MME PLANNING SERVICES

Change of Use Land for the provision of 2no Gypsy and Traveller Pitches, new access and associated works.

at

Greenacres Farm, West Chiltington Lane, Billingshurst, West Sussex, RH14 9DR

Planning Statement

Ref: P-011b

November 2024

Version 1

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Figure 1: Site Location / Red Line Area

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1. Introduction

1.1 We are instructed by Mr James to prepare this planning statement in support of a planning application for the change of use of land for the provision of gypsy and traveller pitches to form a total 2no pitches / units along with full drainage, car parking and soft and hard landscaping. The proposal would be served by an existing access point to the north.

1.2 The proposed development would provide additional pitches for use and occupation by members of the gypsy and traveller community for which the Council has a significant shortfall of.

1.3 The application is submitted following the Council's decision to refuse planning permission in January 2024 for a comparable scheme for the change of use of land for the provision of gypsy and traveller pitches to form a total 6no pitches / units along with full drainage, car parking and soft and hard landscaping, under planning reference number DC/23/2104. This application seeks to address the issues raised by the Council in refusing that application.

1.4 This statement sets out the proposed scheme in detail with regards to the following aspects; the planning history of the site, the development proposals, the relevant planning policy, the planning merits of the scheme and how the proposals comply with the Council's policies.

1.5 Specifically, additional / new information is provided with regards to water neutrality and ecology, with further justification provided with regards to the purported landscape harm set out by the Council under the previous application.

2. Site, Surroundings and Background

2.1 The application site is located on the eastern side of West Chiltington Lane Billingshurst, within the Parish of Itchingfield. The site consists of grassland and is currently used as a paddock for horses. The site area measures approximately 0.4ha and is located outside any defined built areas.

2.2 It is noted that the gypsy pitches at Greenfield Farm have extended linear development along Valewood Lane round into West Chiltington Lane. Residential and caravan site development now forms part, but not a dominant feature, of the character within the locality.

2.3 The site is therefore located in the countryside in policy terms; however, it is noted that the Village of Barns Green is located approximately 850m to the east of the site, which is defined as a 'medium village' under the settlement hierarchy set out in Policy 3 of the Horsham District Planning Framework (HDPF). The site is not located in a conservation area and is not covered by any other formal designations.

2.4 The site is bounded to the west with West Chiltington Lane by extensive soft landscaping, which screens the site from views from this vantage point West Chiltington Lane. In addition, the site is adjoined by similar gypsy and traveller sites, including Kingfisher Farm West Chiltington Lane Billingshurst to the west and Greenfield Farm Valewood Lane Barns Green located to the south which both consist of multiple pitches, with open fields to the north. The surrounding area is rural in nature and characterised by sporadic residential development including gypsy and traveller pitches within the immediate vicinity, as well as commercial sites such as Sumners Pond, a fishing and camp site, located to the east of the site. A grade II listed building, Pear Tree Farmhouse, sits approximately 400m southwest of the main part of the site.

3. Planning History

3.1 Planning Application – Ref: DC/23/2104 – Description: Change of use of the land for 6no. gypsy residential units along with full drainage, car parking, and soft and hard landscaping – Decision: Refusal, 18/01/2024. The above application was refused for the following reason(s):

1. *The proposed development would urbanise the countryside location and detract from the intrinsic features and characteristics of the rural locality. When considered cumulatively with other nearby development, the proposal would further subdivide the land, resulting in an awkward and uncharacteristic field pattern that would contrast the open character of the surrounding landscape. The proposal would fail to relate sympathetically to the local landscape and would fail to integrate with the surroundings, with the proposal failing to protect, conserve, or enhance the key features and characteristics of the landscape character area. The proposal would therefore fail to protect, conserve and enhance the landscape character of the area, and would result in unacceptable harm to the character and appearance of the area, contrary to Policies 23, 25, 26 and 33 of the Horsham District Planning Framework (2015) and Policy 12 of the Barns Green & Itchingfield Neighbourhood Plan.*

2. *Insufficient information has been provided to demonstrate with a sufficient degree of certainty that the proposed development would not contribute to an existing adverse effect upon the integrity of the internationally designated Arun Valley Special Area of Conservation, Special Protection Area and Ramsar sites by way of increased water abstraction, contrary to Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 185 and 186 of the National Planning Policy Framework (2021), thus the Local Planning Authority is unable 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).*

3. *Insufficient information has been provided to demonstrate that the proposed development would have no adverse impact on protected species and its habitat, and to establish how the development will contribute to measurable Biodiversity Net Gain, contrary to Policy 31 of the Horsham District Planning Framework (2015) and Paragraphs 180 and 186 of the NPPF.*

4. Proposals

4.1 As detailed above, planning permission is sought for the change of use of land for the provision of 2no gypsy and traveller pitches together with the provision of full drainage, car parking and soft and hard landscaping. The proposals also include the creation of bunding to the eastern boundary.

