Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/24/1299
Land To West of Hurston Lane , Hurston Lane, Storrington

DESCRIPTION:
Change of use of agricultural land to equine and installation of a stable building and sand school for private equine use.

RELEVANT PLANNING HISTORY:
None relevant to this current application.

SITE AND SURROUNDS
The application site comprises of an agricultural field to the West of a residential property known as 'Tacama'. The surrounding area is predominantly rural in character with agricultural fields surrounding the application site to the north, west and south. The western site boundary treatment is mature boundary trees and hedgerow.

DETAILED DESCRIPTION
The application seeks planning permission for a change of use of land from agriculture to private equestrian use, stables, and menage with a small grazing paddock to the west of the stables and large grazing paddock to the east.

RELEVANT PLANNING POLICIES
The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):
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 38 - Strategic Policy: Flooding
Policy 40 - Sustainable Transport
Policy 41 - Parking

Storrington, Sullington and Washington Neighbourhood Plan
Policy 1: A Spatial Plan for the Parishes
Policy 8: Countryside Protection
Policy 14: Design
Policy 15: Green Infrastructure & Biodiversity
Policy 17: Traffic & Transport

Storrington Parish Design Statement

Horsham District Local Plan (2023-40) (Regulation 19)}:
Strategic Policy 1: Sustainable Development
Strategic Policy 9: Water Neutrality
Strategic Policy 13: The Natural Environment and Landscape Character
Strategic Policy 14: Countryside Protection
Strategic Policy 17: Green Infrastructure and Biodiversity
Strategic Policy 19: Development Quality
Strategic Policy 20: Development Principles
Strategic Policy 24: Sustainable Transport
Policy 33: Equestrian Development

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:
HDC Naturespace: The application would have low risk for Great Crested Newt or their habitats. An informative is recommended.

WSCC Highways: The application site will make use of the existing vehicular access track, and no alterations are proposed to the existing access arrangement. The proposed stabling and sand school will be for private use only and therefore, would not be anticipated to give rise to material intensification of use of the existing access point. The site also exhibits suitable space for the parking and turning of vehicles within the site.

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.

Environmental Agency: No objection to the proposal subject to general advice in respect of a Flood Risk Activity Permit.

Natural England: No objection**,** concur with the conclusion of your authority's HRA appropriate assessment, insofar that we have no objections subject to the delivery, management and maintenance of measures identified in the water neutrality statement.

West Sussex Fire & Rescue Service: The nearest fire hydrant is 450m away, if an alternative supply of water for firefighting is to be considered it will need to conform with Approved Document B. The access route would need similarly need to meet Approved Document B to enable a fire appliance to exit the site.

Parish Comments:
None received

Representations:
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

Principle of Development:

Policy 26 of the HDPF sets out a general policy of restraint against inappropriate development in the countryside in order to protect its rural character and undeveloped nature. However, it does allow for, amongst other things, quiet, informal recreational use, such as that derived from private equestrian activities.

Policy 29 of the HDPF relates to equestrian development, stating it will be supported provided that: -

1. 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.

2. The proposal would be appropriate in scale and level of activity, and be in keeping with it's location and surroundings, and where possible is well related to existing buildings;

3. The proposal should where possible be well related to a bridleway network.

The proposed use would be contained within existing field boundaries, and in principle an equestrian use would not appear out of keeping with the countryside location. The nearest bridleway is approximately 300m to the north of the site but given the scale and anticipated level of activity would be modest this relationship is not considered a fundamental failing of the proposed location. There are currently no facilities present on the site, with a reasonable need for a stable building and related menage therefore accepted.

It is considered that the proposed use would raise no conflict with the above polices and would be acceptable in principle, subject to detailed considerations.

Design and Appearance:

Policies 32 and 33 of the HDPF seek 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.

The application site benefits from extensive screening to the north and western boundaries with no indication within the application that this would be affected by the proposal. Although some longer views of the site and proposed development would be possible, most notably from the south, the development would be seen in the context of existing neighbouring sewerage infrastructure and agricultural development. It is therefore considered that the development, which includes a modest stable building, hardstanding and menage, and would not stand out as being unduly dominant or incongruous. It is therefore considered that the visual impact of the proposal is acceptable and would accord with the above policies.

Impact on Neighbouring 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.

It is considered that the scale and siting of the stable building, which is set an appreciable distance from shared boundaries with neighbouring properties and land, would be sufficient to prevent any unacceptable impact on the amenities of adjoining occupiers. The applicant has confirmed that the stables would be used for private use only, and such activities would not be expected to result in potential for harmful levels of activity or related noise and disturbance. The amenity impacts of the proposal are considered acceptable and in accordance with the above policy.

Ecology:

Policies 25 and 31 of the HDPF seek to ensure that development safeguards and minimises effects upon protected species and features of biodiversity interest, secures a proportionate biodiversity net-gain and that any loss of green infrastructure or protected trees resulting from proposed development is compensated for. HDPF Policy 31, further, requires that development resulting in direct or indirect adverse effects on features for biodiversity that development will be refused unless it can be demonstrated the need for the development clearly outweighs the need to protect the value of the site and that appropriate mitigation/compensation are secured.

A Phase 1 habitat survey has been conducted by AEWC dated April 2024. No protected species were found on site, with recommendations to follow good practice guidelines which in this instance included limiting lighting within the application site. The survey also includes a list of recommendations to maintain the western line of trees which are ecologically valuable. These trees are outside but abutting the application site and provided the application is carried out in accordance with the submitted plans, the trees to this western boundary and bramble scrub within it will be retained. On this basis, the proposal would not impact on protected species or habitat.

