Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/25/0054
Cotlands Paddock , Horsham Road, Cowfold, West Sussex, RH13 8AH

DESCRIPTION:

Construction of stables and barn with yard and access track.

RELEVANT PLANNING HISTORY:

DC/04/1217	Erection of 2 stables, tack room and haybarn	Application Permitted on 02.08.2004

SITE AND SURROUNDS

The application site is located in the countryside, outside of any defined built-up area boundary, with the nearest built-up area of Cowfold located approximately 600 metres south of the site. The site comprises a large paddock with a stable block constructed under planning consent DC/04/1217 in 2004.

The existing stable block is located at the north-western corner of the site, with the rear elevation of the building fronting Horsham Road (A281). Trees and hedgerows run along the boundaries of the application site, and several trees are also present in the centre.

The wider area predominantly consists of agricultural fields. A woodland area is located to the immediate north of the application site, with a care home located to the immediate west, across the A281. Two Grade II listed buildings are also located at proximity to the site, with the listed building of Cotlands located to the immediate south of the application site, and West Cotlands to the south-west across the A281. The application site fronts the open countryside to the east.

DETAILED DESCRIPTION

The proposal is for the construction of a stable block and barn with associated yard and access track at the site of Cotlands Paddock, Horsham Road, Cowfold. The proposed stable block and barn would be attached, forming an “L”-shaped development. The proposed development would be located to the immediate south of the existing stable block. With a length of approximately 28.6 metres and depth of approximately 6.6 metres, the proposed stable block would provide five additional stables, a washdown area, as well as a tack and hard feed room. The principal elevation of the stable block fronts the east, with the rear elevation fronting the highway. The proposed hay barn would be located to the southern part of the development, with the rear (southern) elevation linking the side (southern) elevation of the proposed stable block. It would additionally have a width of approximately 11 metres and depth of 6.1 metres.

Access would be provided through the existing vehicular access track from the existing stable block and would remain unaltered. An additional short access track would be formed to connect the existing track to the proposed development, and a yard infilling the area fronted by the principal elevations of the proposed stable block and barn would also be in place.

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 24 - Strategic Policy: Environmental Protection
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
Policy 26 - Strategic Policy: Countryside Protection
Policy 29 - Equestrian Development
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

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 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
Policy 33: Equestrian Development

Neighbourhood Planning:
Cowfold Parish Have produced a neighbourhood plan which have been subject to successful Examination but cannot proceed to Referendum due to legal requirements to Water Neutrality and the Habitat Regulations.

REPRESENTATIONS AND CONSULTATIONS RESPONSES

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

Consultations:

INTERNAL CONSULTATIONS

HDC Arboricultural officer: Comment

[Summary – Initial proposal] Due to the proposal's proximity to trees and hedgerow along the highway the Council's Arboricultural Officer has requested the submission of an Arboricultural Impact Assessment.

[Summary – Final amended proposal] The Council's Arboricultural Officer raised concerns over proposed upgrade to the existing hardstanding of the access track, and the recently planted laurel hedging which has resulted in a more suburban appearance on site. Concerns have also been raised

over possible excavation and ground compaction as a result of proposed soft and hard landscaping, including tarmac, gates, piers, security and improved sight lines, which could result in further harm on trees. Conditions have been recommended to ensure trees are protected during the course of construction, as well as after its completion.

HDC Conservation: No Objection

[Summary – Initial proposal] The Council's Conservation Officer has raised no objection to this proposal: *"The proposed stables and barn would be situated within the wider rural setting of the Grade 2 listed Cotlands to the south. Due to the nature of the use and the design of the buildings the proposal would not result in additional harm to the setting of the listed building"*

[Summary – Final amended proposal] No objections have been raised by the Council's Conservation Officer. Conditions have been recommended to further preserve the historic significance of the neighbouring listed building.

HDC Landscape Architect: Comment

[Summary – Initial Proposal] The Council's Landscape Architect considers the proposal as appropriate to the countryside location and reflective of the existing vernacular. Due to the proposal's proximity to the highway, further hedgerow and understory planting have been recommended to increase levels of screening. An Arboricultural Impact Assessment has also been requested to assess the proposal's impact to existing trees and vegetation.