4.2 The proposed pitches would be positioned in a linear configuration from north to south. Each pitch would include the provision of a mobile home with full facilities, which would measure approximately 17m by 7.3m, a day room, which would measure approximately 7m by 6m, 2no parking spaces and rear amenity / garden areas, with the pitches served by an internal access road consisting of hardstanding.

4.3 The site measures approximately 0.4ha, with each pitch benefitting from a curtilage / garden area. The proposed pitches would be served by an existing access to the north from West Chiltington Lane, which also serves the site at Kingfisher Farm to the east of the application site.

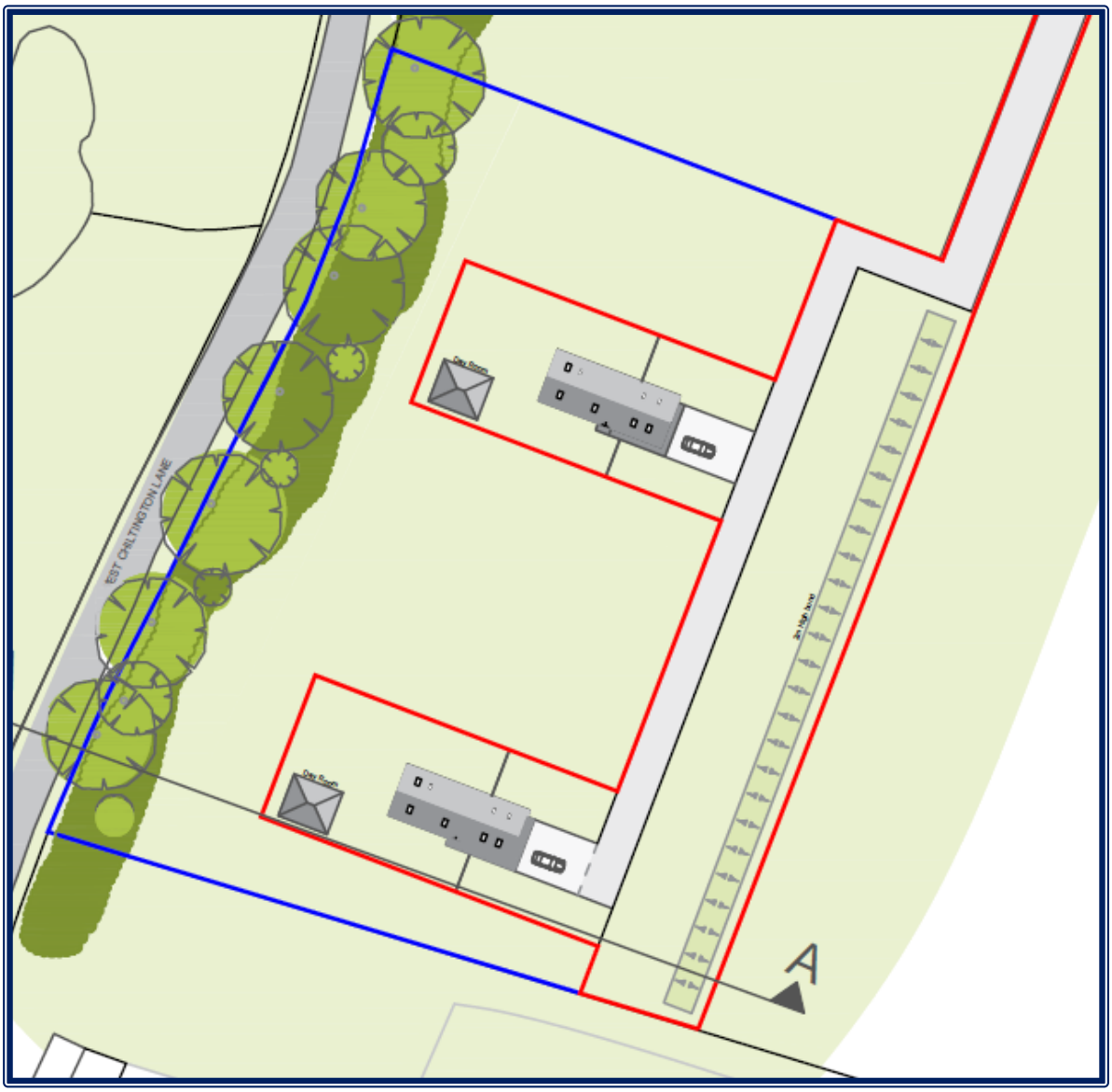

Figure 2: Proposed Block / Site Plan.

