

DESIGN AND ACCESS STATEMENT

**Erection of 3 buildings (D, E & F), reposition PD Building C,
provision of a formal parking and turning layout to serve all units
along with dedicated internal access to land to the rear, the use of
Buildings C, D & E for variable B2 and E(g) use, Building F for
variable B2, E(d), and E(g) use and for all Buildings (A, B, C, D, E &
F) and all units to be capable of being used independently of each
other
at**

Marthas Barn Business Park, Wheatsheaf Road, Henfield BN5 9AX

Supported by Drawings 1891.3/01 to 07

Transport Statement by RGP Consulting Engineers Ltd

Biodiversity Net Gain Metric and related documents by EAS Ltd

Report by Head of Commercial Agency at Oakley Commercial Property Agents

Note: The Drawings supporting this application have been produced to be handled and viewed electronically and are best viewed on screen to see fine detail that may not appear on printed versions depending on the type of printer used and the size of print etc, for which Brett Incorporated Ltd accepts no liability.

Background

HF/31/94 and HF/32/94 confirmed that Building A itself shown on Block Plan 1893.3/02 and its use for 'storage in connection with an agricultural trenching contractor's business' were both lawful. The LDC and LUC Certificates notes the storage use is limited to the building itself with no additional yard or curtilage to support the use. The effect of the subsequent permission, DC/10/0650, for the use of Building A for 'storage, distribution and finishing of furniture (B1/B8) use only' not only extends the use of the lawful building to B1/B8 use (Cond 2) but also increases the curtilage of the premises onto land to the north and south of the building, which can be used for purposes incidental

to the primary use of the land such as for storage of containers, machinery and the like, which is not prevented by 8 of the permission. There is no parking requirement.

The commercial yard was yet further extended to its west and south with the new Building B, condition 6 of which restricts its use to B8, under DC/17/2554. Condition 4 requires the 6 parking spaces next to Building A as shown on plan 141417P01B and forecourt to be retained for turning of vehicles. Condition 7 of the permission is not at all clear because it can be construed in several different ways. It states "The building hereby permitted shall be occupied solely in connection with the use of Marthas Barn Warehouse Hollinger (which is a house to the east) and shall not be used as a separate unit". Nevertheless, the extended red edged application site area associated with DC/17/2554 represents the entire curtilage/yard of these commercial premises for the purposes of assessing the use of the planning unit. Save for the 6 dedicated parking spaces and the area for turning of vehicles shown on plan 141417P01B, the remainder of the extensive curtilage of the premises can be used for incidental purposes, such as storage etc., to the primary use of the buildings.

DC/20/0996 secured permission for the "Change in use of part of ground floor of existing B1/B8 commercial building (Building A) to ancillary kitchen showroom (A1)". Condition 3 requires the parking turning and access shown on drawing 1537/19/01C to be retained. Those details are the same as those shown on plan 141417P01B referred to above. Condition 6 limits the mixed-use of the permitted premises, which is assumed applies to 'part of the ground floor' the subject of the application, to "the display and sale of kitchens and fitted furniture ancillary to the storage, distribution and finishing of furniture" and for no other purposes in Use Class E. Overall, it appears that specified use builds on the B1/B8 use permitted in the rest of the building with condition 5 requiring the premises to be "occupied solely in connection with Marthas Barn Warehouse Hollinger and shall not be subdivided/used as a separate unit". In common with condition 7 on DC/17/2554, it is not clear how this controls the

intensity of use of the premises or maintains a satisfactory relationship between units, which is the reason for their imposition.

In this latter respect, in general, the intensity of use of commercial buildings is established through applying the various parking requirements set out in the TRICS database relative to the intended use of the gross internal floor area of the building. Accordingly, a building in multi occupancy is likely to generate broadly the same activity as the same building in single occupancy. The Transport Statement submitted with this application sets out the parking requirement for the existing and proposed buildings and their respective floor areas with reference to TRICS data, which will not be affected by the number of units created in the buildings. In these circumstances it is not considered that conditions 5 & 7 referred to above have any substantial impact on activity levels that generally stems from the nature and extent of the permitted use.

B1 use now falls as an E(g) use so a mixed A1 (retail), B8 (Storage and distribution) and E(g) use (offices, R&D and light industrial that can operate in a residential area without detriment) has been permitted at this site. Case law shows those mixed uses can flow about the site without representing a material change in use requiring planning permission. There is a conditional requirement for just 6 spaces to serve Buildings A and B along with forecourt turning for vehicles.