[Summary – Final amended proposal] The Council's Landscape Architect has requested further details of proposed hedgerow and understory planting to the site boundary bordering the A281, which could be secured through condition. The following planting has been recommended:

- 5no. 60-90cm whips per linear metre, offset by approximately 30cm
- 50-75% proportion of Hawthorn and Blackthorn
- 50-25% proportion of suitable species for the landscape character area, which can include Field maple, Hornbeam, Hazel, Holly, Spindle, Guelder rose and Alder Buckthorn

OUTSIDE AGENCIES

Ecology Consultant: Comment
[In Full – Initial proposal] "*We have reviewed the Preliminary Ecological Assessment (Sylvatica Ecology, January 2025) relating to the likely impacts of development on designated sites, protected and Priority species & habitats and identification of appropriate mitigation measures. Please note that comments on Biodiversity Net Gain are provided by Horsham District Council in-house.*

We note from the Preliminary Ecological Assessment (Sylvatica Ecology, January 2025) that, although the existing stable has evidence of roosting bats, this building will be retained and no trees will be impacted by the works. We therefore agree that no further surveys for bats are required.

As mobile protected species, including Hedgehog (Priority species) and reptiles, may be present onsite, we support the implementation of the Precautionary Method Statement for mobile species in Sections 6.9 and 6.13 of the Preliminary Ecological Assessment (Sylvatica Ecology, January 2025). This should be secured by a condition of any consent.

We are satisfied that there is sufficient ecological information available for determination of this application. We have no objections on ecological matters excluding Great Crested Newt as we have been instructed to leave comments on this European Protected Species to the NatureSpace Partnership.

This provides certainty for the LPA of the likely impacts on designated sites, protected and Priority species and habitats and, with appropriate mitigation measures secured, the development can be made acceptable.

The mitigation measures identified in the Preliminary Ecological Assessment (Sylvatica Ecology, January 2025) should be secured by a condition of any consent and implemented in full. This is

necessary to conserve and enhance protected and Priority species particularly those recorded in the locality.

If external lighting is required, we support the recommendation that a Wildlife Friendly Lighting Strategy is implemented for this application (Preliminary Ecological Assessment (Sylvatica Ecology, January 2025) to avoid impacts from light disturbance. This should be secured by a condition of any consent and implemented in full. Therefore, technical specification should be submitted prior to occupation, which demonstrates measures to avoid lighting impacts to foraging / commuting bats, which are likely to be present within the local area. This should summarise the following measures recommended by Guidance Note:08/23 (Institute of Lighting Professionals) will be implemented:
• Do not provide excessive lighting. Light levels should be as low as possible as required to fulfil the lighting need.
• All luminaires should lack UV elements when manufactured. Metal halide, compact fluorescent sources should not be used.
• Warm White lights should be used at <2700k. This is necessary as lighting which emits an ultraviolet component or that has a blue spectral content has a high attraction effect on insects. This may lead in a reduction in prey availability for some light sensitive bat species.
• Where appropriate, external security lighting should be set on motion-sensors and set to as short a possible a timer as the risk assessment will allow.
• Luminaries should always be mounted horizontally, with no light output above 90° and/or no upward tilt.
• Only if all other options have been explored, accessories such as baffles, hoods or louvres can be used to reduce light spill and direct it only to where it is needed. However, due to the lensing and fine cut-off control of the beam inherent in modern LED luminaires, the effect of cowls and baffles is often far less than anticipated and so should not be relied upon solely.

We also support the proposed reasonable biodiversity enhancements for protected, Priority and threatened species, which have been recommended to secure net gains for biodiversity, as outlined under Paragraph 187d and 193d of the National Planning Policy Framework (December 2024). The reasonable biodiversity enhancement measures should be outlined within a separate Biodiversity Enhancement Strategy and should be secured by a condition of any consent.

This will enable the LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006 (as amended).

Impacts will be minimised such that the proposal is acceptable subject to the conditions below based on BS42020:2013."

Conditions have been recommended.

[In full – Final amended proposal] *"We have reviewed the External Lighting Statement (submitted March 2025) and Block Plan Drawing No. 2410CO_R2.1_001.4 Revision 004 (Manorwood, March 2025).*

We support the implementation of the External Lighting Statement (submitted March 2025), which should be secured by a condition of any consent.