4.4 It is noted that the applicant currently resides at Greenfield Farm to the south of the application site; however, he has to vacate his mobile home for several reasons. The applicant would like to remain in this immediate area as he and his family have built connections within the area, including his children attending local schools. This is a significant consideration for the provision of gypsy and traveller pitches and will be expanded upon later in this statement.



Figure 3: Mobile Home and Day Room Elevations and Floor Plans.

5. Planning Policy

National Planning Policy Framework (NPPF) (2023)

5.1 The NPPF sets out the Government's planning policies for England and Wales and how these should be applied. It provides a framework for the preparation of local plans for housing and other development. The NPPF should be read as a whole.

5.2 Running throughout the NPPF is a presumption in favour of sustainable development. Sustainable development is achieved through three main objections which are – economic, social and environmental.

5.3 Paragraph 11 of the NPPF states that for decision-taking, this means approving development proposals that accord with an up-to-date development plan without delay. Where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, planning permission should be granted unless the policies of the Framework that protect areas or assets of particular importance provide a clear reason for refusing the development proposed, or, any adverse impact of doing so would 'significantly and demonstrably outweigh the benefits' when assessed against the policies of the NPPF when taken as a whole (NPPF paragraph 11 d).

Planning Policy for Traveller Sites (PPTS) (2015)

5.4 The PPTS is of significant relevance to this proposal and will be referenced in detail later in this statement.

Horsham District Planning Framework (HDPF) (2015)

5.5 Paragraph 33 of the NPPF requires that all development plans complete their reviews no later than five years from their adoption. Horsham District Council (HDC) 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 five years old, the most important policies for determining this application are considered to be 'out of date' (NPPF paragraph 11d) and carry limited in decision making.

5.6 A Local Development Scheme (LDS) was published in Autumn 2023 by the Council. The LDS sets out the production timetable for the planning documents that this Council will publish over the next three years to inform the New Local Plan.

5.7 While considered to be out of date, the main HDPF policies relevant to this application are as follows:

- 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 7 - Strategic Policy: Economic Growth
- Policy 9 - Employment Development
- Policy 10 - Rural Economic Development
- Policy 21 - Strategic Policy: Gypsy and Traveller Sites Allocations
- Policy 22 - Gypsy and Traveller Sites

- Policy 23 - Strategic Policy: Gypsy and Traveller Accommodation
- 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
- Policy 39 - Strategic Policy: Infrastructure Provision
- Policy 40 - Sustainable Transport
- Policy 41 - Parking
- Policy 42 - Strategic Policy: Inclusive Communities

Itchingfield Neighbourhood Plan (2023)

5.8 Itchingfield Parish has produced a neighbourhood plan, which has been subject to successful Examination but cannot proceed to Referendum because of the legal requirements in relation to Water Neutrality and Habitat Regulations.

5.10 Neighbourhood Plan policies relevant to this application are as follows:

- Policy 1: Green Infrastructure Conservation
- Policy 5: Protection of Green Infrastructure
- Policy 11: Windfall Development
- Policy 12: Design parameters
- Policy 13: Sustainable Design
- Policy 15: Parking Provision

Other Relevant Planning Advice Note(s) (PAN)

5.13 Relevant PANs to this application are as follows:

- Facilitating Appropriate Development
- Biodiversity and Green Infrastructure

6. Planning Considerations

Principle / Suitability of Location / Personal Need and Circumstances

Principle

6.1 The application site is located beyond a defined built-up area and, as such, constitutes a countryside location in planning policy terms, as confirmed by paragraph 4.7 of the HDPF. Policy 26 of the HDPF seeks to protect the rural character and undeveloped nature of the countryside against inappropriate development, aiming to support certain forms of development related to the needs of rural enterprise and sustainable rural development, while seeking to prevent a significant intensification of use and retain important components of rural character.

