Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/24/1286
Trenchmore Farm, Burnthouse Lane, Cowfold, West Sussex, RH13 8DG

DESCRIPTION:
Change of use of an existing log cabin from an ancillary agricultural use to a use as a permanent rural worker's dwelling for a farm worker.

RELEVANT PLANNING HISTORY:

DC/18/1089	Erection of an end extension to an existing agricultural general purpose building	Application Permitted on 30.07.2018
DC/18/1379	Erection of an agricultural livestock building incorporating a muck midden.	Application Permitted on 21.08.2018
DC/18/1886	Erection of a single storey extension to existing agricultural workshop and general purpose building.	Application Permitted on 26.10.2018
DC/19/2435	Erection of a two storey agricultural workers dwelling and retention of existing log cabin.	Application Permitted on 27.03.2020
DISC/20/0146	Approval of details reserved by condition 3 to approved application DC/19/2435.	Application Permitted on 07.08.2020
DISC/20/0147	Approval of details reserved by condition 4 to approved application DC/19/2435.	Application Permitted on 07.08.2020
DISC/20/0148	Approval of details reserved by conditions 5 and 6 to approved application DC/19/2435.	Application Permitted on 07.08.2020
DC/20/1254	Erection of an agricultural storage building	Application Permitted on 27.08.2020
DISC/20/0202	Approval of details reserved by condition 8 to approved application DC/19/2435	Application Permitted on 16.10.2020
DC/23/0616	Prior notification for the erection of a side extension to an existing agricultural general purpose building.	Prior Approval Not Required on 02.05.2023
DC/24/1078	Prior Notification for the erection of a covered feed passage / walkway between two existing agricultural buildings.	Prior Approval Required and PERMITTED on 06.09.2024

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 4 - Strategic Policy: Settlement Expansion
Policy 10 - Rural Economic Development
Policy 15 - Strategic Policy: Housing Provision
Policy 20 - Rural Workers Accommodation
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
Policy 26 - Strategic Policy: Countryside Protection
Policy 27 - Settlement Coalescence

Policy 30 - Protected Landscapes
Policy 31 - Green Infrastructure and Biodiversity
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - 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 9: Water Neutrality
Strategic Policy 13: The Natural Environment and Landscape Character
Strategic Policy 14: Countryside Protection
Strategic Policy 16: protected Landscapes
Strategic Policy 17: Green Infrastructure and Biodiversity
Strategic Policy 19: Development Quality
Strategic Policy 20: Development Principles
Strategic Policy 34: Tourism Facilities and Visitor Accommodation
Strategic Policy 35: Town Centre Hierarchy and Sequential Approach
Strategic Policy 36: Town Centre Uses
Strategic Policy 37: Housing Provision
Policy 44: Rural Workers Accommodation

Cowfold Neighbourhood Plan (CNP) 2019 – 2031:
Cowfold Parish have produced a neighbourhood plan which have been subject to successful Examination but cannot proceed to Referendum because of the legal requirements in relation to Water Neutrality and the Habitat Regulations.

In order to support the hard work of local communities, Horsham District Council has prepared a Planning Advice Note. These Advice Notes highlight how the policies in the Neighbourhood Plans are considered to align with National Planning Policy. This Planning Advice Note draws together current adopted Local Plan policies, and up-to-date national policy guidance including relevant ministerial statements and the outcome of the Neighbourhood Planning Examiner's report. It therefore forms a material consideration that will be taken into account by decision makers when determining planning applications.

When the strategic solution to Water Neutrality is implemented, the Council will proceed to take the Cowfold Neighbourhood Plan to Referendum and upon a successful result the Council will 'make' the plan at full Council at the earliest opportunity.