With regard to the Block Plan Drawing No. 2410CO_R2.1 _001.4 Revision 004 (Manorwood, March 2025), we do not consider that there will be any further impacts to ecology other than those in our response dated 13th February 2025.

We are still satisfied that there is sufficient ecological information available for determination. We have no objections on ecological matters excluding Great Crested Newt as we have been instructed to leave comments on this European Protected Species to the NatureSpace Partnership.

This provides certainty for the LPA of the likely impacts on designated sites, protected and Priority species & habitats and, with appropriate mitigation measures secured, the development can be made acceptable."

Revised conditions have been recommended as a lighting statement has been submitted.

Natural England: No Objection

[Summary] Natural England has raised no objections subject to compliance with the delivery, management, and maintenance of measures identified in the submitted water neutrality statement.

WSCC Highways: No Objection

[Summary] "*The Local Highway Authority do 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 (NPPF), paragraphs 114-117, as revised December 2023. Therefore, there are no transport grounds to resist this proposal.*"

PUBLIC CONSULTATIONS:

Representations:

None received

Parish Comments:

Cowfold Parish Council supports this proposal due to the use of traditional materials. The Parish Council has also expressed the need to protect bat communities.

Member Comments:

None received

HUMAN RIGHTS AND EQUALITY:

The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a person's rights to the peaceful enjoyment of property and Article 8 of the same Act, which sets out their rights in respect to private and family life and for the home. Officers consider that the proposal would not be contrary to the provisions of the above Articles.

The application has also been considered in accordance with Horsham District Council's public sector equality duty, which seeks to prevent unlawful discrimination, to promote equality of opportunity and to foster good relations between people in a diverse community, in accordance with Section 149 of the Equality Act 2010. In this case, the proposal is not anticipated to have any potential impact from an equality perspective.

PLANNING ASSESSMENT

Principle of Development:

Policy 26 of the HDPF states that outside built-up area boundaries, the rural character and undeveloped nature of the countryside will be protected against inappropriate development. Any proposal must be essential to its countryside location, and in addition meet one of the following criteria: support the needs of agriculture and 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. In addition, proposals must be of a scale appropriate to its countryside character and location. Development will be considered acceptable where it does not lead, either individually or cumulatively, to a significant increase in the level of overall activity in the countryside, and protects, and/or conserves, and/or enhances, the key features and characteristics of the landscape character area in which it is located.

Policy 29 of the HDPF states that development for equestrian related development will be supported provided that it can be demonstrated that the re-use of existing buildings on site for related equestrian

use is not appropriate before new or replacement buildings are considered; the proposal would be appropriate in scale and level of activity, and be in keeping with its location and surroundings, and where possible is well related to existing buildings; and the proposal should, where possible, be well related to a bridleway network.

The site currently contains a small stable block capable of housing two horses at the north-western corner. The Planning Statement submitted in support of the application outlines that the applicant has between 6 and 8 horses, which the existing stables are insufficient to house. Additional storage for food, hay and machinery in connection with the stables are also required with the proposed increase in horses on site.

It is recognised that it is important to provide dry covered storage for hay and feed in order to protect and maintain their feed value and prevent any mould growth which can be harmful to livestock when ingested and in particular to horses. A dry covered storage area for machinery, i.e., the proposed barn, is also beneficial in the protection of machinery from the elements of weather.

It is considered that this proposal would continue the quiet informal recreational use as a private, non-commercial equestrian facility since the existing stables were constructed under DC/04/1217, where the proposal would not result in an unacceptable level of increase in the level of overall activity in the countryside.

Following amendments to the proposal, the proposed development would be directly adjacent to the existing stables on site. The number of stables proposed (five), along with the existing stables for two horses, match that of the number of horses that the applicant proposes for the site.

It has been demonstrated that the existing stables on site would be reused, the proposed stable block and barn would be grouped with the existing stables, and existing vehicular access arrangements would also remain the same. This principle of development is therefore considered acceptable.

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. Development should provide an attractive, functional and accessible environment that compliments the locally distinctive character of the area. 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.

In additional, Policies 26 and 29 of the HDPF further require development to be of a scale appropriate to its countryside character and location, and where possible be related to existing buildings.

Paragraph 135 of the NPPF states that planning decisions should ensure that developments function well and add to the overall quality of the area; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are sympathetic to local character and history, including the surrounding built environment and landscape setting; establish a strong sense of lace, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development, and create places that are safe, inclusive and accessible.