6.2 Policy 23 of the HDPF sets out the criteria for assessment in determining planning applications for non-allocated gypsy and traveller development. This policy seeks to ensure that sites are appropriate in terms of ground conditions, vulnerability to flood risk, served by safe and convenient vehicular / pedestrian access, appropriate to local character, appearance, and neighbouring amenities. Policy 23 further seeks to afford support to sites located in or near existing settlements (unless constituent of a strategic designation), within a reasonable distance of local services and community facilities, with particular regard to schools and essential health services.

6.3 The National Planning Policy Framework (NPPF) (2023), is a material consideration in the determination of this application in addition to the accompanying Planning Policy for Traveller Sites (PPTS) (2015). Paragraph 22 of the PPTS confirms that applications for planning permission be determined in accordance with the provisions of the Development Plan unless material considerations indicate otherwise.

6.4 Paragraph 23 of the PPTS continues to confirm that applications involving traveller sites must be assessed in accordance with the presumption in favour of sustainable development, and the application of specific policies contained within the PPTS and NPPF relating to traveller sites.

6.5 Paragraph 24 of the PPTS provides that Local Planning authorities must consider the following issues, amongst other relevant matters, in the determination of applications for traveller sites;-

a.) The existing level of local provision and need for sites;

b.) The availability (or lack) of alternative accommodation for the applicants;

c.) Other personal circumstances of the applicant;

d.) That the locally specific criteria used to guide the application of sites in plans or which form the policy where there is no identified need for pitches / plots should be used to assess applications that may come forward on unallocated sites;

e.) That they should determine applications for sites from any travellers and not just those with local connections.

6.6 Paragraph 27 of the PPTS confirms that if an LPA cannot demonstrate an up to date 5-year supply of deliverable sites, this should be a significant material consideration in any subsequent determination when considering applications for the grant of temporary planning permission.

6.7 In terms of the current position of HDC and gypsy and traveller sites, Policy 21 of the HDPF makes provision for 39 net additional permanent pitches within the period of 2011-2017 in order to fulfil an unmet need as assessed need within the Gypsy, Traveller, and Travelling Showpeople Accommodation Needs Assessment (2013). Policy 21 confirms that the Council will make provision for further pitches through the plan period to 2031 by means of a ‘Site Allocations Development Plan Document’ (DPD).

6.8 HDC began preparation of a revised Gypsy, Traveller, and Travelling Showpeople Draft Site Allocations Development Plan Document– Preferred Strategy in 2017. This document sought to satisfy a requirement for 60 gypsy pitches over a 10-year period (up to 2027), and a 15-year requirement for 78 pitches. The 10-year requirement includes a backlog of 40 gypsy pitches, a need for 1 pitch in years 1-5 (2017-2022) and a requirement for a further 19 pitches between 2022-2027.

6.9 This document initially identified a supply of 68 gypsy pitches, to meet the 10-year requirement need for 60 pitches. Following the initial drafting of the DPD, however, the site at Bromeliad Nursery, Billingshurst was withdrawn together with its respective 15 pitches, compromising the delivery of the 60 pitches over the 10-year plan period (to 2027). The DPD, consequentially, did not proceed to formal submission or adoption.

6.10 Further to the previous preparation of a DPD concerning gypsy and traveller allocations, the Authority is in the process of reviewing its gypsy and traveller policy as an integral part of the ongoing local plan review. A call for sites was initiated in late 2020, with a separately commissioned Gypsy and Traveller Accommodation Needs Assessment (GTTA) (January 2020), identifying a need for 93 pitches across the plan period to 2036.

6.11 The revised local plan examination, however, has been delayed as a result of a position statement issued by Natural England in relation to water neutrality and the impact of development on protected species (addressed later in this report). HDC agreed on a timetable for preparing and reviewing a revised local plan in the form of the LDS in Autumn 2023. However, the adoption date forecast would not be until May 2025.

6.12 In the absence of an adopted DPD, or up-to-date policy addressing the extent of unmet need, the Authority is unable to demonstrate a five-year supply of gypsy and traveller pitches. In accordance with paragraphs 24 and 27 of the PPTS, the lack of supply and extent of unmet need represents a significant material consideration which attracts substantial weight in the determination of this application and weighs in favour of the delivery of 2no pitches as proposed.

6.13 The principle of development was considered to be acceptable under the previously refused application and it is contended that this position would remain unchanged.

Suitability of Location

6.14 As detailed above, the site is located outside of any defined built-up area boundaries and is therefore considered to be located in the countryside in policy terms. Notwithstanding this, given this immediate context, it is not considered that the site is in a location where development should be strictly limited. The countryside location does not, as such, weigh significantly against the proposal in this instance. HDPF Policy 26 requires proposals to be of a scale appropriate to countryside character and location.

