Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/26/1136
Ford Farm, Ford Lane, Ashurst, West Sussex, BN44 3AT

DESCRIPTION:
Change of Use of 1no. farm building (Building C) to B8 storage. (Retrospective).

RELEVANT PLANNING HISTORY:

DC/24/0180	Change of use from 3 farm buildings to B8 storage (Retrospective).	Application Refused on 14.08.2024

DESCRIPTION OF THE SITE

The application site is located outside of a defined built-up area boundary, with the nearest defined settlement being Henfield some 2.5km away 'as the crow flies'. The secondary settlement of Ashurst, as defined in the emerging Horsham District Local Plan, is located c.1km south. The red line boundary for the site encapsulates a number of farm buildings associated with Ford Farm, however the application refers to 'Building C' which is located to the east of the site adjacent to the road. The wider holding comprises 41 hectares of land.

The site is rural in character with the surrounding settlement pattern comprises mainly detached dwellings, agricultural holdings and equestrian development. It is accessed from Ford Lane which is a 'no through' single track lane shared by several other dwellings. There are a number of Public Rights of Way (PROW) in the vicinity of the site including immediately adjacent to the subject building of this application.

DESCRIPTION OF THE APPLICATION

The applicant is seeking retrospective permission for a change of use of a farm building to B8 Storage to be used in part for the storage of furniture and in part to store goods for a local retail premises. No alterations to the building or to the existing access arrangement are proposed as part of the application.

RELEVANT PLANNING POLICIES

The National Planning Policy Framework (NPPF):
Policy S5: Principle of Development Outside Settlements
Policy P3: Living Conditions and Pollution
Policy TR6: Assessing Transport Impacts

Horsham District Planning Framework (2015):
Policy 1 - Strategic Policy: Sustainable Development
Policy 2 - Strategic Policy: Strategic Development
Policy 3 - Strategic Policy: Development Hierarchy
Policy 7 - Strategic Policy: Economic Growth
Policy 9 - Employment Development
Policy 10 - Rural Economic Development
Policy 24 - Strategic Policy: Environmental Protection

Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
Policy 26 - Strategic Policy: Countryside Protection
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 41 - Parking

Neighbourhood Plan:
Ashurst Parish Council voluntarily withdrew their parish from the Neighbourhood Development Plan process on 12 October 2017.

Horsham District Local Plan (2023-40) (Regulation 19):
Strategic Policy 1: Sustainable Development
Strategic Policy 2: Development Hierarchy
Strategic Policy 3: Expansion of Existing Settlements
Strategic Policy 11: Environmental Protection
Strategic Policy 13: The Natural Environment and Landscape Character
Strategic Policy 14: Countryside Protection
Strategic Policy 19: Development Quality
Strategic Policy 20: Development Principles
Policy 25: Parking
Policy 31: Rural Economic Development

Planning Advice Notes:
Shaping Development in Horsham District (SDPAN)

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 Environmental Health: No Objection
[Summary] We recommend that the site is restricted B8 storage only and hours of use considered to mitigate any early morning/late night disturbance to adjoining residential property.

OUTSIDE AGENCIES

Southern Water: Comment
[Summary] The Council's technical staff should comment on the adequacy of the proposals to discharge surface water to the local watercourse. Recommend tree planting condition. The applicant may want to consider a private discharge or a connection to the network, given the developments 30m distance from SW network. The EA should be consulted directly regarding the use of a septic tank.

WSCC Highways: No Objection
[Summary] The LHA continues to raise no severe highway safety concerns to the proposal. The LHA recognises that the access arrangement has been in place for some time with no known highway's safety or capacity concerns. Parking has not been demonstrated on plans (1 space per 100m^2 required for B8 use) however the LHA does not foresee this being an unmanageable number.

WSCC Rights of Way: No Objection
[Summary] It is understood that vehicular access to the application site is via Ford Lane, which carried Public Bridleway AST-2370/1 and Public Footpath AST-2518, with vehicles then using Public Bridleway AST-1871 to access the site. In view of the potential conflict between vehicular traffic and members of the public using these public rights of way, an informative is recommended with particular attention paid to paragraph I.

As the application does not impact upon or propose any alteration to the Public Rights of Way (PROW) and therefore the PROW team offers no objection.

PUBLIC CONSULTATIONS
Representations:
None received.

Parish Comments:
Ashurst Parish Council: None received.

