



## **DELEGATED APPLICATIONS - ASSESSMENT SHEET**

### **APPLICATION NO./ADDRESS:**

DC/26/0118  
Muntham Home Farm, Muntham Drive, Barns Green, West Sussex, RH13 0NH

### **DESCRIPTION:**

Conversion of a two storey brick barn and part of an adjoining portal frame agricultural barn into 1no. dwelling with associated landscaping and parking.

### **RELEVANT PLANNING HISTORY:**

|            |                                                                                                                                                                        |                                           |
|------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------|
| DC/13/1440 | Change of use of agricultural barn to bakery and storage of bakery and High Barn Oils products, changes to fenestration of the building, car parking and turning areas | Application Permitted on 30.09.2013       |
| DC/24/1998 | Prior notification for alterations to existing farm building to provide alternative access and associated track.                                                       | Prior Approval Not Required on 17.01.2025 |

### **DESCRIPTION OF THE SITE**

Muntham Home Farm is within the parish of Itchingfield, located outside of any Built-Up Area Boundary and is therefore located within the countryside for planning purposes. The application site sits 0.6km to the north of Barns Green, identified as a medium village. The site is part of a wider agricultural unit comprising 40 acres, with an additional 75/100 acres specialising in growing linseed. The site is accessed via Muntham Drive, a private track, in which this application site is situated within a cluster of agricultural and residential buildings. The site is not subject to heritage constraints, however, Muntham House School, a Grade II\* listed building, is located to the east of the site, approximately 40 metres to the southwest, with a tall brick wall separating the sites. The application site is situated outside of Flood Zones 2 and 3.

The application building comprises a two-storey barn, constructed from blockwork with weatherboarding at first floor level and a corrugated sheet roof. It is connected to an agricultural storage building to the north, which is under the applicant's control. Two residential properties are sited to the southwest of the building, with a further dwelling to the northeast, with other residential properties further afield to the north and west.

### **DESCRIPTION OF THE APPLICATION**

This application seeks full retrospective planning consent for the conversion of this two-storey agricultural barn into a single four-bedroom dwelling, with associated landscaping and parking. The applicant is the intended occupant of this proposed dwelling, allowing the occupant to downsize from the farmhouse, whilst still retaining a presence on site in this agricultural worker's dwelling. Minimal external alterations are proposed as part of this application, consisting of fenestration changes. The formation of a courtyard/domestic garden is also proposed as part of this application, with the adjacent/adjoining agricultural barns to be blocked up enclosing this area, consent granted under DC/24/1998.

### **RELEVANT PLANNING POLICIES**

**The National Planning Policy Framework (NPPF)**

**Horsham District Planning Framework (2015):**

Policy 1 - Strategic Policy: Sustainable Development  
Policy 2 - Strategic Policy: Strategic Development  
Policy 3 - Strategic Policy: Development Hierarchy  
Policy 15 - Strategic Policy: Housing Provision  
Policy 20 - Rural Workers Accommodation  
Policy 24 - Strategic Policy: Environmental Protection  
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 34 - Cultural and Heritage Assets  
Policy 35 - Strategic Policy: Climate Change  
Policy 36 - Strategic Policy: Appropriate Energy Use  
Policy 37 - Sustainable Construction  
Policy 38 - Strategic Policy: Flooding  
Policy 39 - Strategic Policy: Infrastructure Provision  
Policy 40 - Sustainable Transport  
Policy 41 - Parking

**Itchingfield Neighbourhood Plan 2024-2031**

Policy 1 – Green Infrastructure Conservation  
Policy 3 – Heritage Assets and Itchingfield Conservation Area  
Policy 12 – Design Parameters  
Policy 13 – Sustainable Design  
Policy 15 – Parking Provision  
Policy 16 – Water Neutrality