Although lawful, a scaffolding business occupied the front of the premises outside the dedicated vehicle turning area and to the west of Building B has now voluntarily ceased at officers' request. The area is now utilised in this current application for parking and a dedicated access to land to the rear of the commercial area. Cars and other commercial paraphernalia stored to the rear of the site and originally intended to be drawn back into the lawful site on existing and proposed hardstanding have been removed, again at officers' request.

This followed two dismissed appeals regarding DC/22/1790 and DC/23/2311 for extensive additional HGV turning and hardstanding areas on agricultural land to the rear of the site where the cars and other commercial paraphernalia were stored and HGV's could turn etc. Whilst the Inspector considered the commercial site to be well related to the group of residential properties to the east, it was considered the hardstandings projected too far into undeveloped open countryside to the south of the site and that there was no need for them. However, for reasons that are not entirely clear, the Inspector did not give the appeal parties the opportunity to comment on the significant 12 December 2024 changes to the National Planning Policy Framework (NPPF) before deciding the appeals and which had effectively stopped the examination of the emerging Local Plan. Indeed, no account was taken of emerging policies of the new Local Plan that had commenced being examined during 2024 and which anticipated and complied with the latest NPPF guidance. This matter is considered further under the Planning Policies section below.

DC/25/0887 confirmed that the current proposed Building C (albeit sited 10m from the western boundary to comply with permitted development (PD) limitations rather than 7.7m as currently envisaged) and additional hardstanding across the southern extent of the site would be PD. The hardstanding has since been provided but following discussions with Officers about the long-term future of this Business Park, the erection of the PD building was delayed to allow preparation of this current application that seeks to resolve the future of these premises once and for all in a comprehensive manner rather than what might be described as the piecemeal approach to date. If approved, an advertisement application will be submitted showing a composite board(s) to remove any sense of advertisement clutter from the road frontage.

Application Details

The purpose of this application is severalfold. Most importantly, it is to ensure these commercial premises are used effectively, remain viable and able to offer small units for rent primarily for B8 and E(g) use on flexible terms to be better

equipped to react to local demand and cater for start-up or expansion needs of businesses, which will be particularly attractive to start-up/small businesses and other SME's etc. This will be of benefit to the local community and economy as well as the District as a whole, including by drawing new employment opportunity into the District and catering for those businesses generally not served by the various industrial premises scattered about the local area that cater mostly for larger scale concerns.

The internal subdivision of the buildings will be dictated by the market demands to offer optimum use and the flexibility to allow future business expansion if need be. To this end, there will be communal sanitary facilities provided in accordance with the Building and Environmental Health Regulations so that the floorspace of each unit is not cluttered or pre-defined by separate sanitary facilities for each unit of occupation, whatever that might transpire to be. Whilst only ground floor accommodation is proposed, save for Building F that is single storey only, the parking provision allows for the possibility that there could be first floor 'space' either as a floor or racking etc. provided in each new building if need be, which can be served by the first floor windows shown or translucent sections of the roof panels to reduce energy costs etc. In this respect, temporary accommodation or storage at first floor level within a single unit can be provided with a mezzanine floor or racking etc. Parking provision allows for this event. In other circumstances, first floor floorspace could be separate to the ground floor.

The supporting Transport Statement shows the number of vehicle and bicycle parking spaces proposed are sufficient to serve the whole site, that swept path analysis shows the forecourt allows HGV's etc. to turn within the site and leave the site in forward gear, that the access into the premises off the public highway, which can cater for the expected loads from this development, is safe with adequate visibility and that the dedicated access to the land to the rear of the business park is suitable for its needs.

As detailed on Block Plan 1891.3/02, because the parking provision is based on gross external floor areas on two floors as a belt and braces approach (parking standards are based on gross internal floorspace) and that the higher ratio relative to E(g) use of 1 space per 30 sq. m has been adopted with the whole of Building F calculated at 1 space per 22 sq. m, there will be over-provision of parking, particularly in the event units are used for B8 storage use that has a parking requirement of 1 space per 100 sq. m. There will be dedicated access down the western boundary to serve the agricultural land to the south of the site for which a permitted development application is pending with the Caravan and Camping Club for a 5 Caravan and 10 tent pitch licence. In the event that proceeds, the communal sanitary facilities could serve that use as well.

The external yard of the commercial site is not currently controlled such that they can be used for open storage and other paraphernalia ancillary to the primary use of Buildings A & B. The existing site currently extends south to the rear wall of Hollinger that is now in separate ownership. As such, the various ground and first floor windows on the western elevation of that property are exposed to the noise and visual impact etc. of use of the open yard to the south of both existing buildings for storage of containers, equipment, machinery, vehicles and the like.