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

Background

The subject building was included as part of a previous application (ref. DC/24/0180) for the change of use of three farm buildings to B8 storage. This application was refused solely on the grounds that an adverse effect on the integrity of the Arun Valley SAC, SPA and Ramsar site could not be ruled out. This was supported in a subsequent appeal, where the inspector agreed with the Council that no other harms were identified. Since this refusal, Natural England has withdrawn their Position Statement on Water Neutrality and a licence to reduce abstraction agreed on 9th October 2026. Water Neutrality impacts upon the Arun Valley designated sites are therefore no longer a planning consideration and will not be discussed further in this report.

Principle of Development:

HDPF, 2015

The application site is located outside of a defined built-up area boundary and is therefore considered a countryside location for planning purposes. In these circumstances the proposal requires assessment against Policy 26 (Countryside Protection) of the Horsham District Planning Framework (HDPF, 2015) which sets out the types of development acceptable in such locations. Policy 26 states that any proposal must be essential to its countryside location and meet one of the following criteria:

1. Support the needs of agriculture or forestry;
2. Enable the extraction of minerals or the disposal of waste;
3. Provide for quiet informal recreational use; or
4. Enable the sustainable development of rural areas.

In addition, the policy requires all development to be of a scale appropriate to its character and location and should not lead to an overall level of activity in the countryside.

Policy 10 (Rural Economic Development) of the HDPF seeks to support the rural economy by supporting development which sustains the varied and productive social and economic activity in the countryside while also maintaining the quality and character of the area. In order to do this development must contribute to the diverse and sustainable farming enterprises within the countryside and either be contained within existing buildings or result in substantial environmental improvement.

The proposed use (B8 – storage) would be contained within an existing building on the application site (Building C) with no alterations sought and is therefore considered to be appropriate in scale and unlikely to alter the existing character of the area. Officers are aware that the nature of farming practices and land uses has evolved at Ford Farm in recent years, with a reduction in farming activities being carried out on the land and a focus instead on solar projects and re-wilding efforts. This change in practice has led to a natural reduction in the need for farm buildings at the site, leading Officers to believe that there is evidence that the new use would assist in the continued diversification of the land holding/business.

While limited information is given within application documents relating to the expected level of activity generated by the new use, the Planning Statement submitted with the previous application (ref. DC/24/0180) states that Building C would generate ten vehicle movements per week. When considered in the context of vehicular movements associated with the former farming activities carried out at the site, Officers do not expect a significantly greater level of activity to be generated. It is therefore considered that the proposal aligns with Policies 10 and 26 of the HDPF.

Emerging HDLP

Horsham District Council are in the process of adopting a new local plan, with a recent letter from the Inspector advising the plan is sound subject to main modifications and some other changes. The Council is expecting the Inspectors final report in January 2027, with adoption of the plan taking place in February 2027. Given the advanced stage of plan-making, it is considered necessary to also assess the proposal against the emerging policies.

Whilst the nearby settlement of Ashurst is designated as a secondary settlement in the emerging Local Plan, the application site continues to be located outside of a defined built-up area boundary and considered a countryside location for planning purposes. Policy 3 of the emerging plan sets out where the expansion of settlements would be supported, providing the following criteria:

1. The level of expansion is appropriate to the scale and function of the settlement type;
2. The development is demonstrated to meet the identified local housing needs and/or employment needs or will assist in the retention and enhancement of community facilities and services;
3. The impact of the development individually or cumulatively does not prejudice comprehensive long-term development, in order not to conflict with the development strategy; and
4. The development is contained within an existing defensible boundary and landscape and townscape character features are maintained and enhanced.

It is considered that the proposal would meet criterion 1, 3 and 4 however the emerging plan makes sufficient provision for employment land, thus there is no identified need. The proposal therefore does not comply with emerging Policy 3.

Policy 14 replaces the current Policy 26, which sets out the types of development acceptable in a countryside location, and defers to national policy (NPPF Policy S5) while also requiring development to be integrated with the landscape and not lead to a significant increase in overall activity in the countryside. Policy S5(1)(c) of the NPPF dictates that *'the reuse…of an existing building'* would be an acceptable form of development outside of an existing settlement provided that *'it is of permanent and substantial construction, is lawful in planning terms…'*. The proposal is considered to meet the requirements of this policy and as discussed in the previous section, is appropriate in both scale and character. Therefore, a robust principle for development continues to be established when considering the emerging Local Plan.

Design and Appearance:

As mentioned above, the application is not seeking any changes to the existing building and it is therefore considered unnecessary to discuss design / appearance related impacts further in this report.