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 1 year. 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 6: Climate Change  
Strategic Policy 7: Appropriate Energy Use  
Strategic Policy 8: Sustainable Design and Construction  
Strategic Policy 9: Water Neutrality  
Strategic Policy 10: Flooding  
Strategic Policy 11: Environmental Protection  
Strategic Policy 12: Air Quality  
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  
Policy 21: Heritage Assets and Managing Change within the Historic Environment  
Strategic Policy 23: Infrastructure Provision  
Strategic Policy 24: Sustainable Transport  
Policy 25: Parking  
Policy 32: Conversion of Agricultural and Rural Buildings to Commercial, Community and Residential Uses  
Strategic Policy 37: Housing Provision  
Strategic Policy 38: Meeting Local Housing Needs

**Supplementary Planning Guidance:**

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

**Planning Advice Notes:**

Shaping Development in Horsham District  
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](http://www.horsham.gov.uk)

Consultations:

**INTERNAL CONSULTATIONS**

**HDC Conservation Team:** No Objection

- The proposed conversion of the building will not result in harm to the setting of the neighbouring listed building.

**HDC Environmental Health:** Comment

- Commercial and agricultural buildings can pose contamination risks due to their past uses, construction materials, and storage of machinery, fuels, and chemicals. Made ground, yards and hardstanding may also contain hazardous materials. The Structural Appraisal indicates suspected asbestos-containing materials on site. In line with PPG guidance, further information and a preliminary risk assessment, including a site walkover, are required to confirm the site can be made safe and suitable for development.
- Information is also required on the impacts of the adjoining commercial uses on the amenity of the proposed dwelling. An Environmental noise survey should also be provided.

**OUTSIDE AGENCIES**

**Southern Water:** Comment

- Building Control / technical officers should review adequacy of proposed soakaways.
- No soakaways within 5m of public/adoptable sewers, rising mains, or water mains.
- Soakaways must not connect to the public surface water sewer.
- Applicant should consult the Environment Agency on use of a private treatment plant discharging via sub-soil irrigation.
- No development to commence until surface water drainage details (incl. discharge points, rates, volumes) in line with Part H3 of Building Regulations hierarchy are agreed by the Lead Local Flood Authority, in consultation with Southern Water.

**WSCC Highways:** Advice

The Local Highway Authority does not consider that the 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

### PUBLIC CONSULTATIONS:

#### Representations:

None received

#### Parish Comments:

##### **Itchingfield Parish Council:** Objection

- The proposed development does not meet the full criteria of Policy 32 of the emerging Horsham Local Plan 2024. Whilst unmade, but having some weight, it fails on the following grounds: The proposed building has no heritage credentials although its worthiness for retention rests mainly on its possible commercial use and its design shows a brutalist and austere aspect, out of keeping with local dwellings and no landscaping has been shown in the application.
- IPC is concerned that the proposed dwelling relies on the adjacent larger agricultural barn for support and structural aspects. Whilst this might suit the current owner it does mean that, since this dwelling would count as market housing, inappropriate commercial activities could take place which would materially and negatively impact on any future occupants.
- IPC feels that this application needs considerable refinement i.e. to divorced from the adjacent agricultural building and to demonstrate positive ecological improvement.
- Therefore, IPC recommends this planning application for refusal as presented.

#### 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:**

Section 5, paragraph 82 of the NPPF (2024) deals with housing in the countryside and notes that '*in rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs*', adding that to '*To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services*'. However, paragraph 84 maintains a presumption against isolated new dwellings in the countryside unless they are essential, noting '*Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply*:'

- a) There is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside.
- b) The development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;
- c) The development would re-use redundant or disused buildings and enhance its immediate setting;
- d) The development would involve the subdivision of an existing residential building; or
- e) The design of is exceptional quality, in that it;
  - Is truly outstanding, reflecting the highest standards in architecture, and would help to raise the standard of design more generally in rural areas; and
  - Would significantly enhance its immediate setting and be sensitive to the defining characteristics of the local area.

Policy 1 of the Horsham District Planning Framework (HDPF) states that the Council will take a positive approach to development proposals aligning with the National Planning Policy Framework's emphasis on sustainable development. It collaborates proactively with applicants to find solutions that enable project approval and enhance economic, social, and environmental conditions. Planning applications that comply with the Local Plan and relevant neighbourhood plans will be approved promptly unless material considerations suggest otherwise. If policies are absent or outdated, the Council will grant permission unless significant adverse impacts outweigh the benefits, or specific policies in the Framework restrict development.