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 current application site is an agricultural field with no existing baseline consumption. The proposed consumption has been based on the average consumption of horses based on a range of credible animal authorities. The proposed development would include stabling for three horses with a reasonable assumption that one person would be on site at some point each day to tend to the horses, such that they would have potential to use water from toilet use. Given that a condition could be added to ensure private use, there is no potential usage for a required mains water usage in the future arising from commercial or staff usage.

The Water Neutrality statement outlines a usage 50985 litres per annum which would be supplied through Rainwater Harvesting. Given that this rainwater would be used for a W.C and for horses to drink it would not be required to be treated and filtered to a potable consumption standard. The roof area of the stable building would be 141 sqm and would be able to provide 76404.96 litres of rainwater annually. This is in excess of the proposed usage within the application site and sufficient storage capacity can be provided for a 35-day drought allowance.

Natural England has raised no objection to the approach set out, which can be secured through condition. The grant of planning permission would not therefore adversely affect the integrity of the Arun Valley SAC, SPA and Ramsar sites, either alone or in combination with other plans and projects, or otherwise conflict with policy 31 of the HDPF, NPPF paragraph 180 and the Council's obligations under the Conservation of Habitats and Species Regulations 2017.

Biodiversity Net Gain (BNG):

Biodiversity Net Gain (BNG) is mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). This requires that development must achieve at least 10% BNG on all habitats within the development site.

The Applicant has submitted a Biodiversity Metric which demonstrates that there would be a Biodiversity net gain of over 10% such that it would meet the Mandatory Biodiversity net gain requirements. From the metric submitted, there is no priority habitat within the red line boundary, although it is noted that there is a priority deciduous woodland to the west of the site and a watercourse to the north of the site. Nevertheless, the application would appear to not result in change to a significant habitat itself and would result in a Biodiversity unit change of 0.4796 units post development according to the metric.

In the event the application is approved, it is a condition of the planning permission that a Biodiversity Net Gain Plan, including a Metric Tool calculation, be submitted and approved in writing by the Local Planning Authority. This should show how the development will achieve BNG 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.

Other Considerations:

The development would be for private use and would not as a consequence be expected to generate a demand for travel which would be harmful to the highway network or highway safety. The proposed layout allows for on-site manoeuvring and parking, and vehicles would enter and leave the site in a forward gear. It is noted that the proposed plan indicates that turning space has been allowed for a fire appliance, and this should address comments of the Fire & Rescue service.

The site adjoins but is not within an area at risk of flooding and the Environment Agency has raised no objection to the proposed development.

Conclusions:

The proposal is considered to be of an appropriate scale, design and siting for its rural location ensuring that it will not be detrimental to the surrounding landscape character. It would not result in significant harm to neighbouring residential amenity and is located for appropriate and safe access. It is therefore considered to be an appropriate form of development that is in accordance with Policies 1, 2, 10, 26, 32, 33 and 40 of the Horsham District Planning Framework.

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 **Regulatory Condition:** The stables hereby permitted shall not be used for commercial purposes or in connection with any form of 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).

4 **Regulatory Condition**: The materials used in the development hereby permitted shall strictly accord with those indicated on the approved plans, and the menage hereby permitted shall be comprised of a sand-rubber mix.

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

5 **Regulatory Condition**: No external lighting or floodlighting shall be installed other than with the permission of the Local Planning Authority by way of formal application.

Reason: In the interests of the amenities of the locality and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

6 **Regulatory Condition:** The development shall be carried out in strict accordance with the recommendations and mitigation measures made within the Habitat survey by AEWC titled 'Extended Phase 1 Habitat Survey' dated April 2024.

Reason: In the interests of protecting potential protected species within the application site and surrounding area in accordance with policy 31 of the Horsham District Planning Framework (2015).

7 **Regulatory Condition:** The development hereby permitted shall be undertaken in full accordance with the Water Neutrality Strategy submitted. The stables hereby permitted shall not be first bought into use until evidence has been submitted to and been approved in writing by the Local Planning Authority that the approved water neutrality strategy has been implemented in full. The evidence shall include pictures of the rainwater harvesting system, evidence of the installation of the rainwater harvesting tank and its plumbing into the W.C and horse feeders. The installed measures shall be retained as such thereafter for the lifetime for the development. No mains water supply shall be provided within the site in accordance with the Water Neutrality statement hereby approved.

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 185 and 186 of the National Planning Policy Framework (2023), and to allow the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

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.

NOTE TO APPLICANT
The applicant is reminded that, under the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended), it is an offence to (amongst other things): deliberately capture, disturb, injure, or kill great crested newts; damage or destroy a breeding or resting place; intentionally or recklessly obstruct access to a resting or sheltering place. Planning permission for a development does not provide a defence against prosecution under this legislation. Should great crested newts be found at any stage of the development works, then all works should cease, and a professional and/or suitably qualified and experienced ecologist (or Natural England) should be contacted for advice on any special precautions before continuing, including the need for a licence.

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.

Plans list for: DC/24/1299
(The approved plans will form Condition 1 on the Decision Notice of all Permitted applications)

Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Supporting Statement	Water Neutrality	NONE	27.08.2024
Supporting Statement	Habitat Survey	NONE	27.08.2024
Supporting Statement	Planning	NONE	27.08.2024
Floor plan	Proposed roof	129_03	27.08.2024

Elevation plan	Proposed	129_04	27.08.2024
Layout plan	Proposed	129_05	27.08.2024
Elevation plan		129_06	27.08.2024
Supporting Statement	Biodiversity Net Gain Assessment	NONE	27.08.2024
Location plan		129_01	27.08.2024

DELEGATED

Authorising Officer sign/initial Guy Everest Date: 31.03.2025