



DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/26/0544

The Haven Dog Field, Okehurst Road, Billingshurst

DESCRIPTION:

Change of use of land to secure dog walking field with parking and access. (Retrospective).

RELEVANT PLANNING HISTORY:

None.

DESCRIPTION OF THE SITE

The application site comprises 2 hectares of open grassland to the north of Okehurst Road and has been operating as a secure bookable dog walking field since December 2025. Prior to this the field was part of a larger agricultural parcel extending out to the west.

The field can be accessed via an existing gated entrance from Okehurst Road, which is an unclassified single-track lane with passing places. There is limited built development in the surrounding area with the landscape dominated by agricultural fields, woodland (including ancient woodland) and a few farmsteads.

DESCRIPTION OF THE APPLICATION

The applicant is seeking a retrospective change of use of the land from agricultural to secure dog walking field with associated parking and access. To facilitate the operation of the dog walking field the applicant has constructed a 1.9m high post and wire mesh fence around the perimeter of the field and a 1.2m high timber fence to formalise the parking area. A wildlife margin, wildflower bund, 12 no. trees and 200m of native hedgerow planting have been incorporated into the proposal.

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 3 - Strategic Policy: Development Hierarchy

Policy 4 - Strategic Policy: Settlement Expansion

Policy 7 - Strategic Policy: Economic Growth

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 31 - Green Infrastructure and Biodiversity

Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 38 - Strategic Policy: Flooding
Policy 40 - Sustainable Transport
Policy 41 - Parking
Policy 43 - Community Facilities, Leisure and Recreation

Rudgwick Neighbourhood Plan (2021):

RNP1 Spatial Strategy
RNP10 Local Economy

Horsham District Local Plan (2023-40) (Regulation 19):

Strategic Policy 1: Sustainable Development
Strategic Policy 2: Development Hierarchy
Strategic Policy 3: Settlement Expansion
Strategic Policy 9: Water Neutrality
Strategic Policy 10: Flooding
Strategic Policy 11: Environmental Protection
Strategic Policy 13: The Natural Environment and Landscape Character
Strategic Policy 14: Countryside Protection
Strategic Policy 17: Green Infrastructure and Biodiversity
Strategic Policy 19: Development Quality
Strategic Policy 20: Development Principles
Strategic Policy 24: Sustainable Transport
Policy 25: Parking
Policy 28: Community Facilities, Leisure and Recreation
Policy 31: Rural Economic Development

Supplementary Planning Guidance:

Planning Obligations and Affordable Housing SPD (2017)
Community Infrastructure Levy (CIL) Charging Schedule (2017)

Parish Design Statement: Rudgwick Parish Design Statement (2009)

Planning Advice Notes:

Shaping Development in Horsham District
Biodiversity and Green Infrastructure

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:

INTERNAL CONSULTATIONS

HDC Arboricultural officer: Advice

Engineering works/increased compaction of underlying soil to date may have impacted upon the key rooting area of the nearest Ancient Woodland (AW) edge trees at the point of access. If the change of use is acceptable in other planning terms, it may be considered prudent to require the minimum buffer in this instance and encourage this to be managed in a more ecologically sensitive manner moving forwards.

HDC Environmental Health: Further Information Required

The submitted Operation and Environmental Management Plan is a good document; however, we would like to see some additions in order to protect residential amenity. We would also want the following conditions in place to protect amenity:

- Hours of use: Monday-Friday 08:00-19:00; Saturday, Sunday and Bank Holidays 09:00-13:00.
- Maximum number of dogs allowed at any one time: 6.
- Approved noise management plan should be strictly adhered to at all times.

OUTSIDE AGENCIES

Ecology Consultant: No Objection subject to conditions.

We are satisfied that there is sufficient ecological information available to support determination of this application and that the development can be made acceptable, with the appropriate mitigation measures secured.

WSCC Highways: No Objection

The LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network. It is therefore not contrary to the NPPF paragraph 116 and there are no transport grounds on which to resist the proposal.

The Woodland Trust: No Response.

PUBLIC CONSULTATIONS:

Representations:

1 letter of Objection has been received objecting to the application on the following grounds:

- A number of dogs that utilise these types of facilities have behavioural problems and this facility is adjacent to a bridleway well used by horse riders. This poses a risk to riders and a plan B should be put in place if/when an accident happens.

1 letter of Support has been received supporting the application but flagging the proposed operating hours of 08:00 to 19:00 as previously they have been disturbed by vehicle headlights when customers leave the site. Respondent has requested activity on site finishes at around 16:00-17:00.

Parish Comments:

Rudgwick Parish Council: Comment

Further information and clarification is required with regard to the claim for exemption from BNG purely on the grounds that the application is retrospective as well as on the biodiversity features on land adjacent to/near the proposed development before this application can be considered further.

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:

The proposal is located outside of a defined built-up area boundary and is therefore considered a countryside location for planning purposes, thus requiring assessment against Policy 26 of the Horsham District Planning Framework (2015) which outlines the circumstances where development outside of a built-up area boundary would be acceptable. The application proposes the retrospective change of use from agricultural to a secure dog walking field to be used by owners who require a safe place to exercise their dog(s) as well as professional dog walkers. It is therefore important that the site is large enough to accommodate the proposed use and does not compromise the amenity of nearby occupiers, with these often found in rural locations.

It is considered that the proposal would facilitate quiet, informal recreational use at the site as well as enable the sustainable development of a rural area by contributing to the diversification of agricultural practices in line with Policy 10 of the HDPF, while enhancing biodiversity at the site and providing a place for people to exercise. The proposal requires no built development and results in little change to landscape character, particularly as the site is largely screened from the public realm by boundary vegetation along Okehurst Road.