Policy 2 of the Horsham District Planning Framework (HDPF) sets out the main growth strategy, focusing development in the main settlements. The application site is situated outside of any of the defined settlements as categorised under Policy 3 of the HDPF and therefore is considered to be in a countryside location in policy terms.

Policy 4 of the HDPF refers to the expansion of settlements outside the built-up area, and states that such development is only supported where: the site is allocated in the Local Plan or in a Neighbourhood Plan and adjoins an existing settlement edge; the level of expansion is appropriate to the scale and function of the settlement type; the development is demonstrated to meet the identified local housing needs; the impact of development individually or cumulatively does not prejudice comprehensive long term development; and the development is contained within an existing defensible boundary and the landscape and townscape character features are maintained and enhanced.

Policy 10 of the HDPF seeks to support sustainable rural economic development, and the productive use of land that maintains the relative tranquillity of the countryside in order to generate local employment opportunities and socio-economic benefits for local communities. Policy 10 stipulates that development should be appropriate to its countryside location and must contribute to diverse and sustainable farming enterprises, or the wider recreational offer or rural economy, and, in addition, be contained within suitably located buildings which are appropriate for conversion, or result in substantial environmental improvement.

Policy 26 of the HDPF requires development in the countryside be of a scale that is appropriate to its countryside character and location and not lead, either individually or cumulatively, to a significant increase in the overall level of activity in the countryside. It also needs to be essential to its countryside location and to meet one of the following criteria: support the needs of agriculture or forestry; enable the extraction of minerals or the disposal of waste; provide for quiet informal recreational use; or enable the sustainable development of rural areas.

The proposal seeks to convert an existing building into a single dwelling. The submitted Planning Statement details that whilst the agricultural barn was used as bakery and storage of bakery equipment (DC/13/1440), this use has since ceased, and the building has been used for residual storage since this time. As the building is already existing and appears suitable for conversion, the proposal aligns with paragraph 84(c) of the NPPF, which supports the re-use of redundant or disused buildings.

The statement continues that the building forms part of the wider agricultural use of the site, and this application proposes the conversion of the building to a dwelling, with the applicant's intention to downsize from the farmhouse and live in the proposed conversion. The applicant is now the sole owner

and only member of the family living and working on the farm, with the agricultural unit comprising 40 acres, with an additional 75/100 acres specialising in growing linseed. The farm is trading as the Linseed Farm and specialises in the growing and production of linseed oil, employing 3 local people.

Whilst sited within a countryside location, the site is not truly isolated as it is set within the context of existing built development forming the wider Muntham House site, comprising a cluster of residential and agricultural buildings/uses, with Muntham House School situated to the east of the site. As such, the development would not lead to a significant increase in the level of activity in the countryside and is consistent with Policy 26.

The proposal represents the re-use of an existing building within an established group of buildings and therefore does not result in the creation of a new isolated dwelling in the countryside. The development would allow the applicant to remain living on the site in a different form of accommodation and would support the continued operation of the rural enterprise. As such, the principle of development is considered acceptable, subject to compliance with other relevant material consideration

### **Design and Appearance:**

Policies 25, 32, and 33 of the HDPF promote development that protects, conserves and enhances the landscape and townscape character from inappropriate development. Proposals should take into account townscape characteristics, with development seeking to provide an attractive, functional and accessible environment that complements the locally distinctive character of the district. Buildings should contribute to a sense of place, and should be of a scale, massing, and appearance that is of a high standard or design and layout which relates sympathetically to the landscape and built surroundings.

