Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/24/1570
Hurston Street Farm, Storrington, West Sussex, RH20 4HF

DESCRIPTION:

Proposed temporary land use proposal for a maximum of 5 touring caravan pitches.

RELEVANT PLANNING HISTORY:

None relevant.

ASSESSMENT

It is outlined within the submission documents that The Camping and Caravanning Club seeks to establish a temporary land use at the address, where the Landowner would be permitted to accommodate a maximum of 5 caravan on the site at any time, unless express permission has been granted by the Club.

The submitted documents indicate that the land subject of the proposal is located to the north of Hurston Street Farm.

Class C of Part 5 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended relates to the use of land by members of a recreational organisation for the purposes of recreation or instruction, and the erection or placing of tents on the land for the purposes of the use.

For the purposes of Class C "recreational organisation" means an organisation holding a certificate of exemption under section 269 of the Public Health Act 1936. Section 269(6) of the Public Health Act 1936 states that:

"If an organisation satisfies the Minister that it takes reasonable steps for securing—

(a) that camping sites belonging to or provided by it, or used by its members, are properly managed and kept in good sanitary condition; and

(b) that moveable dwellings used by its members are so used as not to give rise to any nuisance, the Minister may grant to that organisation a certificate of exemption.

A certificate so granted may be withdrawn at any time, but while in force shall for the purposes of this section have the effect of a licence—

i. authorising the use as a site for moveable dwellings of any camping ground belonging to, provided by or used by members of, the organisation;

ii. authorising any member of the organisation to erect or station on any site, and use, a moveable dwelling."

The information submitted confirms that the application site would be used by members for no more than 28 consecutive days at a time and for a maximum of 5 touring caravan pitches only. The application site has a Certificate of Exemption, Paragraph 5 Touring Caravan Exemption Certificate,

issued by Natural England under the Caravan Sites and Control of Development Act 1960. It is thereby advised that the use of the site for the specified purposes would represent permitted development under Class C of Part 5 of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended.

With regard to this site specifically, the land is not subject of an Article 4 Direction, and there are no Enforcement Notices on the site. However, from the documents provided, it is not clear how the proposed site would be accessed, as the site does not appear to benefit from an existing access track. There is a track 'Hurston Lane to Hurston Street Farm' classified by WSCC as Class T, which is a public right of way or track, which runs towards the application site. In order to create access to the application site, this may involve extending existing tracks and alterations to the public bridleway. Planning permission would likely be required for this. It is also advisable to contact West Sussex County Council Public Rights of Way team for comments on the potential impact on the public bridleway. It is advised that the proposed access arrangements are confirmed, and the relevant planning permission be submitted where required.

It is also noted that there were 17 letters of representation objecting to the notification have been received. A consultation response was also received from the Parish Council objecting the notification. Reasons for objection include: waterlogging of the field; poor access to the site; use of public bridleway and impact on users; location of the site within the designated 'green gap' defined within the Neighbourhood Plan; impact on the nearby Wells Cottages Conservation Area; impact on the surrounding landscape; and inadequate facilities on the site. While the nature of this notification does not allow for these matters to be formally assessed, it is advised that the Applicant consider these.

It is also noted that a letter of support was received by Hurston Street Farm which seemed to suggest an intention to place eco-cabins on the land. These would not fall within the definition of a caravan for the purposes of Class C of Part 5 Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended and would require planning permission.

Furthermore, it is advised that 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.

Article 3(1) of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended states that:

"Subject to the provisions of this Order and regulations 75 to 78 of the Conservation of Habitats and Species Regulations 2017 (general development orders), planning permission is hereby granted for the classes of development described as permitted development in Schedule 2".

Regulation 75 of The Conservation of Habitats and Species Regulations 2017 states that:
"It is a condition of any planning permission granted by a general development order made on or after 30th November 2017, that development which –

a) *is likely to have a significant effect on a European site or a European offshore marine site (either alone or in combination with other plans or projects), and*

b) *is not directly connected with or necessary to the management of the site,*

must not be begun until the developer has received written notification of the approval of the local planning authority under regulation 77 (approval of local planning authority)."

Regulation 77 specifies that an application to the local planning authority as mentioned in regulation 75 must:

a) *give details of the development which is intended to be carried out; and*

b) *be accompanied by –*

i. *a copy of any relevant notification by the appropriate nature conservation body under regulation 76, and*

ii. any fee required to be paid.

Regulation 77(7) of The Conservation of Habitats and Species Regulations 2017 states that "in light of the conclusion of the assessment the local planning authority may approve the development only after having ascertained that it will not adversely affect the integrity of the site".

The requirements of regulations 75 to 78 of The Conservation of Habitats and Species Regulations 2017 thereby apply to the proposed development. In accordance with these regulations (as specified above), an application must be made to the Local Planning Authority to determine whether the development will not adversely affect the integrity of the Arun Valley protected sites. As outlined within regulation 75, the development as specified within this notification must not begin until written notification of the approval of the Local Planning Authority under regulation 77 has been received. Further information on the Regulation 77 application, including submission details. can be found at:

https://www.horsham.gov.uk/planning/water-neutrality-in-horsham-district/regulation-77-conservationof-habitats-and-species-regulations.

Recommendation: COMMENTS on Notification

DELEGATED

Case Officer sign/initial Bethan Tinning Date: 23.10.2024

Authorising Officer sign/initial Tamara Dale Date: 31.10.2024