The layout of the proposed development is therefore specifically designed to place a definitive and defensible southern boundary to the commercial development in line with the southern boundary of Hollinger's garden and allow for a landscaped buffer between Hollinger and Building F that will complement other landscaping along the eastern boundary of the field. Building F is single storey and designed with a mono-pitch roof rising away from Hollinger to help contain any noise to the courtyard on this part of the site. There are no windows facing Hollinger and Building F will screen views into the property from other units or any first floor accommodation.

Building F will likely contain the communal sanitary facilities to meet the needs of the estate as a whole to enable maximum flexibility in unit range etc., which will discharge into the existing treatment plant that serves the existing premises and which will be upgraded if necessary to meet Building Regulations. Sanitary facilities represent an incidental use so could be located in any building on the site but the illustrative layout shows how an incidental communal area for coffee or where meetings might take place etc.. The building otherwise offers the opportunity for small B8/E(g) units or alternative gym use. In this latter respect, whilst not an essential element of this application that could be withdrawn if need be, the applicant, who lives close by, is keen on a variety of martial arts as a way of keeping fit. Along with his friends from the local area he trains most days in Hove that is the nearest facility. He is keen to develop a boutique style personal studio specialising in small-group sessions not offered in Henfield that can take advantage of the communal showers etc. to support what will be a low-key use.

Overall, it is considered the layout and design of the development will result in a marked improvement in the amenities and outlook etc. of Hollinger compared to the existing situation where the impact of the existing commercial site on that dwelling is down primarily to whatever is stored on or how this part of the site is used.

The overall external floor areas of the units (assessed as two floors save for Building F), along with the associated parking provision is shown on the Block Plan 1891.3/02.

The comprehensive Transport Statement supporting this application concludes:

- i) The local highway network is not subject to any underlying road safety issues;
- ii) Mean average vehicle speeds on Wheatsheaf Road locally to the site are approximately 45mph and 85th percentile speeds are in the order of 52mph;

- iii) Wheatsheaf Road is currently subject to in the order of 450 two-way vehicle movements during the peak hours and in the order of 5,000 two-way vehicle movements across an average weekday (AAWT);
- iv) The proposed development would not generate a significant level of traffic. There would be no discernible impact upon the operation of the local or wider highway networks;
- v) The existing site access arrangements, which would be retained as part of the, are considered to be fully appropriate to accommodate the proposed development, along with the existing site uses;
- vi) Appropriate provision for vehicle turning would be provided on the site; and,
- vii) Suitable car parking and cycle parking would be provided on site as part of the proposed development, fully in line with WSCC and HDC standards.

As a result of the data and evidence presented within this TS, it is considered that the proposed development is acceptable in transport terms and should not be resisted on such grounds.

Biodiversity Net Gain (BNG)

Even though the Small Sites Metric applies to this development because it is below the relevant threshold, EAS Ltd were commissioned to prepare associated documentation to show the baseline metric for the purposes of calculating 10% BNG and their associated documents are included with this application.

The baseline biodiversity value of the site has been calculated as 1.73 units such that 1.9 units would be necessary to deliver 10% net gain. Rather than considering how this might be achieved on the land to the south of the commercial site, for simplicity, because of what is being retained or provided

within the commercial site itself, EAS Ltd proposes purchasing 1.08 units from an off-site provider.

However, the day after the EAS Ltd's report was received on December 15 2025, the Government announced its intention in early 2026 to increase the threshold of the exemptions for mandatory BNG to small sites under 0.2 hectares, which will apply to this development and mean it is exempt from having to address BNG. It is not clear, however, when the revised exemption will take effect. Accordingly, the EAS Ltd report is submitted with the application to allow it to be registered etc., but it is anticipated by the time the application is determined the new exemption will be in place and make it superfluous to needs such that it will not be necessary to purchase 1.08 units from an off-site provider. Biodiversity enhancement can still however be secured through the landscaped buffer etc. referred to in the EAS Ltd report.

Planning Policy

The starting point for the determination of this application is section 38(6) of the Planning and Compulsory Purchase Act 2004, which requires it to be determined in accordance with the development plan unless material considerations indicate otherwise.

The development plan for this scheme comprises the Horsham District Planning Framework adopted in 2015 (HDPF) to cover the period to 2031 along with the Henfield Neighbourhood Development Plan (HNDP), 'made' with effect from 24 June 2021 following a referendum and successful completion of its route through public examination etc. to cover the period 2017-2031.