The proposed stable block element of the building would measure to a length of approximately 28.6 metres, depth of 6.6 metres and an overall height of around 4.5 metres. The east-facing entrance to the proposed stables would be set back from the eaves, with the roof supported by oak posts and brick staddles. Brick plinth with oak cladding would be used for the principal (east) elevation of the proposed stables, with brickwork on the proposed rear (west) elevation fronting the A281, and brick quoins and flint masonry used for the proposed north and south elevations, giving a relatively traditional appearance.

The proposed barn element of the development would be 11 metres wide with a depth of approximately 6.1 metres. Its height would be approximately 6.45 metres, about 2 metres higher than the proposed stables element. The principal elevation of the barn would be north-facing, with large oak barn doors proposed. This would form an "L"-shaped development with a yard in the middle of the L, which would be surrounded by fencing. Oak weatherboarding with brick plinth would be used for the external walls of the barn, and clay tiles would be used for the roofs of the development. A gate would also be installed at the north of the yard which connects to the proposed access track.

The proposed building has been subject to amended plans, which brought the building closer to the existing stables and away from the root protection areas of trees and vegetation along the western boundary of the application site.

The proposed building is considered large. However, it is recognised that a building of such scale is required to accommodate the number of horses proposed on site. The proposed external materials, as well as the design of the proposed stables and barn, are considered sympathetic to the countryside character, as well as the appearance of nearby buildings. The development would not therefore result in adverse impact to the character of the countryside. The proposed building would be grouped with the existing stables. It is considered that the proposal would accord with Policies 25, 26, 29, 32, and 33 of the Horsham District Planning Framework (2015).

Trees and Landscaping:

Policy 33 of the HDPF also requires development to avoid unacceptable harm to the amenity of users of nearby property and land, and must also relate sympathetically to the surrounding built environment, landscape, and open spaces.

An Arboricultural Method Statement has been submitted after it had been requested by the Council's Arboriculturist and Landscape Architect. The proposed building would be located in proximity to the western boundary of the site which fronts the A281 and consists of a row of established trees.

It is considered the initial proposal would result in impact to the root protection areas of existing trees, and screening provided by the existing trees and vegetation along the western site boundary were considered insufficient, especially during winter months. The proposed building is considered large and would be visible from the A281. However, it is considered to be reflective of similar buildings anticipated within a rural locality, and would be modestly proportioned in regard to height.

Amended plans have been submitted, moving the proposed building away from the root protection areas to the east, and further hedgerow and understory planting are proposed to the western site boundary. Conditions are considered reasonable and necessary to protect trees on site both during the course of construction and after the completion of construction, as well as ensuring appropriate levels of hedgerow and understory planting are carried out to provide further screening from the public highway.

Additionally, both the Council's Arboriculturist and Landscape Architect have raised concerns over the recent plantation of laurel hedging on site. It is considered invasive which would take over the growth of native hedgerows and would result in a suburban appearance. Any proposed landscaping scheme should consider the removal of this hedging.

Heritage Impacts:

Paragraph 212 of the NPPF states that 'when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be).' Paragraph 213 continues to state that 'any harm to, or loss of, the significance of a designated heritage asset (from its alterations or destruction, or from development within its setting), should require clear and convincing justification.'

This follows the requirements of s.66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, which sets out that 'In considering whether to grant planning permission or permission in

principle for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.' In applying s.66, the identification of harm to a listed building or its setting carries significant importance and weight in the planning balance.

Policy 34 of the HDPF states that development should reinforce the special character of the historic environment through appropriate siting, scale, form and design; and should make a positive contribution to the character and distinctiveness of the area. Proposals should preserve and ensure clear legibility of locally distinctive vernacular building forms and their settings, features, fabric and materials.

A Grade II listed building, Cotlands, is located to the immediate south of the application site. The Council's Conservation Officers have concluded that the nature of use and design of the proposal at Cotlands Paddock, which is under a separate ownership, would not result in additional harm to the setting of the listed building. A site visit has also been carried out on site by a Council officer during winter months, and it is considered that the existing trees and hedgerows at the southern boundary of the application site bordering the listed building of Cotlands, are well established. The listed building could not be seen from the application site due to well-established screening.