Policy 12 of the Barns Green & Itchingfield Neighbourhood Plan requires development to consist of high-quality design, respect local character and scale, safeguards neighbouring amenity, and positively reflects the parish vernacular. Policy 13 states development proposals should seek to improve the sustainability of development, incorporating electric car charging points, solar panels of appropriate and unobstructive design and solar heating panels, ground- and air-source heat systems

The external alterations proposed as part of this development are minimal, with the building retaining its agricultural appearance. The external walls will retain the blockwork and dark stained weatherboarding, with the roof consisting of corrugated sheeting, with new windows and doors matching the existing. The scheme also proposes a number of sustainable energy measures, including the installation of solar panels onto the roof. The building would retain its original form, and the materials proposed would be deemed appropriate to the rural setting and reflect the utilitarian character and its surrounding. The proposed alterations would enhance the appearance and the setting of the site in general. The design would give consideration to traditional agricultural buildings and existing dwellings in the wider area.

The dwelling will be served by a small garden amenity area to the west of the development, and this garden space will be enclosed following the granting of DC/24/1998, with the hard surfacing being replaced to form this domestic garden. A suitable condition is recommended to seek further details relating to the hard and soft landscaping of the scheme.

Taking into account the context of the locality, which comprises a number of uses, in addition to the siting, scale and character of the development, the proposed development would integrate acceptably within the site and would not result in harm to the rural landscape character, and the proposal is therefore considered to accord with Policies 25, 32 and 33 of the HDPF.

### **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.

There are a number of residential dwellings in the locality, with the closest being Guernsey Cottage, located approximately 7 metres northeast of this building. The proposed development will introduce rooflights onto the southeast elevation, however, no new windows are proposed at first floor level. This, coupled with the orientation of both buildings, will ensure the development will not give rise to unacceptable impacts in terms of overlooking, loss of privacy or noise.

The submitted plans indicate that the proposed dwelling will share a party wall with the remaining storage elements of the barn and in close proximity to other agricultural storage buildings, sited outside the residential envelope, but within the applicant's ownership/control. The proposed dwelling would therefore be directly adjacent to agricultural activity, creating an inherent incompatibility between residential and agricultural uses.

The applicant makes reference to the officer's report of DC/16/0457, which granted consent under the Prior Approval route for the conversion of an agricultural building to a dwelling, now known as Guernsey Cottage. As part of this report, it was concluded that whilst the agricultural uses on the wider site may adversely impact the amenity of the occupiers, given the number of residential properties present, with no complaints received, a noise impact assessment was not requested, and the application was not refused on these grounds.

There are distinct differences between DC/16/0457 and the current application before the Council, in that this application would share a party wall with the remaining storage/agricultural elements of the connected barn. While this would be unacceptable for an occupier unrelated to the agricultural activity, it is reasonable and generally anticipated that an agricultural worker would be exposed to a greater degree of noise, disturbance and odour given the functional relationship. A restrictive condition to only permit the occupancy of the residential dwelling to a person employed by the agricultural unit could therefore address the concerns raised.

The supporting information indicates that there is an intention for the proposed dwelling to be occupied by the applicant, a fulltime owner and worker of the agricultural unit. On the basis of the information, and the concerns regarding noise, disturbance and odour should the dwelling be occupied separately from the agricultural unit, it is considered that a condition restricting the occupation would serve a planning purpose and would be reasonable and relevant.

The proposed development would also provide a courtyard area; however, this space would be enclosed by the surrounding and adjoining barns. Despite its enclosure, it would still provide usable amenity space and given it will serve a rural worker's accommodation, it is considered acceptable in this instance.

In conclusion, the development is therefore considered acceptable in amenity terms and compliant with Policy 33 of the HDPF.

### **Highways and Public Right of Way Impacts:**

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

Policy 15 of the INP, states development shall include provision of off-road parking for residents of, and visitors to, the development in compliance with West Sussex County Council requirements.

The development will be accessed via Muntham Drive, a private track which serves the existing uses/buildings on the site. This track also serves a number of footpaths and bridleways (1600, 1597, 1608). The Public Rights of Ways will not be impacted upon by the proposed development, however, suitable informatives are attached to this consent reminding the applicant that the use of these routes shall not be hindered or obstructed.