6.15 Taking into account the existing sites at Kingfisher Farm to the east and Greenfield Farm to the south, the fact that these sites were considered to be acceptable in this location and given the comparable scale of the application site, both in terms of the size of the plot and the number of pitches proposed, the proposal is considered to be in accordance with Policy 26 in this regard.

6.16 Furthermore, it must be noted that this situation is not dissimilar to circumstances considered in the determination of appeal ref: APP/Z3825/W/20/3265226, (LPA ref: DC/20/1993), where the Inspector noted in paragraph 18 that future occupiers would prove highly dependent on the use of the private car, though, that neither HDPF Policy 23 nor the provisions of the PPTS explicitly require gypsy and traveller sites to be located within reasonable walking and cycling distance of a town or village, or otherwise preclude a high degree of reliance on the private car at paragraph 17. The Inspector considered in paragraph 19 that the likelihood of short car journeys to nearby settlements would constitute a factor weighing in favour of a gypsy or traveller proposal, noting that NPPF paragraph 109 recognises that opportunities to maximise sustainable transport solutions will vary between urban and rural environments, and found the appeal proposal acceptably located at paragraph 20 such to comply with the requirements of HDPF Policy 23 in this regard.

6.17 The application site is located within closer proximity to a settlement than the site subject of ref: APP/Z3825/W/20/3265226, with no objection subsequently raised to gypsy and traveller development within appeal determinations concerning more remote sites in terms of access to settlements, services and amenities, including ref: APP/Z3825/C/21/3271264 (LPA ref: EN/20/0471). It is also noted that the Council had no objection to the principle of development and the location of the site for 12no gypsy and traveller pitches in their consideration of application reference DC/22/1999, which again is located further away from a defined settlement boundary when compared to the application site.

6.18 In light of these determinations and recognising that PPTS paragraph 25 does not expressly prohibit gypsy development in the open countryside, it is considered that the site constitutes an acceptable location for the proposed development, notwithstanding the anticipated degree of reliance on the use of the private car.

6.19 In addition to the above, given the modest scale of the proposal and limited number of pitches, it is believed that the proposal would not place undue pressure on local infrastructure, services, amenities, and facilities within the closest settlements.

6.20 Furthermore, it is considered that the scale of the proposed development is proportionate to the scale of the nearest settled community in strategic terms, not resulting in a greater quantum of development than that present within the hamlet such as to reasonably be considered to dominate the settled community in a manner contrary to provisions of PPTS paragraphs 14 and 25 in this regard.

Personal Needs and Circumstances

6.21 Paragraph 24 of the PPTS, part c) refers to personal circumstances and that this factor needs to be considered by Local Planning Authorities in the determination of such applications.

6.22 As noted above, the applicant and their family currently live at Greenfield Farm. However, they have to vacate the site for various reasons. The application has provided a statement setting out that he has lived in this area since 2003, that his children all go to school, or have gone to school locally and that they are members of local clubs.

6.23 The applicant does not want to disrupt the children's lives by moving to a new area, which is why they would like to remain close to Barns Green. This is a significant consideration that weighs in favour of the proposed development and the children's best interests are a primary consideration. It is noted that the Council have a statutory duty to consider the individual circumstances presented, and HDPF Policy 42 reflects this requirement.

6.24 Overall, considering the above, it is considered that the proposed development is acceptable in principle, in compliance with the spatial aspects of HDPF Policies 23, 26 and 42.

Design, Appearance, and Landscape Impact

6.25 Policies 25 and 26 of the HDPF seek to protect the District's natural environment and landscape character, including the landform and development pattern, together with protected landscapes and habitats. Development will be required to protect, conserve, and enhance landscape and townscape character, taking account of areas or features identified as being of landscape importance, individual settlement characteristics and settlement separation, while not amounting to a significant intensification of activity in the countryside.

6.26 Policies 32 and 33 of the HDPF require development to be of a high standard of design and layout. Development proposals must be locally distinctive in character and respect the character of their surroundings. Where relevant, the scale, massing and appearance of development will be required to relate sympathetically with its built surroundings, landscape, open spaces and to consider any impact on the skyline and important views.

6.27 The proposed development would provide for the creation of 2no gypsy pitches with associated parking, drainage, and landscaping. The proposed pitches would be positioned in a linear configuration, similar to that of Greenfield Farm to the south, with the rear of the pitches facing towards West Chiltington Lane to the west.

