Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/24/0672
Oakwood Farm, Five Oaks Road, Slinfold, Horsham, West Sussex, RH13 0QW

DESCRIPTION:

Erection of an agricultural storage building.

RELEVANT PLANNING HISTORY:

DC/18/2155	Erection of three B1 and B8 rural economic units	Application Permitted on 03.12.2018.
DC/18/0064	Application to regularise works not built in accordance with previously approved application DC/15/2039 (Change of Use of Agricultural buildings to Class B1 and B8, Parking and Turning areas and improvement to Highways Access).	Application Permitted on 01.10.2018.
DISC/19/0020	Approval of details reserved by condition 3 on approved application DC/18/2155	Application Permitted on 06.03.2019.
DC/19/0259	Erection of a temporary rural workers dwelling.	Withdrawn Application on 20.05.2019.

SITE AND SURROUNDS

Oakwood Farm is located along Five Oaks Road (A246) in Slinfold, outside the built-up area boundary between Broadbridge Heath and Five Oaks. The site is located within a Bat Sustenance Zone. To the north and south of the site are fields and to the south-east are residential dwellings located approximately 182m away from the building. The site has sufficient boundary treatment, with hedgerows and trees lining the boundary line.

DETAILED DESCRIPTION

The application seeks to erect an agricultural building for the storage of timber and equipment on the farm adjacent to the business units owned by the applicant, located to the north east of the application site. The erection of the building would be for storage use only in connection with the storage of timber and supporting the Christmas Tree enterprise on site.

The proposed building would be located on the western side of the site, accessed via the existing entrance road to the buildings. The proposed building would measure 30.5m in length at its longest, have an overall height of 7.83m. The walls would be concrete panels at the base and box profile steel sheeting in olive green with the roof clad with Big 6 profiled cement fibre sheets in natural colour. Vehicular access would be gained through the entrance to Oakwood Farm off Five Oaks Road, which currently serves the commercial buildings and existing timber stacking area and fields of Christmas Trees.

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 7 - Strategic Policy: Economic Growth
Policy 9 - Employment Development
Policy 10 - Rural Economic Development
Policy 24 - Strategic Policy: Environmental Protection
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
Policy 26 - Strategic Policy: Countryside Protection
Policy 30 - Protected Landscapes
Policy 31 - Green Infrastructure and Biodiversity
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 40 - Sustainable Transport
Policy 41 - Parking

Horsham District Local Plan (2023-40) (Regulation 19):
Policy 9: Water Neutrality
Policy 17: Green Infrastructure and Biodiversity
Policy 19: Development Quality
Policy 20: Development Principles
Policy 24: Sustainable Transport
Policy 25: Parking

Slinfold Neighbourhood Plan (2014-2031)
Policy 4 – Conserve and Enhance Biodiversity
Policy 5 – Development Principles
Policy 12 – Economy and Enterprise

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:

OUTSIDE AGENCIES

Ecology Consultant: Recommend grant permission subject to conditions.

Note that the site is bare ground used for storage of woodchip and the adjacent tree belt will be protected from construction impacts. The Ecological Constraints & Biodiversity Net Gain Assessment (Deepdene Ecology Ltd, July 2024) considers the site is not suitable for foraging bats. As no treelines or hedgerows will be affected by the proposal, we advise that the LPA can record a decision of no Likely Significant Effect on the Sussex bat SACs in its project level HRA report.

Satisfied that there is sufficient ecological information available for determination.

Parish Comments:

No Objection.

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 10 of the Horsham District Planning Framework (HDPF) 2015 seeks to support the rural economy where this meets rural community needs and enables rural towns and villages to remain self-sufficient and economically vibrant. The policy further accepts that diversification can enable positive re-use of existing buildings within rural areas, thus potentially limiting adverse impacts on the landscape character.

Policy 12 of the Slinfold Neighbourhood Plan states that proposals which enable the development or enhancement of small scale businesses will be supported where, among other things, schemes are in appropriate locations in the countryside. In addition, proposals will be supported where they are in keeping with the character and vitality of the local area.

Oakwood Farm has a mixed use, with part industrial units and part of the site used for agricultural purposes and forestry. The proposal would be for the operational need for a purpose built building which would meet the needs of the agricultural/forestry business which is a Christmas Tree enterprise. The planning statement details that there is no suitable building on site that would be appropriate for the storage of modern machinery. It is noted that the existing buildings on site, are Class B1 and B8 uses, as approved by DC/18/0064 and therefore are not used in relation to agriculture on site. In accordance with Policy 10 and 26 of the HDPF, the agricultural building would support the farm and forestry business operating in the rural economy and would be within an established rural industrial estate and within the existing boundaries of the estate. It is therefore considered that there is a need for the principle of an agricultural building to support the Christmas Tree enterprise on site.

Design and Appearance:

Policy 32 and 33 of the HDPF seeks to ensure that development promotes a high standard and quality of design in order to enhance and protect locally distinctive characters. The policies also seek to ensure that the scale, massing, and appearance of development relates sympathetically with the built surroundings, landscape, open spaces, and routes within and adjoining the site, including any impact on the skyline and important views.

Policy 5 of the Slinfold Neighbourhood Plan states that development proposals which seek to respect the design, density and layout of the surrounding area as detailed in the Slinfold Parish Design Statement will be supported.