Further afield, the site is accessed via junctions with Sandhills Road and Itchingfield Road, with the nearest publicly maintained highway located at the crossroads of Chapel Road, Two Mile Ash Road and Sandhills Road. The Local Highway Authority has confirmed that there have been no recorded injury accidents at these junctions over the past five years, and there is no evidence to indicate that

they operate unsafely or that the proposed development would give rise to any highway safety concerns.

Three car parking spaces have been demonstrated within the submitted plans, sufficient in accommodating an average sized vehicle. These spaces will satisfy the likely demand, in line with WSCC's Parking Demand Calculator and suitable vehicle turning space has been provided. WSCC LHA's have confirmed that it is not anticipated this development will significantly increase the number of vehicular movements to and from the site, accepting that agricultural uses have potential to generate a higher frequency of vehicular movements than residential uses. The nature of the trips may change as a result and would be more likely to occur within the network peak hours, however it would not be considered that this would cause a detriment to highway safety in this location.

In line with the LHA's response, it is therefore considered that the proposal would not result in any adverse impacts on highway safety or the operation of the local highway network, in accordance with Policy 40 of the HDPF.

### **Water Neutrality:**

A 2021 Position Statement from Natural England identified that it could not be concluded with the required degree of certainty that new development in the Sussex North Water Supply Zone would not have an adverse effect on the integrity of the Arun Valley SAC, SPA and Ramsar sites. As a consequence, and to comply with the legal duties set out in the Conservation of Habitats and Species Regulations 2017 (known as the Habitat Regulations), all new development since has been required to demonstrate water neutrality.

On 31st October 2025 Natural England formally withdrew the 2021 Position Statement, citing a package of measures that they were satisfied would safeguard the Arun Valley sites. Principal amongst these measures is a reduction in the Southern Water abstraction licence 'by March 2026'. However, given the licence change has not yet taken place Horsham District Council, as competent authority under the Habitats Regulations, cannot yet be certain that new development will not result in adverse impacts on the Arun Valley sites.

To ensure development can come forward as water neutral in the meantime, the Council has agreed with Natural England to use the significant water savings made by Southern Water in 2024/25 through their programme of leakage reduction (amongst other measures). This has generated some 3,240,000 litres per day of water savings that can now be attributed to new development without increasing water abstraction in the Arun Valley beyond baseline. These savings were previously to be used to launch the Sussex North Water Certification Scheme (SNWCS), however following the withdrawal statement SNWCS will no longer be launching. Natural England standing advice dated 10 November 2025 raises no objection to using these savings to enable development to come forward. The standing advice clarifies that it functions as Natural England's formal response pursuant to Regulation 63(3) of the Conservation of Habitats and Species Regulations 2017 to all relevant planning applications which seek to achieve water neutrality using the above Southern Water savings.

Officers have undertaken an Appropriate Assessment which demonstrates that the anticipated increase in mains water consumption from this development, alongside all other development granted since the 31st October 2025, will not exceed 3,240,000 litres per day.

Accordingly, Officers consider that the proposed development will not have an Adverse Effect on the Integrity of the Arun Valley Site, either alone or in combination with other plan and projects, thereby complying with Regulations 63 and 70 of the Conservation of Habitats and Species Regulations 2017, HDPF Policy 31, and paragraph 193 of the NPPF.

### **Other Matters:**

#### Contaminated Land:

A Structural Appraisal has been submitted as part of this application, in which the council's Environmental Health Team have commented. Their comments requesting a further preliminary risk

assessment are noted, in which the applicant has responded detailing that asbestos cement guttering and downpipes have been removed from the building already and their structural consultant has confirmed the fibre-cement sheeting is of little concern. Regardless of this, a suitable informative is attached to this permission, ensuring suitably qualified contractors are employed and an asbestos identified as part of the build, is removed and disposed of safely.

#### Drainage

The comments by Southern Water are noted. Given no minimal alterations to the building are intended, with the parking area retained as is, the surface water runoff and drainage will remain as existing. With this in mind, a condition requiring further details relating to surface water run off is deemed unnecessary in this instance. A condition relating to foul water drainage is recommended to be imposed.