6.28 Reason for refusal 1 under the previously refused application for 6no pitches related to a purported landscape harm as a result of the proposed development with the proposals failing to ‘‘protect, conserve and enhance the landscape character of the area”. Reference is also made by the Council to the G2 Itchingfield and Barns Green Wooded Farmlands Character Area. The key characteristics of this area include, among other things, strong linear fields and woodland patterns, with a “strong sense of enclosure”.

6.29 In order to address the concerns of the Council, the proposed development has been reduced both in terms of the red line site area and the number of pitches, reducing the scheme from 6no pitches to 2no pitches. As previously detailed, the site is enclosed, with existing extensive soft landscaping to the western boundary of the site along West Chiltington Lane which would be retained. The proposed bunding with a modest height of 2m would also provide further enclosure of the site and development which would be in line with the existing character of the area, as set out within the G2 Itchingfield and Barns Green Wooded Farmlands Character Area assessment.

6.30 As such, the proposed development would be concealed from views from public vantage points, and the sense of enclosure of the site would be retained.

6.31 The proposed reduction to 2no pitches is considered to address the purported urbanising impact the previous refusal was deemed to have. The significant reduction from 6no pitches to 2no pitches would result in less hard standing areas and more of the existing field retained. As detailed above, the site is enclosed, so there would be no detrimental impact on the surrounding landscape character.

6.32 Given the context of the site and the screening to be retained to the west, the proposal would not have a material adverse impact on the visual amenities of the rural area, in view of the position of the main body of the site / positioning of the pitches set away from West Chiltington Lane. The local topography and strong landscape features would provide a good natural enclosure.

6.33 As a result, the visual impact of the proposal would be local and limited and it would not have an imposing harmful effect on the wider landscape. Similar to the Inspectors views when considering the proposals at Kingfisher Farm, while the proposal would add some residential paraphernalia to the site, taking into account the above, and the new proposals providing only 2np pitches, it is viewed that any harm would not be of great weight in the balance of considerations.

6.34 It is not considered that a development of this scale would amount to a significant intensification of activity within this countryside location, on an individual or cumulative basis, as purported by the Council within the previously refused application, or that the secondary effects of development in terms of noise and / or lighting are incapable of being reduced to an acceptable extent by way of conditions controlling the introduction of external lighting. The applicant acknowledges that the provision of 6no pitches as previously proposed may not have been suitable in this location, however the reduction to 2no pitches is considered to be more appropriate and would be in line with similar approvals within the District, namely appeal ref: APP/Z3825/W/20/3265226, (LPA ref: DC/20/1993), as detailed above.

6.35 Overall, the amended proposals, as set out within this current application is of a modest size and scale and is not anticipated to significantly affect the visual qualities and condition of the surrounding setting. The proposed extent and layout of the development would not directly alter the pattern of irregularly sized fields within this landscape or the closer surroundings of the site.

6.36 It is considered, therefore, that the proposed development is compliant with the provisions of HDPF Policies 25 and 26 in terms of landscape impact, and intensification of activity in the countryside and tranquillity more generally.

6.37 Lastly, notwithstanding the above, it is considered that the any purported landscape harm would not outweigh the principle argument and lack of supply of gypsy and traveller pitches within the District, as set out above. The vast majority of gypsy and traveller sites / pitches within Horsham District are located in rural areas, and as such, given the significant lack of supply, a degree of change within these setting must be accepted.

Heritage Impacts

6.38 Policy 34 to the HDPF concerns cultural and heritage assets and provides that the Council will sustain and enhance its historic environment by positively managing the development affecting heritage assets.

6.39 Applications for such development must make appropriate reference to the significance of heritage assets, reflect current best practice guidance, reinforce the special interest of the District's historic environment through development of appropriate character, siting, scale, form and design, materials, and techniques, and retain the setting of heritage assets.

6.40 The setting of Pear Tree Farmhouse to the southwest of the site is the surroundings in which the designated heritage asset is experienced. There is no inter-visibility or perception of activity between this Listed Building and Greenacres Farm due to the separation distance, the intervening physical features and pattern of land use. Accordingly, the site is not within the setting of Pear Tree Farmhouse and the development has no material effect on the significance of the Listed Building. The proposal would, therefore, have a neutral effect on the designated heritage asset and is acceptable in this regard.

Highways and Parking Considerations

6.41 Policy 40 of the HDPF provides that development will be permitted provided that it is appropriate in scale to existing transport infrastructure, maintains the existing transport system, includes opportunities for sustainable travel, and minimises the distance people need to travel. Development, further, should provide safe and suitable access for all highway users.