The Grade II listed building of West Cotlands to the south-west of the application site is considered of a distance which is not viewable from the site.

Conditions have been recommended by the Conservation Officer to further preserve the historic significance of the listed building of Cotlands after the submission of final amended plans. However, taking into consideration the existing well-established vegetation on the southern boundary of the site, and that the final amended plans have moved the proposed building further away from the listed building, the conditions are not considered reasonable or necessary in this instance.

It is considered that the proposed development would not result in additional harm to the setting of the Grade II listed building of Cotlands. As such, the proposal is considered acceptable in heritage terms.

Amenity Impacts:

Policies 32 and 33 further 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. Development should also be designed to avoid unacceptable harm to the amenity of occupiers/users of nearby property and land.

The application site is located in proximity to nearby residential properties, including Cotlands to the south, and a nursing home to the west across the A281. Dense vegetation is present along the southern site boundary bordering Cotlands, and it is considered that the proposal would not result in an unacceptable amenity impact of the occupiers of the property.

The site of the nursing home is located on the immediate west of the application site across the highway, and it is recognised that the proposed development would become a permanent feature of the area. With a sloped terrain, the nursing home is located at a level higher than that of the application site, and it is also over 100 metres away from the proposed development. It is considered that the proposal would not result in unacceptable harm to the amenity of the occupiers of the nursing home.

Highways Impacts:

Policies 40 and 41 of the HDPF requires development to provide safe and adequate access suitable for all users.

The existing access would be retained. In consultation with WSCC Highways, it has been concluded that the proposal would not have an unacceptable impact on highway safety or result in severe cumulative impacts on the operation of the highway network. For these reasons, the proposed

development is considered to accord with Policies 40 and 41 of the Horsham District Planning Framework (2015)

Ecology:

Policy 31 of the HDPF states that development proposals will be required to contribute to the enhancement of existing biodiversity and should create and manage new habitats where appropriate and that particular consideration will be given to the hierarchy of site and habitats in the district.

Circular 06/2005 identifies that the presence of protected species is a material consideration when considering a development proposal that, if carried out, would be likely to result in harm to the species or its habitat. Therefore, it is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before planning permission is granted. Information on biodiversity impacts and opportunities should inform all stages of development, and an ecological survey is usually necessary where the type and location of development are such that the impact on biodiversity may be significant and existing information is lacking or inadequate.

A Preliminary Ecological Assessment (Sylvatica Ecology, January 2025) has been submitted to this application, and Place Services Ecology and NatureSpace Partnership have been consulted.

Terrestrial Mammals

Section 6.9 of the submitted PEA, which states that deep trenches or excavations should be covered overnight, to be adhered to, to ensure animals, including hedgehogs and badgers, do not become trapped.

Bats

The site is not located within the Mens SAC. However, the submitted PEA indicates that bats have been present in the existing stable block erected under planning consent DC/04/1217. Place Services Ecology is satisfied that no further surveys of bats are required no buildings on site are proposed to be demolished. However, as no information of external lighting was provided in the initial proposals, the Ecologist requested that information of external lighting must be provided to assess the potential impact to bats, and lighting recommended by Guidance Note: 08/23 (Institute of Lighting Professionals) should be implemented, and such information could be secure by condition.

An External Lighting Statement has been submitted and received by the Council on 24 March 2025, where this proposes four external lights with two on the principal (east) elevation of the proposed stable block, and two on the principal (north) elevation of the proposed barn. The bulbs would be no more than 500 lumens with a temperature of no more than 2700k. Lights will also be baffled. Place Service Ecology has been re-consulted after the submission of the Lighting Statement, and the Ecologist is satisfied that the proposed light arrangement is acceptable. Conditions will be imposed to ensure no other external lighting or floodlights other than those proposed in the External Lighting Statement are installed.

Great Crested Newts and other reptiles

The application site is located within the Red Zone for Great Crested Newts, which indicates a high risk of presence of the species on site. The submitted PEA report found three species of reptiles within the 2-kilometre search radius, five species of amphibian, as well as 37 records of great crested newts.

Sections 6.13 and 6.14 of the submitted PEA has outlined a Non-Licenced Method of Works for Great Crested Newts. NatureSpace Partnership has reviewed the submitted PEA and advises that such Non-Licenced Method of Works must be adhered to during the course of construction.