Residential Amenity:

Policy 32 of the HDPF (2015) seeks to achieve development that provides an attractive, functional, accessible, safe and adaptive environment, while Policy 33 requires development to ensure it is designed to avoid unacceptable harm to the amenity of occupiers/users of nearby property and land. In addition, Policy P3 of the NPPF (2026) states that development proposals should ensure living conditions are suitable by considering aspects such as access to light and exposure to pollution (noise, light, air).

There are two dwellings in the immediate vicinity of the subject building, Claylands Cottage to the north and The Old Dairy to the south. In addition, there are three dwellings further south (Timbers, New Cottages and Holly Lodge) which use Ford Lane as access. It is considered that the proposal could result in potentially harmful amenity impact from a planning perspective as a result of noise and general disturbance during collection/deliveries – particularly Claylands Cottage and The Old Dairy due to their proximity.

The Council's Environmental Health Officer has recommended the imposition of a planning condition restricting the hours of use to prevent disturbance from early morning / late evening deliveries. While it is recognised that the B8 use has been in existence for a number of years, albeit unlawfully, and that residents would have been equally impacted by the use of farming vehicles and machinery, Officers consider a restriction on hours appropriate given that there is nothing to prevent an increase in the number of vehicle movements associated with the use in the future. Conditions have also been applied preventing the hiring of heavy plant, the storage of goods on the wider site and activities other than loading / unloading taking place outside.

It is noted that the Council's Environmental Health Officer has also recommended a condition restricting the use of Building C to B8 use only, which has been included below.

Although no external lighting has been proposed as part of the proposal, a condition will be applied restricting the installation of external lighting to prevent amenity impact to adjacent neighbours as a result of light pollution.

With the application of conditions to restrict the use of the site, hours of operation and lighting to mitigate amenity impacts upon neighbours, it is considered that the proposal complies with Policy 33 of the HDPF.

Highways Impacts:

Policy 40 of the HDPF (2015) supports proposals which provide safe and suitable access for all vehicles, pedestrians, cyclists, horse riders, public transport and the delivery of goods, while Policy 41 requires adequate parking facilities within developments. In addition, Policy TR6 of the NPPF states that development proposals should be refused if they would have a severe adverse impact upon the transport network or an unacceptable impact on highways safety (taking account of mitigation measures).

The application site is served by Ford Lane which is a single track, 'no-through' road serving a number of developments. Both Ford Lane and the nearby Golden Lane/Church Lane are narrow roads with some visibility issues however they do provide quick access to the more urban B2135 Horsham Road with onward connections to the wider Horsham area.

The Local Highways Authority (LHA) was consulted on the application advising that the access has been in use for some time with no known highway's safety or capacity concerns. They have flagged that parking has not been demonstrated on the submitted plans and advised that 1 space per 100m^2 of B8 floorspace would be sufficient. Based on the submitted site plan, Building C has an approximate floorspace of 520.18m^2 meaning that a total of 5 spaces would be required. Despite these not being

indicated within the submitted documents, the LHA does not foresee this being an unmanageable number given the previous use of the site as a working farm and the fact that the use has been in operation for some time. It is therefore deemed appropriate to attach a condition to any permission given requiring adequate parking to be demonstrated.

In addition to the road network, the site is surrounded by multiple Public Rights of Way including AST-2518 and AST-1871 (Bridleway) and AST-2370/1 (Footpath). West Sussex County Council's Public Rights of Way team were consulted on the application, advising that they had no objection given that the application would not impact upon nor result in any alterations any of the PRoW routes. They have however recommended that an informative be added to any permission given, with particular attention paid by the applicant to point I.

Other Matters:

Biodiversity Net Gain (BNG):

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

The Applicant has demonstrated that the development is exempt from the requirement to achieve a minimum 10% BNG as the application is retrospective made under Section 73(A) of the Town and Country Planning Act.

Conclusions and Planning Balance:

Officers consider that the principle of the development is acceptable and would not lead to harm to the character and appearance of the site, the wider countryside area or the amenity of neighbouring properties and users of land. In addition, the proposal would not result in harm to the function and safety of the highways network and would accord with adopted local plan policies 10, 26, 32, 33, 40 and 41 of the HDPF (2015). No adverse impacts have been identified that would constitute a reason for refusal and the proposal is therefore recommended for approval.

Recommendation: Application Permitted

Conditions:

1 Plans

2 **Regulatory Condition**: Within 3 months of the date of this permission, a plan showing the layout of site and the provision of car, vehicle and cycle parking facilities, along with all turning space necessary for users of and visitors to the approved development, shall be submitted to and approved in writing by the Local Planning Authority, along with a timetable for their formation / demarcation. The approved car, vehicle and cycle parking facilities, and necessary turning space, shall thereafter be retained for use at all times.

Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles clear of all highways in accordance with Policy 40 of the Horsham District Planning Framework (2015)

3 **Regulatory Condition**: Within 3 months of the date of this permission, details for the provision and storage of refuse and recycling facilities shall be submitted to and approved in writing by the Local Planning Authority along with a timetable for their formation. These facilities shall thereafter be retained for use at all times.

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

4 **Regulatory Condition**: No internally and/or externally located plant, machinery equipment or building services plant shall be installed without the prior written approval of the Local Planning Authority. Any that is installed with the permission of the Local Planning Authority shall be maintained in accordance with the approved details.

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

5 **Regulatory Condition**: No external lighting or floodlighting shall be installed without the prior written approval of the Local Planning Authority. Any that is installed with the permission of the Local Planning Authority shall be maintained in accordance with the approved details.

Reason: To safeguard the amenities of the site and surrounds in accordance with Policies 32 and 33 of the Horsham District Planning Framework (2015)

6 **Regulatory Condition**: The units are only to be accessed or in operation between the hours of 07:00 - 23:00 hours Monday to Fridays, 08:00 - 16:00 Saturdays, and no activity on Sundays and Public / Bank Holidays.

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

7 **Regulatory Condition**: No produce, products, crates, packing materials or waste shall be stacked or stored within the site area without express planning consent from the Local Planning Authority first being obtained.

Reason: To safeguard the amenities of the locality in accordance with Policies 32 and 33 of the Horsham District Planning Framework (2015)

8 **Regulatory Condition**: No steel stockholding or heavy plant hire shall take place without express planning consent from the Local Planning Authority first being obtained.

Reason: To safeguard the amenities of the locality in accordance with Policies 32 and 33 of the Horsham District Planning Framework (2015)

9 **Regulatory Condition**: No activities other than loading or unloading shall be undertaken in the open air, or shall take place without express planning consent from the Local Planning Authority first being obtained.

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

10 **Regulatory Condition**: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any other order amending or revoking and/or re-enacting that Order), and the Town and Country Planning (Use Classes) Order 1987 (as amended), the premises hereby permitted shall be used for B8 storage purposes only, and shall not include trade counters, and for no other purposes whatsoever without express planning consent from the Local Planning Authority first being obtained.

Reason: Change of use as permitted by the Town and Country Planning (General Permitted Development) Order or Use Classes Order 1987 are not considered appropriate in this case due to the proximity of neighbouring occupiers and the potential for impact upon the local highways network, having regard to Policies 33 and 40 of the Horsham District Planning Framework (2015).

11 **Regulatory Condition**: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (and/or any Order revoking and/or reenacting that Order) no development falling within Class H of Part 7 of Schedule 2 of the

order shall be erected, constructed or placed within the curtilage of the development hereby permitted without express written consent from the Local Planning Authority first being obtained.

Reason: In the interest of visual and neighbouring amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015)

12 **Regulatory Condition:** This permission relates solely to the use of 'Building C' as outlined in orange on the Location Plan, and no other building on the site.

Reason: For the avoidance of doubt and in the interest of amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015)

NOTE TO APPLICANT

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

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

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

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

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

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

G. Any alteration to or replacement of the existing boundary with the PROW, or the erection of new fence lines, must be done in consultation with the WSCC PROW Team to ensure the legal width of the path is not reduced and there is no unlawful encroachment.

H. Access along a PROW by contractors' vehicles, deliveries or plant is only lawful if the applicant can prove it has a vehicular right; without this an offence under the Road Traffic Act 1988 section 34(1) is being committed.

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

J. Some properties have private rights over them for the benefit of a particular individual or property; for example, a landowner may have the right to drive over a neighbour's track to gain access to property. This right of access is granted to individuals and / or properties only and does not extend to the public. The WSCC PROW Team does not hold records of private rights

of access; the applicant is encouraged to check that no private access rights will be detrimentally affected by this proposal.

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

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

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

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

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

POSITIVE AND PROACTIVE STATEMENT

Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received, in order to be able to, where possible, grant permission.

Plans list for: DC/26/1136

(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
Location plan		TQ17691717	15.07.2026

DELEGATED

Case Officer sign/initial Sophie Moore Date: 20/11/2026

Authorising Officer sign/initial Adrian Smith Date: 20/11/2026