6.42 Policy 41 of the HDPF seeks to ensure that the proposed development is supported by adequate parking, including for vehicles, electric vehicles, and cyclists.

6.43 The proposed development is of a scale which would not materially influence the operation of the highway network at a strategic scale. The principal access considerations, therefore, are deemed to be the suitability of the existing shared access route to support the proposed development and its effects on highway safety.

6.44 The site is located near Barns Green, categorised as a 'medium village' by HDPF Policy 3 as offering some day-to-day needs for residents. The nearest higher order settlement is Billingshurst, about 4.5 km away. There are options for using other means of transport than a car, although less so for people with disabilities, the elderly or the very young given the distances involved and the nature of the routes. The use of the private car would be the predominant mode of travel. Nevertheless, the site is near an existing settlement and is within a reasonable distance of a range of local services and community facilities. Criterion (d) of Policy 23 is met and no conflict arises with HDPF Policy 40 in this regard.

6.45 As detailed above, the proposal would be served by existing vehicular access to the north onto West Chiltington Lane, which currently serves the development at Kingfisher Farm. No recorded accidents are present in relation to the site access over a 5–10-year period and it is considered that the modest scale of the development and the number of pitches proposed would not have a detrimental impact on highway safety or the safe functioning of the access.

6.46 Appropriate visibility spays are also provided at the access point. Overall, the proposed development is served by safe and convenient vehicular and pedestrian access, and the development should not result in a significant hazard to other road users. The Local Highway Criterion (b) of Policy 23 would also be met and there would be no conflict with Policy 40 of the HDPF in this regard.

6.47 With regards to parking, the submitted plans indicate sufficient parking provision to serve each of the pitches, with sufficient space available for circulation and cycle storage. The applicant would be happy with a condition requiring EV charging points to be provided to serve the proposed development. The application would, therefore, be in accordance with Policy 41 of the HDPF, and overall, no highway or parking concerns would be raised as a result of the proposed development.

Neighbouring Amenity

6.48 Policy 33 of the HDPF seeks to ensure that the proposed development does not result in unacceptable harm to the living conditions of nearby occupiers / users of land in respect of a possible loss of privacy, natural light and / or disturbance.

6.49 As detailed above, existing gypsy and traveller pitches are present at Kingfisher Farm to the east, Greenfield Farm to the south, and other residential properties located further to the southeast along Valewood Lane.

6.50 Given the distances maintained and the existing mixture of uses within the immediate vicinity it is considered unlikely that the proposal would adversely affect the nearest neighbouring development by reason of loss of privacy, noise, or disturbance because of the separation distances. The proposal, therefore, is compliant with the requirements of HDPF Policies 23 Criterion (e) and 33 in this regard.

Water Neutrality

6.51 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.

6.52 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.

6.53 The application is supported by a detailed Water Neutrality Statement which sets out through the use of efficient fixtures and fittings and rainwater harvesting, using the roof areas of the proposed mobile homes and day rooms, that the proposed development would be water neutral. Full details are set out within the Water Neutrality Statement and are not repeated in this statement to avoid duplication of the information.

6.54 As such, the grant of outline planning permission would not therefore adversely affect the integrity of these sites 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. The information provided is considered to address reason for refusal 2 on the previous application.

Drainage and Flood Risk

6.55 Policy 38 to the HDPF provides that development should follow a sequential approach to flood-risk, prioritising sites and layouts that minimise vulnerability to flood risk and the risk of increasing flooding elsewhere. All proposals within Flood Zones 2 and 3 or in excess of 1ha in area within Flood Zone 1, should be informed by a site-specific Flood Risk Assessment. Policy 38 further provides that where there is potential for development to increase flood risk elsewhere, sustainable urban drainage systems or alternative water management measures should be incorporated such as to eliminate that risk with a preference for drainage systems which mimic natural features wherever possible.

6.56 The land is not located in an area of flood risk and the site area is less than 1ha. No constraints exist in terms of ground stability or proximity to hazardous installations. The submitted details show the provision of appropriate services for foul and surface water drainage. The proposal, therefore, complies with the requirements of HDPF Policies 23 Criterion (c) and 38 in this regard. Full details can be secured via a suitable condition that the applicant would happily agree to.

Ecological and Biodiversity Considerations

6.57 Policy 31 of the HDPF states, "Development will be supported where it can demonstrate that it maintains or enhances the existing network of green infrastructure. Development proposals will be required to contribute to the enhancement of existing biodiversity and should create and manage new habitats where appropriate. The Council will support new development that retains and / or enhances significant nature conservation features on development sites. The Council will also support development which makes a positive contribution to biodiversity through the creation of green spaces, and linkages between habitats to create local and regional ecological networks".