Place Services Ecology has also requested that Section 6.13 of the PEA to be implemented to sure other reptiles are protected during construction.

Birds

The impact to birds is considered minimal as no trees or hedgerows are proposed to be removed, nor would any buildings on site be demolished. The request from the Council's Arboriculturist and Landscape Architect to remove existing laurel hedging would not result in any adverse impact to birds.

In view of the above, it is considered that the proposed development would not result in adverse harm to ecology, in accordance with Policy 31 of the HDPF.

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 Applicant has submitted a Biodiversity Metric which demonstrates a 16.39 % net gain is achievable by way of onsite biodiversity gains. This would be secured via the statutory BNG condition.

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 proposed development relates to a stable block and barn that would provide private stabling for five additional horses, and storage of equipment in association to the maintenance of the site and feed. This would result in a net increase of five horses on site. However, the existing stable utilises mains water. According to the submitted amended Water Neutrality Statement received by the Council on 21 February 2025, rainwater harvesting would be used for the whole site, including the existing stables. Along with a lack of evidence that horses have been recently using the existing stables, the existing baseline water consumption is therefore zero.

The water neutrality statement submitted on 21 February 2024 states that four 10,000-litre rainwater harvesting tanks would be installed in ground, to the east of the proposed yard, providing water for the total number of seven stables on site, as well as for wash down purposes.

With the absence of mains water in the water neutrality proposals, the proposed use would not result in a change of mains water consumption. With a maximum water demand of 85 l/d per horse including consumption and wash down, the 35-day drought contingency as per the Council's guidance is (85 l/d x 7 horses x 35 =) 20,825L. With a proposed total storage capacity of 40,000L and a rainwater yield of approximately 666.96 l/d from a dual pitched roof area of 350 square metres, the proposed rainwater

harvesting plan is considered sufficient to meet the 35-day demand for horses in the event of drought. Conditions will be imposed to require full details of water efficiency measures, as well as evidence of water fittings on site, to ensure the proposal is water neutral and be sufficient for daily consumption for horses.

Natural England has been consulted, and has raised no objections to the water neutrality proposal in the submitted water neutrality statement, subject to the full implementation of the submitted water neutrality statement.

Conclusion:

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
All Other Development	199.39	70	129.39
		Total Gain	
		Total Demolition	

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, including demolition pursuant to the permission granted, ground clearance, or bringing equipment, machinery or materials onto the site, until the following preliminaries have been completed in the sequence set out below

(a) All trees on the site shown for retention on the approved Arboricultural Method Statement (David Archer Associates, March 2025), as well as those off-site whose root protection areas ingress into the site, shall be fully protected throughout all construction works by tree protective fencing affixed to the ground in full accordance with section 6 of BS 5837 'Trees in Relation to Design, Demolition and Construction - Recommendations' (2012).

(b) Once installed, the fencing shall be maintained during the course of the development works and until all machinery and surplus materials have been removed from the site.

(c) Areas so fenced off shall be treated as zones of prohibited access, and shall not be used for the storage of materials, equipment or machinery in any circumstances. No mixing of cement, concrete, or use of other materials or substances shall take place within any tree protective zone, or close enough to such a zone that seepage or displacement of those materials and substances could cause them to enter a zone.

Any trees or hedges on the site which die or become damaged during the construction process shall be replaced with trees or hedging plants of a type, size and in positions agreed by the Local Planning Authority.

Reason: As this matter is fundamental to ensure the successful and satisfactory protection of important trees and hedgerows on the site in accordance with Policy 33 of the Horsham District Planning Framework (2015).

4 **Pre-Commencement (Slab Level) Condition**: No development above ground floor slab level shall commence until full details of the water efficiency measures and rainwater harvesting system required by the approved Water Neutrality Statement (received on 21 January 2025) have been submitted to and approved in writing by the Local Planning Authority.

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 192 and 193 of the National Planning Policy Framework (2024), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & Species).

5 **Pre-Occupation Condition**: The development hereby permitted shall not be first occupied by horses or other livestock until evidence has been submitted to and approved in writing by the Local Planning Authority that the approved Water Neutrality Strategy (received on 21 January 2025) for the stable blocks and barn on site has been implemented in full. The evidence shall include specification of fittings used (including taps or other fittings for washdown purposes), evidence of their installation, evidence of removal of tap(s) and other fittings connected to mains water on site, and completion of the as built Part G water calculator of 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 192 and 193 of the National Planning Policy Framework (2024), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & Species).