Neighbourhood Plan (NP) policies are required to be in general conformity with the strategic policies of the Local Plan (LP), which means a NP cannot propose less growth than required by a LP. However, NP policies take precedence over non-strategic LP policies in decision-making.

Following the issue of the revised National Planning policy Framework in December 2024, the Examination Hearings for the Horsham District Local Plan 2023-2040 were paused by the government appointed Inspector in December 2024. It was subsequently recommended the plan be withdrawn in April 2025 but this was not acted on. Since then, there have been changes to Government policy, further amendments to the NPPF have been put out for consultation expiring in March 2026 and Natural England's Position Statement regarding Water Neutrality has been withdrawn. Accordingly, the Council advised on 09 January 2026 the examination of the Local Plan remains live. In these circumstances, it is considered the policies of the HDLP 2023-2040 that set out the general policy direction of the Council in accordance with the revised NPPF carry significant weight in the determination of this application.

At part 2, the NPPF seeks to achieve sustainable development through three overarching objectives comprising economic, social and environmental. It notes the planning system should help build a strong, responsive and competitive economy by ensuring sufficient land of the right types is available in the right place and at the right time to support growth, innovation and improved productivity. Part 11 notes that planning policies and decisions should promote an effective use of land in meeting the needs for homes and other uses that makes as much use as possible of previously developed or brownfield land. Part 6 seeks to build a strong competitive economy through various means including through offering significant weight to support economic growth and productivity taking into account both local business needs and wider opportunities for development.

Policy 31 of the new Local Plan entitled Rural Economic Development encapsulates Government advice in the NPPF and the policies of the HDLP. Paragraph 9.25 highlights that Horsham District is predominantly rural in character and has a diverse urban and rural economy. Paragraph 9.27 notes that over half of the SME's in the UK are home-based and that in the District a number of these businesses are in rural areas along with many micro uses often

providing the only employment in villages and hamlets. The council wishes to retain this valued employment opportunity by offering expansion opportunity. Paragraph 9.29 states there is a need to maintain and enhance the rural economy with the policy itself stating:

Policy 31 - Rural Economic Development

1. Sustainable rural economic development and enterprise within the District as a whole will be supported where it is shown to generate local employment opportunities and economic, social and environmental benefits for local communities.
2. Outside built-up area boundaries or secondary settlements, economic development, which maintains the quality and character of the area whilst sustaining its varied and productive social and economic activity, will be supported in principle. Any development should be appropriate to the countryside location, and will be supported provided that:

- a) It does not prejudice, and contributes to, the diverse and sustainable farming enterprises within the District;
- b) It contributes to the sustainable custodianship of the countryside; and
- c) In the case of non-farming countryside-based enterprises and activities, it contributes to the wider rural economy and/or promotes recreation in, and the enjoyment of, the countryside, and complies with the following hierarchy:
 - i. As first preference, is contained within suitably located existing buildings which are appropriate for conversion or, in the case of an established rural industrial or commercial site, within the existing boundaries of the site;
 - ii. Where i) is not feasible, proposals for new buildings or development will be supported where it can be demonstrated that the proposal will contribute to sustainable rural economic growth that supports balanced living and working communities.

3. Proposals will be supported provided that they:

a) Do not adversely affect the character, appearance or visual amenities and the intrinsic character and beauty of the countryside and the location in question;

and

b) Demonstrate a net increase in biodiversity in and around the site.

4. Proposals will be supported provided that car parking requirements can be accommodated satisfactorily within the immediate surroundings of the buildings or an alternative logical solution is proposed.

It is considered this development, which is mostly on an existing commercial estate that could otherwise be developed under PD rights etc. with no additional parking requirement, has the support of this policy and particularly the approach envisaged at part 2(c)ii, which reflects the previous permissions for expansion of the commercial area under the HDPF. In other respects, it is considered the scheme is compliant with this and other policies that apply normal development management criteria, such as the provision of adequate parking and safe access as well as protecting and enhancing the amenities and outlook etc. of adjoining properties. Regarding the impact of the resultant commercial site on the character of the rural area, this is assessed below.

Planning Considerations and Balance

The planning history demonstrates the lawful commercial use of Building A was confirmed in 1994 such that the use must have commenced prior to 1984, over 40 years ago. There was no supporting parking or yard etc. because the lawful use was limited to the building itself.