Policy 9 - Residential Development Principles

Supplementary Planning Guidance:

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

Planning Advice Notes:
Facilitating Appropriate Development
Biodiversity and Green Infrastructure

REPRESENTATIONS AND CONSULTATIONS RESPONSES

Where consultation responses have been summarised, it should be noted that Officers have had consideration of the full comments received, which are available to view on the public file at www.horsham.gov.uk

HDC Environmental Health:
Environmental Health commented: "[a]s the proposal is for an existing building with existing drainage etc, we have no objection. I would recommend that the occupation is limited to people associated with the farm, if possible, to prevent future nuisance from a clash of uses.

Reading Agriculture Consultants:
Reading Agricultural Consultants summated "the applicant's proposal to change the use of the ancillary agricultural log cabin to provide accommodation for a full-time rural worker employed by Trenchmore LLP (the applicant or an employed stockperson) is considered compliant with national and local planning policy.

RAC's full assessment can be found online on the Council's website.

Natural England:
No Objection - subject to appropriate mitigation being secured

West Sussex County Council Local Highways Authority:
West Sussex County Council Local Highways Authority (WSCCLHA / LHA) previously provided consultation advice for this site for application DC/20/1254, raising no highway safety concerns. This Local Planning Authority (LPA) permitted the application for an erection of an agricultural storage building.

The LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 115), and that there are no transport grounds to resist the proposal.

PUBLIC CONSULTATIONS:

Representations:
None received

Parish Comments:
Cowfold Parish Council supports the recommendation of HDC's EHO that if this planning application is approved, i.e. the conversion of an agricultural building to a residential one to promote employment opportunities on Trenchmore Farm, the converted accommodation should be tied to farm employment and not considered to be an independent, saleable property.

CPC also raised the question of a water neutrality statement in respect of the proposed conversion

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

This application is for the change of use of an existing log cabin from an ancillary agricultural use to a use as a permanent rural worker's dwelling for a farm worker at Trenchmore Farm, Burnthouse Lane, Cowfold, West Sussex. The application site is located to the east of Burnthouse Lane, Cowfold. The site is accessed via a small road that leads into a courtyard with a round house with the development site located to the south of the round house. The wider surroundings are characterised by agricultural fields.

The cabin itself was approved as a temporary agricultural worker dwelling under DC/13/1874 (Retrospective application for temporary log cabin for farm manager). The cabin was subject to a renewal under DC/17/0084 (Renewal of previous temporary planning permission to retain managers accommodation and farm office). The cabin was retained for purposes connected to agriculture when a two story agricultural workers dwelling was erected under DC/19/2435. The proposal now entails the creation of a second agricultural workers dwelling onsite (the cabin) in addition to the dwelling erected under DC/19/2435.

The main considerations material to this application relate to:

- The Principle of Development
- Design and Appearance
- Neighbouring Amenity
- Water Neutrality

Principle of Development:

Section 5, Paragraph 84 of the NPPF (2024) states that “Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply [including] 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”.

Paragraph 88 of the NPPF (2024) states that planning decisions should enable sustainable growth and expansion of all types of business in rural areas, both through conversions of existing buildings and well-designed new buildings as well as enabling the development and diversification of agricultural and other land-based rural businesses.

Policy 1 of the Horsham District Planning Framework (HDPF) states that the council will take 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 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 20 outlies that outside of the defined built-up area new housing for rural workers will be supported provided that:

- There is a functional need for the dwelling and the occupation of the dwelling is to support the established business use.
- Evidence is submitted to demonstrate the viability of the rural business for which the housing is required

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 primary test set out in the NPPF and Policy 20 of the HDPF is an assessment as to whether it is essential for a rural worker to live at, or near, their place of work. An assessment of the essential need for a rural worker to live at or near their place of work requires: an evaluation of the risks involved; the frequency and type of out-of-hours emergency that might arise; the scale and loss that could be incurred should that emergency situation occur; the potential for an on-site worker to identify the problem; and the ability of that resident worker to rectify the problem.