#### Climate Change:

Policies 35, 36 and 37 require that development mitigates to the impacts of climate change through measures including improved energy efficiency, reducing flood risk, reducing water consumption, improving biodiversity and promoting sustainable transport modes. These policies reflect the requirements of Chapter 14 of the NPPF that local plans and decisions seek to reduce the impact of development on climate change. The proposed development includes the following measures to build resilience to climate change and reduce carbon emissions:

- Installation of solar panels

In addition to these measures conditions would be attached to secure the following:

- Water consumption limited to 110litres per person per day
- Requirement to provide full fibre broadband site connectivity
- Refuse and recycling storage
- Cycle parking facilities
- Electric vehicle charging points

Subject to these conditions the application will suitably reduce the impact of the development on climate change in accordance with local and national policy.

#### **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 (on unregistered sites) and significant on-site enhancements will be secured over this period by way of a Legal Agreement.

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

- The development qualifies as 'de minimis' under Regulation 4 of the Biodiversity Gain Requirements (Exemptions) Regulations 2024

#### **Conclusions:**

In conclusion, the proposal relates to the conversion of an existing building within a countryside location and associated with the wider agricultural unit. The site forms part of an established cluster of

buildings, and the development would support the continued operation of the rural enterprise through the provision of accommodation for a rural worker, secured by condition. The proposal is considered to comply with relevant local and national planning policies and is therefore recommended for approval.

### COMMUNITY INFRASTRUCTURE LEVY (CIL)

Horsham District Council has adopted a Community Infrastructure Levy (CIL) Charging Schedule which took effect on 1st October 2017.

**It is considered that this development constitutes CIL liable development.**

| Use Description         | Proposed | Existing | Net Gain |
|-------------------------|----------|----------|----------|
| District Wide Zone 1    | 174      | 174      | 0        |
| <b>Total Gain</b>       |          |          |          |
| <b>Total Demolition</b> |          |          |          |

Please note that the above figures will be reviewed by the CIL Team prior to issuing a CIL Liability Notice and may therefore change.

Exemptions and/or reliefs may be applied for up until the commencement of a chargeable development.

In the event that planning permission is granted, a CIL Liability Notice will be issued thereafter. CIL payments are payable on commencement of development.

### **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 Condition:** No development shall commence until drainage details for the proposed means of foul disposal has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

Reason: As this matter is fundamental to ensure that the development is properly drained and to comply with Policy 38 of the Horsham District Planning Framework (2015).

- 4 **Pre-Commencement Condition:** No development shall commence until the following components of a scheme to deal with the risks associated with contamination, (including asbestos contamination), of the site be submitted to and approved, in writing, by the local planning authority:

- (a) A preliminary risk assessment which has identified:
- all previous uses
  - potential contaminants associated with those uses
  - a conceptual model of the site indicating sources, pathways and receptors
  - Potentially unacceptable risks arising from contamination at the site.

The following aspects (b) - (d) shall be dependent on the outcome of the above preliminary risk assessment (a) and may not necessarily be required.

- (b) An intrusive site investigation scheme, based on (a) to provide information for a detailed risk assessment to the degree and nature of the risk posed by any contamination to all receptors that may be affected, including those off site.
- (c) Full details of the remediation measures required and how they are to be undertaken based on the results of the intrusive site investigation (b) and an options appraisal.
- (d) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (c) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action where required.

The scheme shall be implemented as approved. Any changes to these components require the consent of the local planning authority.

Reason: As this matter is fundamental to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works and to ensure that any pollution is dealt with in accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015).

- 5 **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 and removed.
- Planting and seeding plans, including a schedule specifying plant numbers, sizes, densities and species in Latin names
- Details of all hard surfacing materials and finishes, including layout, colour, size, texture, coursing and levels
- Details of all boundary treatments - such as walls, fencing and railings - including location, type, heights and materials

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 (other than those within the private garden) shall be wilfully damaged or uprooted, felled/removed, topped or lopped without the previous written consent of the Local Planning Authority until 30 years after completion of the development. Any proposed or retained planting outside of the private garden, which 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).