The proposed building would be located towards the rear corner of the field. The field is located behind the industrial units at Oakwood Farm and therefore would be far enough from residential development and nearby highways to ensure limited views. The proposed structure would have open fronted bays, with rooflights on the western roofslope. The proposed building would measure 30.5m in length at its

longest, have an overall height of 7.83m. While it is acknowledged that the building will be a sizeable addition to the field, the need for the building has been justified and it is considered that the site is of sufficient size to accommodate a building of this scale comfortably. The building would match the appearance of the existing commercial units on site, with an open internal area covered by a pitch roof, which is considered typical for agricultural buildings. It is therefore considered that the proposed agricultural building would be an appropriate addition to the site and would meet a required need. The design and appearance would be reflective of a common agricultural building and could be appropriately accommodated within the site, without visual impact on nearby amenity or from public vantage points.

Amenity Impacts:

Policy 33 requires that development avoids unacceptable harm to the amenity of occupiers/users of nearby property and land.

Policy 12 of the Slinfold Neighbourhood Plan states that development proposals will be supported where they respect residential amenity.

The nearest residential dwelling is located approximately 184m to the south-east of the site. Due to the positioning of the building in the western corner of the site, there would be limited views from public vantage points. There is also sufficient boundary treatment surrounding the site, in the form of hedgerows and trees which further mitigate any views from nearby amenity. Furthermore, as the building would be used for storage of timber and machinery for an existing enterprise on site, there are not considered to be any noise impacts arising as a result. Therefore, it is considered that there would be limited amenity impacts arising from the development.

Highways Impacts:

Policies 40 and 41 of the HDPF promote development that provides safe and adequate access, suitable for all users.

Policy 12 of the Slinfold Neighbourhood Plan states that development proposals will be supported where they would not have unacceptable impacts on the local road network.

The submitted planning statement details that the existing access from Five Oaks Road would be utilised for access to the site. There are no changes proposed to the access. It is therefore considered that the proposal would not result in adverse harm to the function and safety of the public highway, in accordance with Policies 40 and 41 of the Horsham District Planning Framework (2015).

Ecology:

Policy 31 of the HDPF states that development will be supported where it demonstrates 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 application site lies approximately 10.4km from The Mens Special Area of Conservation (SAC) and within the 12km Wider Conservation Area for the SAC. The planning statement states that the building would not involve any impact upon trees or other ecological features. The proposed building would be sited on an existing area of farm which is currently used for timber storage and would retain existing habitats and natural features. The submitted Ecological Constraints and BNG Assessment detailed that the site is not considered suitable for foraging bats. The Ecology consultant was content that as no treelines or hedgerows would be affected by the proposal, that there would be no likely significant effect on the Sussex bat SACs, therefore raising no objection to the proposed building.

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 agricultural barn does not propose any water facilities, so there would be no effect on the water usage on site. Therefore, water neutrality does not need to be demonstrated.

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 there are 0.14 habitat units on site currently. Due to the erection of an agricultural storage building on site, there would be a loss of 0.14 habitat units on site. Due to the size of the curtilage, there cannot be biodiversity mitigation on site, therefore off-site enhancement measures are required to meet net gain. Off-site net gain is proposed within the applicant's ownership but outside of the application site, this net gain would result in +0.14 biodiversity units (BU) of mixed scrub and +0.11 BU rural tree. This would result in a biodiversity net gain of 15.50%, which would meet the requirement of at least 10% BNG.

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.

Conclusions:

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	356.28		356.28
		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-Occupation Condition**: No part of the development hereby permitted shall be occupied until a Biodiversity Enhancement Layout for protected and Priority species for the recommendations in the Ecological Constraints & Biodiversity Net Gain Assessment (Deepdene Ecology Ltd, July 2024) has been submitted to and approved in writing by the local planning authority.

The content of the Biodiversity Enhancement Layout shall include the following: detailed designs or product descriptions for biodiversity enhancements; and locations, orientations, and heights for biodiversity enhancements on appropriate drawings.

The enhancement measures shall be implemented in accordance with the approved details prior to occupation and all features shall be retained in that manner thereafter.

Reason: To enhance protected and Priority species & habitats and allow the LPA to discharge its duties under the NPPF 2023 and s40 of the NERC Act 2006 (as amended).

4 **Regulatory Condition**: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, or Orders amending or revoking and re-enacting the same, the barn building hereby permitted shall be used for agricultural purposes only, as defined in Section 336(1) of the Town and Country Planning Act 1990, and for no other purpose(s)/use(s).

Reason: The site lies in an area where, in accordance with Policy 26 of the Horsham District Planning Framework (2015) development which cannot be justified as essential to the needs of agriculture or forestry would not normally be permitted.

5 **Regulatory Condition**: No external storage of any materials or waste shall take place at any time.

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

6 **Regulatory Condition**: All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Ecological Constraints & Biodiversity Net Gain Assessment (Deepdene Ecology Ltd, July 2024), as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

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 LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (as amended) and Policy 31 of the Horsham Development Framework.

7 **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).

8 **Regulatory Condition**: No new 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).

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/24/0672
(The approved plans will form Condition 1 on the Decision Notice of all Permitted applications)

Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Location & Site plan	Building Layout & Elevations & Site & Location Plans	24-02-01 1	06.12.2024
Supporting Statement	Ecological Constraints & Biodiversity Net Gain Assessment (BNG) by Deepdene Ecology Ltd	NONE Version 2	06.12.2024

DELEGATED

Case Officer sign/initial Bethan Tinning Date: 27.01.2025

Authorising Officer sign/initial Tamara Dale Date: 27.01.2025