6 **Pre-Occupation Condition**: Prior to the first occupation by horses or other livestock of any part of the development hereby permitted, full details of 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 hard and soft landscaping materials and finishes
- Planting and seeding plans for the proposed native hedgerow and understory planting, including a schedule specifying plant numbers, sizes, densities and species in Latin names
- Specifications including ground preparation, cultivation and other operations associated with plant and grass establishment

The approved landscaping scheme shall be fully implemented in accordance with the approved details within the first planting season following the first occupation of any part of the development. Unless otherwise agreed as part of the approved landscaping, no trees or hedges on the site shall be wilfully damaged or uprooted, felled/removed, topped or lopped without the

previous written consent of the Local Planning Authority until 5 years after completion of the development. Any proposed planting, which within a period of 5 years, dies, is removed, or becomes seriously damaged or diseased shall be replaced in the next planting season with others of a 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).

7 **Regulatory Condition**: All mitigation and enhancement measures and/or woks shall be carried out in accordance with the details contained in the Preliminary Ecological Assessment (Sylvatica Ecology, January 2025) and External Lighting Statement (received by the Council on 24 March 2025) as already submitted with the planning application and agreed in principle with the Local Planning Authority prior to determination. This includes the Precautionary Method Statement for mobile species in Section 6.9 and the Non-Licensed Method of Works for Great Crested Newts in Sections 6.13 and 6.14 of the Preliminary Ecological Assessment (Sylvatica Ecology, January 2025), which avoids impacts on protected species.

This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

Reason: To conserve and enhance protected and Priority species and allow the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended) and Policy 31 of the Horsham District Planning Framework (2015).

8 **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).

9 **Regulatory Condition**: The development hereby permitted shall not be used for commercial purposes or in connection with any form or riding or livery establishment.

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

10 **Regulatory Condition**: No other external lighting or floodlighting shall be installed other than those approved in the External Lighting Statement received by the Council on 24 March 2025.

Reason: To conserve and enhance protected and Priority species and allow the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended) and Policy 31 of the Horsham District Planning Framework (2015); and in the interests of visual amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015).

NOTE TO APPLICANT
The Applicant is advised that the recently planted laurel hedging is considered to be uncharacteristic of the rural location, and it would be anticipated that this is removed as part of the proposed landscaping scheme, details of which are required to be submitted and approved in writing by the Local Planning Authority under condition 6 of the planning permission.
The Applicant is also advised that a mix of 5no. 60-90cm whips per linear metre, offset by approximately 30cm; 50-75% proportion of Hawthorn and Blackthorn; and 50-25% proportion of

suitable species for the landscape character area, which can include Field maple, Hornbeam, Hazel, Holly, Spindle, Guelder rose and Alder Buckthorn is recommended as part of the planting schedule.

NOTE TO APPLICANT
Biodiversity Net Gain Condition
Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 states that planning permission is deemed to have been granted subject to the "biodiversity gain condition" which means development granted by this notice must not begin unless:

(a) a Biodiversity Gain Plan has been submitted to the planning authority, and
(b) the planning authority has approved the plan.

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

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

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

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

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

POSITIVE AND PROACTIVE STATEMENT

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

Plans list for: DC/25/0054
(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 Docs	Preliminary Ecological Assessment (Sylvatica Ecology, January 2025)	NONE	11.02.2025
Supporting Statement	Water Neutrality Report and Water Management Plan Rev 3 (Promethean Planning 20 February 2025)	NONE	21.02.2025
Supporting Statement	Arboricultural Method Statement	NONE	07.03.2025

	(David Archer Associates, March 2025)		
Supporting Statement	Lighting Statement	NONE	24.03.2025
Location plan	Existing Location Plan	2410CO_R2.1_000	10.03.2025
Block plan	Proposed Block Plan	2410CO_R2.1_001.4	10.03.2025
Elevation & Floor plan	Proposed Plan & Elevations	2410CO_R2.1_200.3 _200.3	10.03.2025

DELEGATED

Case Officer sign/initial Joshua Lee Date: 28.03.2025

Authorising Officer sign/initial Tamara Dale Date: 01.04.2025