The Council's Agricultural Consultant assessed the proposal to turn the existing log cabin into a rural agricultural workers dwelling (as previous). Due to the growth of the business at Trenchmore Farm, the farming business needs to secure a second onsite agricultural workers dwelling which is for the applicant themselves. The applicant was previously located onsite however circumstances have led to an application being submitted for an explicit agricultural workers dwelling to be proposed. The supporting agricultural appraisal document details that the farms business focuses on the production of wagyu beef and cider (Silly Moo Cider).

The essential need at Trenchmore Farm arises from:

- The close supervision, management and daily requirements of the livestock;
- The general welfare of the animals involved;
- The close supervision of cows at calving;
- Care of the new-born calf;
- The management of housed stock.

Details of the number of animals in the herd were provided to allow for a calculation of Standard Man Day (SMD) to quantify the labour requirement of the herd. Using reference data for standard labour requirements for suckler cows, bulls and youngstock / store cattle as noted in the Agricultural

Budgeting & Costing Book (98th Edition May, 2024), the labour requirement for the site is the equivalent to 3.67 full time workers.

Whilst these figures are considered only a guide, the Council's Agricultural Consultants are of the view that there is a justified essential need for two full-time workers to be resident on site at Trenchmore Farm in order for the enterprise to be managed efficiently and effectively and to meet the welfare requirements of all the livestock on the holding.

It is considered by the Council's Agricultural Consultant that to change the use of the ancillary agricultural log cabin to provide accommodation for a full-time rural worker employed by Trenchmore LLP are justified in principle.

In light of this and using the existing cabin as additional rural agricultural workers dwelling as was the case with DC/13/1874, it is considered that the principle of using the cabin for this need is considered acceptable and would accord with the above policies.

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.

Policy 9 of the CNP requires development be of sympathetic scale and relate positively to surrounding area. Development should use high grade materials and finishes to achieve good design and are respectful in density to the local vicinity.

The proposal is to use the existing cabin on site of dimensions 11.5m in width (exc. roof porch), 5.7m width and 4.2m in height (inc. base) located south of the round house. The building itself was approved under DC/13/1874. The building itself is a simple structure with shallow pitched roof. As the proposal is contained to the courtyard its not thought the building itself visibly detracts from the surrounding area and is considered appropriate considering its position having been in place since 2013.

It is therefore considered that the visual impact of the proposal is acceptable and would accord with the above policies.

Residential Amenity:

Policy 33 of the HDPF states that permission will be granted for development that does not cause unacceptable harm to the amenity of the occupiers/users of nearby properties and land.

The proposal is sited a sufficient distance from adjoining properties for there to be concerns regarding overlooking, overbearing and overshadowing. It also is not considered the proposal would lead to an intensification of the countryside as use as an agricultural workers dwelling. The proposal however is located within the farmyard of Trenchmore which is an active farmyard. Due to this, the proposal will be conditioned to be only used as a rural agricultural workers dwelling in association with Trenchmore, as an unrestricted dwelling in this location would be considered inappropriate, both in location and amenity impact for occupiers.

The application is therefore considered to be acceptable in this regard.

Highways Impacts:

Policy 40 of the Horsham District Planning Framework states that transport access and ease of movement is a key factor in the performance of the local economy. The need for sustainable transport and safe access is vital to improve development across the district. Policy 41 of the Horsham District Planning Framework states that development that involved the loss of existing parking spaces will only

be allowed if suitable alternative provision has been secured elsewhere. Adequate parking facilities must be provided within the developments to meet the needs of the anticipated users.

Following consultation from the LHA it is not considered there would be an unacceptable impact on the highway with there being no reason to refuse the proposal on transport grounds. It is considered that there would be sufficient space for parking onsite for the dwelling.

Water Neutrality:

The application site falls within the Sussex North Water Supply Zone as defined by Natural England which draws its water supply from groundwater abstraction at Hardham. Natural England has issued a Position Statement for applications within the Sussex North Water Supply Zone which states that it cannot be concluded with the required degree of certainty that new development in this zone would not have an adverse effect on the integrity of the Arun Valley SAC, SPA and Ramsar sites.

