONS:

Representations:

None received

Parish Comments:

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

The site is located outside of a defined built-up area boundary and is therefore considered to be located within a countryside location in planning policy terms. HDPF Policy 26 (Countryside Protection) states that development outside of built-up area boundaries must be essential to its countryside location, and must either: support the needs of agriculture or forestry; enable the extraction of minerals or the disposal of waste; provide for quiet recreational use, or; enable the sustainable development of rural areas. In addition, proposals must be of a scale appropriate to its countryside character and location. Development will be considered acceptable where it does not lead, either individually or cumulatively, to a significant increase in the overall level of activity in the countryside, and protects, and/or conserves, and/or enhances, the key features and characteristics of the landscape character area in which it is located.

Policy 26 and its requirements are further supported by Strategic Policy 14 Countryside Protection in the emerging Local Plan. The policy does however hold limited weight at this stage.

As it is understood that the hardstanding would be used in part for commercial purposes in association with the Applicant's business, Policy 10 Rural Economic Development of the HDPF is of some relevance. This 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: 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 economy and/or promote recreation in, and the enjoyment of, the countryside. The development must either 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 result in substantial environmental improvement and reduce the impact on the countryside.

This is further supported by Policy 31 Rural Economic Development from the emerging plan. This policy does however hold limited weight at this stage.

The proposal seeks permission for the retention of existing hardstanding. Following additional information from the applicant it has become apparent that the proposal also seeks to restore some existing hardstanding back to grass.

The applicant has confirmed the hardstanding would be used for temporary storage and the storage of business vehicles. Photos from the applicant show vans, storage containers and other containers which would be expected to hold a liquid. No information has been provided to demonstrate the quantity of storage containers or vans nor define the items in temporary storage. In addition, limited information has been given with regard to the nature of the business, the level of activity it would generate, or the number of employees/vehicles and associated movements. It has not therefore been possible to fully assess the nature and intensity of the proposed commercial use which the hardstanding would facilitate.

The development would facilitate a commercial business, where this has the potential to contribute to the wider economy and result in economic benefits in this regard. It is however recognised that the development would not be contained within existing buildings or within the existing boundaries of an established industrial estate. It is however recognised that some environmental improvements, through the replacement of existing hardsurfacing elsewhere on the site with grass, is proposed. This would be of some benefit, and is weight in the overall assessment.

It has not been demonstrated that the business is essential to its countryside location, with limited information provided to demonstrate the level and intensity of activities, including vehicle movements. Insufficient information has therefore been provided to demonstrate that the development, and specifically the activities and movements associated with the business, would not be of a level and intensity that would detract from the countryside location. Whilst it is recognised that the development could contribute to the wider rural economy and result in some environmental improvement, resulting in social, economic, and environmental benefits in this regard, this matter is not considered to outweigh the harm as otherwise identified.

For these reasons, it has not been demonstrated that the proposal would be essential to its countryside location, where the resulting level and intensity of activity would result in harm to the character and tranquillity of the countryside location, contrary to Policy 10 and 26 of the Horsham District Planning Framework (2015).

Landscape, Design and Appearance:

Policy 32 and 33 of the HDPF seeks 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.

Strategic Policy 19: Development Quality of the emerging local plan holds limited weight. The policy aims to achieve High-quality and inclusive design for all development in the District will be required based on a clear understanding of the local, physical, social, economic, environmental and policy context.

Policy 5: Development Principles of the Slinfold Neighbourhood states development proposals which seek to respect the design, density and layout of the surrounding area as detailed in the Slinfold Parish Design Statement will be supported.

The application seeks to retain 450 m^2 of hardstanding to the north of the site, abutting the boundary with open countryside. To the west of the site, beyond the ancient woodland lies Bramble Hill Farm. It is noted that Bramble Farm contains a number of agricultural and warehouse buildings, along with surfaced ground.

While the hardstanding would not be isolated it would result in the retention of a large area of hardstanding, extending beyond the residential curtilage and existing built form, blurring the buffer boundary with the countryside. In addition to this, the site will contain open storage an uncommon feature in the countryside.

The works have resulted in large bunds being created on the site. Photos indicate these are to the north of the site; however, beyond this no additional information on the location or height of these has been provided. Insufficient information to assess this matter has therefore been provided.

The Arboriculturist has confirmed that bund creation to the north and east will foreseeably impact upon the future health of the closest bounding trees in the hedgerow and adjacent copse to the east. It is noted that the applicant is willing to replant trees but, without a plan showing this, it is unclear if this would suitably mitigate any losses. The loss of trees and vegetation to the northern boundary of the site would result in the storage and hardstanding becoming more apparent when viewed from the surrounding countryside.

The track and hardstanding are sited adjacent to a tree belt which makes a significant contribution to the character of the area and its loss or deterioration as result of the proposal would adversely impact the character of the area. In addition, the relative isolation of the hardstanding, set away from existing built form and within previously undeveloped agricultural land, results in a visually intrusive development that would detract from the informal character and visual amenity of the rural locality. The proposal is not considered to be of a high-quality design or to enhance and protect locally distinctive characters. Furthermore, the proposal fails to relate well with the existing built form. It is therefore contrary to policies 32 and 33 of the Horsham District Planning Framework (2015).

Amenity Impacts:

Policy 32 of the HDPF states that development will be expected to provide an attractive, functional, accessible, safe, and adaptable environment that contribute a sense of place both in the buildings and spaces themselves. Policy 33 continues that 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.