- 6 **Pre-Occupation Condition:** Prior to the first occupation of each dwelling, the necessary in-building physical infrastructure and external site-wide infrastructure to enable superfast broadband speeds of 30 megabits per second through full fibre broadband connection shall be provided to the premises.

Reason: To ensure a sustainable development that meets the needs of future occupiers in accordance with Policy 37 of the Horsham District Planning Framework (2015).

- 7 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until details of secure and covered cycle parking facilities for the occupants of, and visitors to, the development have been submitted to and approved in writing by the Local Planning Authority. No dwelling hereby permitted shall be occupied or use hereby permitted commenced until the approved cycle parking facilities associated with that dwelling or use have been fully

implemented and made available for use. The provision for cycle parking shall thereafter be retained for use at all times.

Reason: To ensure that there is adequate provision for the parking of cycles in accordance with Policy 40 of the Horsham District Planning Framework (2015).

- 8 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until the car parking spaces necessary to serve it have been constructed and made available for use in accordance with approved 'Location & Site Plan' received 10.02.2026. The car parking spaces permitted shall thereafter be retained as such for their designated use.

Reason: To provide car-parking space for the use in accordance with Policy 40 of the Horsham District Planning Framework (2015).

- 9 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until details for the provision for the storage of refuse and recycling facilities have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be provided prior to occupation of the development hereby permitted and thereafter be retained for use at all times.

Reason: To ensure the adequate provision of recycling facilities in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 10 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until a fast charge electric vehicle charging point for that dwelling has been installed. As a minimum, the charge point specification shall be 7kW mode 3 with type 2 connector. The means for charging electric vehicles shall be thereafter retained as such.

Reason: To mitigate the impact of the development on air quality within the District and to sustain compliance with and contribute towards EU limit values or national objectives for pollutants in accordance with Policies 24 & 41 of the Horsham District Planning Framework (2015).

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

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).

- 12 **Regulatory Condition:** No works for the implementation of the development hereby approved shall take place outside of 08:00 hours to 18:00 hours Mondays to Fridays and 08:00 hours to 13:00 hours on Saturdays nor at any time on Sundays, Bank or public Holidays.

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

- 13 **Regulatory Condition:** The dwelling hereby permitted shall meet the optional requirement of building regulation G2 to limit the water usage of each dwelling to no more than 110 litres per person per day. The subsequently installed water limiting measures shall thereafter be retained.

Reason: To limit water use in order to improve the sustainability of the development and to ensure the development is water neutral to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites in accordance with Policies 31 and 37 of the Horsham District Planning Framework (2015), Paragraph 193 of the National Planning Policy Framework (2024), and to allow the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority Habitats & Species).

- 14 **Regulatory Condition:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (and/or any Order revoking and/or re-enacting that Order no development falling within Classes A, AA, B, C, and E of Part 1 of Schedule 2 of the order shall be erected, constructed or placed within the curtilage of the development hereby permitted without express planning consent from the Local Planning Authority first being obtained.

Reason: In the interest of visual amenity and due to protect the amenities of adjoining residential properties from loss of privacy, in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 15 **Regulatory Condition:** The occupation of the dwelling shall be limited to a person solely or mainly working, or last working, in agriculture on the agricultural holding of Muntham Home Farm, or a widow or widower of such a person, and to any resident dependants.

Reason: In order to address the potential noise, disturbance and odour impacts arising from the adjacent uses, and in the interests of the amenity of future occupiers, 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.

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)).

In addition, the Biodiversity Gain Plan Condition does not apply to applications for major development made before 12 February 2024, or non-major development made before 2 April 2024.

**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.**

### *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.

### 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.

#### NOTE TO APPLICANT

The applicant is advised, that if any asbestos containing materials are identified during the course of development, these must be handled, removed and disposed of in accordance with current health and safety legislation and relevant guidance.

#### 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/26/0118**

(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 |
|----------------------|----------------------|----------------|---------------|
| Supporting Statement | Structural Appraisal | NONE           | 26.01.2026    |
| Location & Site plan |                      | NONE           | 10.02.2026    |
| Supporting Statement | Planning Statement   | NONE           | 26.01.2026    |