Planning permission was granted for a commercial yard along with the expansion of the use of the building in 2010. In 2017, under the current HDPF that was adopted in 2015, there was a further extension to the commercial yard onto adjacent land to facilitate Building B.

The resultant site, which is contained on its north, west and eastern boundaries now extends southwards just past the rear face of Hollinger. As with any premises held lawful through time expired, there is no parking requirement such that the site has only 6 formal parking spaces. There is no requirement for parking in association with Building C in its PD position. Further PD buildings could be explored on the site without generating any further car parking provision although this cannot include removing the 6 spaces. In order to offer maximum return from the premises, the open areas not allocated for parking and turning are naturally used as extensively as possible with no restraint on

height, intensity or type of storage not in breach of the controls of the various permissions. This inevitably leads to what most would regard as a scruffy and unsightly, intrusive appearance at odds with the character of the area and adjoining residential properties. It also generates outside activity. Overall, this development will transform the character of the site into a pleasant business park with its courtyard setting where most external areas can be controlled to parking, access and turning etc. with little external impact on the wider area other than the buildings. These are designed with an agricultural flavour and typical of many other commercial buildings in rural areas. The proposed new buildings will be seen against the backcloth of existing buildings or other PD buildings.

It is considered the piecemeal approach to this site over a period of 40 odd years has not served the owner, occupiers, neighbours, the locality or employment opportunity well. Current PD rights for new commercial buildings offer little control over design, including overlooking windows, or parking, does not reduce cramping and ultimately could result in overdevelopment of the site and displace parking outside the site. Overall, it is considered preferable to exert planning control over how this site is developed rather than see it developed in a random piecemeal fashion under PD rights or using open areas for unsightly and harmful use etc. This scheme is intended to resolve the site once and for all so that it is better placed to serve the local community and business needs for the foreseeable future whilst offering improvements to the amenity and outlook of adjoining properties and protecting them from detrimental impact from the site.

This application proposes a new definitive and defensible southern boundary to the business park in line with the rear boundary line of Hollinger that the appeal Inspector considered well related to each other so that the two line up as the joint junction between urban development and countryside. This modest extension to the site builds on the precedent already established on two previous occasions of site expansion, the latest of which was supported by the

HDPF, which remains relevant to this development, as does emerging policy in the new Local Plan.

It is quite clear the existing development does not make effective use of the premises, which prejudices its long-term future and reduces unnecessarily employment opportunity in the area that National and local policy seek to enhance. Furthermore, the layout of the existing site encourages outside activity and storage of containers, vehicles and other equipment etc., as an incidental use to the primary use of the buildings that does not constitute development requiring planning permission and over which there are no height controls. For example, storage of mobile cranes or pile drivers etc. with their arms up could be kept at this site. PD rights offer no significant control over design detail and positioning of windows etc. and do not require associated parking for the building but merely that none of the 6 spaces is lost. Additional buildings could be erected under PD rights and can be used independently of others that would be able to rely on the existing parking spaces. As such, Hollinger is particularly vulnerable to the associated visual and activity impact etc. of open storage and activity on its flank, ground and first floor habitable windows facing the premises, which must impact adversely on the property's outlook and amenity, despite intervening landscaping buffer, which is intended to be conditionally provided with this application by inclusion within the application site. Hollinger was sold away from the overall site in 2012 so it is clear the new owners purchased the property with eyes open and fully aware of the commercial use of the premises. This application will address the detrimental impact of the estate on that property.

In view of the impact of the existing buildings and that of any PD development that will otherwise be pursued at this site to enhance its viability etc., along with the unsightly nature of open storage etc., on balance, it is considered the modest extension of the southern boundary will facilitate significant and worthwhile improvements to this site that will represent an improvement in the character of the site, the amenities and outlook of Hollinger and enhance the

site's setting within the countryside that will be of benefit to the wider landscape. The buildings have an agricultural flavour that will be presented to the views of the site from the open countryside.

In this latter respect, the attached report by the Head of Commercial Agency at the well-established and experienced Oakley Commercial Estate Agents, which caters mainly for the Sussex area, highlights how this development is predicted to be exceptionally popular. It will offer a flexible approach to unit size that will cater for the start-up and expansion needs etc. of small businesses that are simply not addressed by other larger existing concerns in the local area, some of which remain vacant. As such, the development will be attractive to and serve not only local need but also help draw business into the District in accordance with policy objectives.

In these circumstances, it is very much hoped the application will be approved, which will allow the site to be transformed in terms of its visual qualities and the sustainable benefits it will offer the area for many years.

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