The application lacks information in regard to the activity levels at the site, including the number of vehicle movements and trips to and from the site. Neither does it confirm the exact type of storage proposed on the hardstanding. The limited information provided does not allow the LPA to carry out a full assessment as to the impact of the hardstanding and storage on the amenity of neighbours, in particular Old Pinkhurst and the occupiers and future occupiers of Waterside.

On this basis, insufficient information has been provided to demonstrate to the satisfaction of the Local Planning Authority that the development would not have an unacceptable impact on the amenities of neighbouring properties, contrary to Policy 32 and 33 of the Horsham District Planning Framework (2015).

Highways Impacts:

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

The development would utilise the existing access. No information has been provided on the nature and number of vehicle trips arising from the use of the hardstanding, and insufficient information has been provided in this regard. Had the development been acceptable in all other regards, further information would have been required to fully assess impact on the highway.

Ecology:

Policy 31 of the HDPF ‘Green Infrastructure and Biodiversity’ states that ‘Development will be supported where it can demonstrate that it maintains or enhances the existing network of green infrastructure. Proposals that would result in the loss of existing green infrastructure will be resisted unless it can be demonstrated that new opportunities will be provided that mitigates or compensates for this loss, and ensures that the ecosystem services of the area are retained’ and that development proposals will be required to contribute to the enhancement of existing biodiversity, and should create and manage new habitats where appropriate.

The retained hardstanding would be located in close proximity to ancient woodland and a copse of trees. These elements provide space for ecosystems and contribute to existing biodiversity. From the Arboriculture Officer's comments, it is also likely that some trees on the site have been or will be lost.

No ecology information has been submitted as part of the current application to demonstrate that the proposed development would contribute to measurable Biodiversity Net Gain. The proposal is therefore considered to be contrary to Policy 31 of the Horsham District Planning Framework (2015).

Drainage and Flooding

While the hardstanding is not located within an area at risk of surface water flooding, areas of the site within the red line, have a 0.1% annual chance of surface water flooding.

The applicant has confirmed in their statement that they have installed drainage features at the site, by way of natural bunding and enhanced drainage features. The statement also includes information on the waterlogged soil and on water pooling in key areas.

While the hardstanding is not located within a flood risk area it is evident the site experiences issues relating to surface water flooding. The retention of a large area of hardstanding would likely exacerbate the issues at the site. The proposal lacks evidence of the drainage features, their locations and robust assurance that the retention of the hardstanding would not result in increased flooding.

It is evident there is a drainage problem at the site and the retention of hardstanding would cause further issues it hasn't been demonstrated to the satisfaction of the LPA that the potential for further flooding has been mitigated. In this instance drainage and flooding are not considered a reason for refusal as a drainage plan could be secured by condition.

Water Neutrality:

From the documents submitted, no facilities would be provided at the site. Whilst there is no information on employee numbers and the nature of activities, at this stage 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 180 and the Council's obligations under the Conservation of Habitats and Species Regulations 2017.

Should further information in regard to the nature of activities and the number of employees be provided, the above assessment may change.

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 application is retrospective made under Section 73(A) of the Town and Country Planning Act and is not therefore subject of the BNG condition.

Conclusions:

The proposal is not essential to its countryside location and justification for its location and contribution to the rural economy have not been provided. The track and hardstanding are sited adjacent to a tree belt which makes a significant contribution to the character of the area and its loss or deterioration as

result of the proposal would adversely impact the character of the area. In addition, the relative isolation of the hardstanding, set away from existing built form and within previously undeveloped agricultural land, results in a visually intrusive development that would detract from the informal character and visual amenity of the rural locality. Insufficient information has been provided to demonstrate the proposal would not have a detrimental impact on the location's ecology or an unacceptable impact on neighbouring amenity. For these reasons, the development is considered to be contrary to Policies 10, 26, 31, 32, and 33 of the Horsham District Planning Framework (2015).

Recommendation: Application Refused

Reason(s) for Refusal:

1 The proposed development would be located in the countryside, outside of any defined built-up area boundary, and outside of an established commercial site. It has not been demonstrated that the business is essential to its countryside location, with no information provided to demonstrate the level and intensity of activities, including vehicle movements. Insufficient information has therefore been provided to demonstrate that the development, and specifically the activities and movements associated with the business, would not be of a level and intensity that would detract from the countryside location. The development is therefore contrary to Policies 10 and 26 of the Horsham District Planning Framework (2015).

2 The development is sited in a relatively isolated location, set away from existing built form and within previously undeveloped agricultural land, where the hardstanding and associated activities would appear visually intrusive and detract from the informal character and visual amenity of the rural locality. The development also has the potential to adversely affect the adjacent tree belt which makes a significant contribution to the character of the area. The development is therefore contrary to Policies 25, 32, and 33 of the Horsham District Planning Framework (2015).

3 Insufficient information has been provided to demonstrate to the satisfaction of the Local Planning Authority that the development would not have an unacceptable impact on the amenities of neighbouring properties, contrary to Policy 32 and 33 of the Horsham District Planning Framework (2015).

4 Insufficient information has been provided to demonstrate that the proposed development would have no adverse impact on habitats within and surrounding the site, and to establish how the development will contribute to measurable Biodiversity Net Gain, contrary to Policy 31 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/24/1973
(The approved plans will form Condition 1 on the Decision Notice of all Permitted applications)

Schedule of plans/documents **not approved**:

Plan Type	Description	Drawing Number	Received Date
Location plan	Site Location Plan	24950 - P001	19.12.2024
Block plan	Proposed Site Block Plan	24950 - P003 A	16.01.2025

DELEGATED

Case Officer sign/initial Alice Johnson Date: 12/02/2025

Authorising Officer sign/initial Tamara Dale Date: 13/02/2025