Natural England advises that plans and projects affecting sites where an existing adverse effect is known will be required to demonstrate, with sufficient certainty, that they will not contribute further to an existing adverse effect. The received advice note advises that the matter of water neutrality should be addressed in assessments to agree and ensure that water use is offset for all new developments within the Sussex North Water Supply Zone.

The submitted strategy indicates an existing water demand of 0l/d and proposed water demand of 206.8l/d (proposed dwelling). However, it is considered that the baseline demand of the proposal includes the washdown that occurs at the existing cabin of 360l/d. Coupled with the proposed development, it is considered the baseline and proposal has a cumulative demand of 566.8l/d.

Through the use of onsite efficiencies for the proposed cabin, the proposed water demand would be reduced by 168.4l/d to 398.4l/d. The proposal also wishes to incorporate rainwater harvesting on an adjacent barn to the north of the proposed dwelling. Rainwater harvesting on this barn is to offset the remaining water demand both of washdown and the remaining demand of the proposed dwelling. The rainwater harvesting tank is to have a capacity of 14,000 litres. Though there are differences between the water statement and the Council's own calculations, it is considered that the proposal still can be considered water neutral as that the proposed use would use less water than the existing baseline.

Conditions will be attached to secure so.

Biodiversity Net Gain (BNG):

Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) mandates that every development must achieve at least a 10% Biodiversity Net Gain (BNG (unless the development qualifies as exempt under the Biodiversity Gain Requirements (Exemptions) Regulations 2024) and that every planning permission granted for the development of land in England shall be deemed to have been granted subject to the condition that development must not be begun unless a Biodiversity Gain Plan has been submitted to the planning authority and the planning authority has approved the Plan.

The Biodiversity Gain Plan must show how the development will achieve the required minimum 10% BNG using the statutory biodiversity metric tool, and must demonstrate how the habitats will be managed and maintained for 30 years, starting from the date the development is completed. Off-site gains and significant on-site enhancements will be secured over this period by way of a Legal Agreement.

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

Conclusions:

It is considered the proposal satisfies the above planning policies and is 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)	64	64	0
		Total Gain	**0**
		Total Demolition	**0**

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-Occupation Condition**: The development hereby permitted shall be undertaken in full accordance with the water neutrality strategy (WATER NEUTRALITY STATEMENT C473 P1 received 17/01/2025) No dwelling hereby permitted shall be first occupied until evidence has been submitted to and been approved in writing by the Local Planning Authority that the approved water neutrality strategy for that dwelling has been implemented in full. The evidence shall include the specification of fittings and appliances used, evidence of their installation, and completion of the as built Part G water calculator or equivalent. The installed measures shall be retained as such thereafter.

Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 193 and 194 of the National Planning Policy Framework (2024), and to enable 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).

4 **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 (or use) 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).

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

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

6 **Regulatory Condition**: The occupation of the rural workers dwelling hereby approved shall be limited to a person or persons solely or mainly working in association with the use of Trenchmore Farm, Burnthouse Lane, Cowfold as identified on the approved site location plan, and resident dependents.

Reason: In the interest of amenity and to enable the Local Planning Authority to regulate and control the development and to comply with policies 20, 26 and 33 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/24/1286

Schedule of plans/documents **approved**:

Plan Type	**Description**	**Drawing Number**	**Received Date**
Elevation plan		PL101	23.08.2024
Supporting Statement	Supporting Statement and Agricultural Appraisal	NONE	23.08.2024
Location plan		2563/01 REV C	15.01.2025
Floor plan		NONE	23.08.2024
Block plan		2563/02 REV C	15.01.2025
Supporting Statement		WATER NEUTRALITY STATEMENT C473 P1	17.01.2025

DELEGATED

Case Officer sign/initial JBurrowes Date: 05.02.2025

Authorising Officer sign/initial RHERMITAGE Date: 21.03.2025