6.58 The application is supported by a detailed Preliminary Ecological Assessment (PEA). The PEA sets out that the site is located within a potential zone of influence of the Mens SAC / SSSI, which is located over 8.0km from the site. As this designation is not located within the immediate vicinity of the site and considering the size and nature of proposals, the potential for impacts, such as through land take, pollution, increased recreational pressure, etc., is considered to be negligible.

6.59 The PEA identifies that overall, the habitats on site were assessed as being of broadly low ecological value, with the greatest ecological interest at the site associated with the mature native trees and scrub species. The site provides suitable potential habitat for hedgehogs, badgers, dormice, breeding birds and roosting, commuting and foraging bats. The proposed pitches, access road and parking areas would be positioned centrally within the grassed area of the site with the hedgerows, trees, and vegetation along the western and southern boundaries of the site to be retained fully. Indeed, it is noted that the hedgerow with trees that runs along the western site boundary qualifies as a UK priority habitat with a higher ecological value, and therefore, the retention of these is considered to be significant and important.

6.60 Opportunities for Biodiversity Net Gain (BNG) have been identified. These include –

- The use of seed and fruit-bearing species of trees such as cherry, rowan, birch, hawthorn, and crab apple to provide a foraging resource for birds and insects;
- The provision of log and compost piles to provide refugia for reptiles and amphibians;
- Installation of bird and bat boxes and ‘bug hotels’ to mature trees;
- The use of flowering lawns in areas which require regular mowing rather than a standard amenity mix;
- Incorporation of hedgehog holes in garden fences and hedgehog houses in retained scrub.

6.61 In addition to the above, the PEA has identified that additional surveys would be required with regards to reptiles and Great Crested Newts (GCN), as well as further tree considerations should those identified require surgery work. The surveys have been completed and are submitted as part of this application, with any suggested conditions by the Council to secure any mitigation and enhancement measures welcomed. The information provided is considered to address reason for refusal 3 on the previous application.

7. Summary and Conclusion

7.1 The proposed development would provide for 2no gypsy and traveller pitches and associated infrastructure which contribute towards the Council's significant lack of supply of such sites. The application site is considered to constitute a sustainable location for gypsy and traveller development within sufficient proximity to the settlement of Barns Green, notwithstanding the degree of anticipated reliance on the use of the private car in this instance. Therefore, the proposal complies with HDPF Policies 23 and 26 in spatial terms.

7.2 It is not considered that a gypsy and traveller development of this scale would place undue pressure upon local infrastructure, or dominate the nearest settled community of Barns Green, in accordance with paragraphs 14 and 25 of the PPTS.

7.3 The proposed development, given its modest scale, is not considered to unacceptably impact the landscape setting or character and the setting of a nearby heritage asset, in accordance with HDPF Policies 23, 33 and 34 in these regards.

7.4 The proposed development, further, would prove not to result in highway safety or parking issues and would not have a detrimental impact on the function of the highway network, in accordance with HDPF Policies 40 and 41. Matters in terms of flood risk and ecology have also been addressed and the proposal is considered to comply with HDPF Policies 38 and 31.

7.5 The Local Planning Authority cannot demonstrate a deliverable 5-year supply of gypsy and traveller pitches, with current evidence suggesting a substantial unmet need for pitches within the District. This lack of supply is considered to weigh substantially in favour of the grant of planning permission for the formation of 2no pitches as proposed and in response to objectives outlined in paragraph 4 of the PPTS which include an intention to increase the number of traveller pitches in appropriate locations to address under-provision and maintain an appropriate level of supply. The lack of supply is considered to outweigh any perceived harms as previously determined, with the reduction to 2no pitches being appropriate in this context. In addition, the application would be a positive measure to address the requirements from the specific needs of a minority group within the District, in accordance with HDPF Policy 42.

7.6 Overall, it has been demonstrated that the proposal would represent an appropriate form of development in this location, and no material considerations would justify a departure from the development plan. The proposal would be in accordance with the National PPTS and Policies 25, 26, 31, 32, 33, 34, 38 and 42 of the HDPF and therefore, the Local Planning Authority is respectfully asked to grant permission accordingly.

7.7 Thank you in advance of your balanced consideration of the proposed application. Please maintain a dialogue with myself and the applicants if you have any questions, concerns or matters that require further elaboration or clarification.