It is therefore considered that the proposal complies with the requirements of Policy 26 of the HDPF and the principle of this type of development in this location is acceptable.

Design and Appearance:

Policies 32 and 33 of the HDPF (2015) require that all development in the district be of high quality and complimentary to locally distinctive character. The policies also seek to ensure that the scale, massing and appearance of new development is appropriate as well as that a high standard of building materials, finishes and landscaping are used. In addition, Rudgwick Neighbourhood Plan includes a series of design policies (RNP6-9), though these are largely geared towards built development and not considered particularly relevant to this proposal.

The site's current lawful use is agricultural with historic Google Street imagery showing the site planted with crop and inherently rural in character, though the electricity pylons that cross the field provide an urbanising feature. The proposed use of the site as a dog walking field is unlikely to lead to a significantly different appearance to that of the previous use, particularly as boundary vegetation is being retained. The boundary vegetation ensures that the site is only partially visible from Okehurst Road while the open grassland proposed to cover the field is not too dissimilar in appearance to agricultural use.

It is acknowledged that the installation of pedestrian gates and fencing provides a degree of urbanisation however, these were erected under permissions allowed by the Town and Country Planning (General Permitted Development) (England) Order 2015 Part 2 Class A and are therefore not being considered as part of this application.

Given the above, it is considered that the proposal is complimentary to the local character of the area and has retained much of the existing landscape and natural features. The proposal is therefore compliant with Policies 32 and 33 of the HDPF with regard to design.

Trees and Landscaping:

Policy 33 of the HDPF has a presumption in favour of the retention of existing landscape and natural features including trees, while Policy 26 sets an expectation that development is appropriate to its respective setting and maintains the pattern of woodlands, hedgerows and trees. In addition, Policy RNP17 of the Rudgwick Neighbourhood Plan (RNP) states that development should not result in the net loss of existing trees or hedgerows. Also relevant to this application is paragraph 193(c) of the NPPF which states that development resulting in the loss or deterioration of ancient woodland should be refused unless exceptional circumstances can be demonstrated and a suitable compensation strategy is agreed.

Historically, the site has been planted with crop with woodland boundaries to the north and east and hedgerow to the south. There are a number of existing trees concentrated in the southeast section of the site and the woodland to the east is designated as ancient woodland. There are no Tree Protection Orders on site. Following the change of use, the site would comprise majority open grassland with all existing trees retained. In addition, 15 specimen trees would be planted across the site as well as a wildflower bund in the northwest corner and a wildflower margin around the perimeter of the field (max. width 12.1m).

The Council's Arboricultural Officer has been consulted on the proposal and raised concerns that development has commenced within the minimum recommended buffer for ancient woodland of 15m from the woodland boundary (current buffer approx. 6m). During subsequent discussions, it has been confirmed that the fencing is unlikely to be cause for concern (and is outside of the scope of this application) however, the compaction of soil as a result of increase vehicular and foot traffic may have impacted the key rooting area of the ancient woodland. As a result, the Arboricultural Officer is hesitant to be accepting of the development and has suggested that should it go ahead, the minimum buffer be required and managed in an ecologically sensitive way. The applicant has submitted an updated Site Layout Plan (ref: 0003-32-D01B) showing that the buffer (6.1m) between the perimeter fence and the ancient woodland will be left for natural colonisation.

The applicant was made aware of the comments made by the Council's Arboricultural Officer and maintains that there is unlikely to be an impact, as there is no built development within 15m of the ancient woodland that would create root damage. Although vehicles will access the site within the buffer, this is via an existing access point utilised when the field was in agricultural production and therefore unlikely to constitute a new impact pathway.

Considering both the above and Natural England's Standing Advice for Ancient Woodland, Officers are of the opinion that the proposal is unlikely to lead to the loss or deterioration of ancient woodland given that no built development is being proposed within 15m of the woodland boundary and the area will be managed as grassland (i.e. semi-natural habitat as recommended by Natural England). Direct access to the woodland is not being facilitated and although access will be permitted within the 15m buffer zone, this is not thought to lead to an impact above and beyond that posed by the existing PRow to the east of the site that intersects the ancient woodland and the previous agricultural vehicle usage.

It is therefore considered that the proposal aligns with Policies 33 and 26 of the HDPF, as well as Policy RNP17 of the RNP and paragraph 193(c) of the NPPF.

Residential Amenity:

Policy 33 of the HDPF (2015) states that permission will be granted for development that does not cause unacceptable harm to the amenity of the occupiers/users of nearby properties and land via aspects such as loss of privacy and/or outlook, noise, odour or general disturbance.

The nearest residential property is Shortloes Farmhouse which is located on the opposite side of the road to the proposal and is approx. 50m away from the edge of the application site. There is considerable boundary vegetation on both sides of Okehurst Road which limits views from Shortloes Farmhouse into the application site and vice versa. In addition, there are no windows on the northwest

facing elevation of Shortloes Farmhouse. It is therefore considered unlikely that impacts as a result of loss of privacy or outlook will occur.

There is however potential for impact to occur as a result of noise and general disturbance due to an intensification of the use of the site as well as a high likelihood of dogs barking. In addition, concerns have been raised over the safety of users of the adjacent bridleway (RUD-1352) due to the potential for dogs with behavioural problems using the site. To manage this, the applicant has submitted an Operational & Environmental Management Plan (dated 27 March 2026) which sets out the following measures:

- Use of an advance booking system and coded access to manage visitors to the site.
- Opportunity for applicant to restrict dogs recorded as a nuisance when using the site.
- Waste management measures.
- No artificial lighting.
- 6no. dogs permitted on site at any one time and maximum 2 vehicles.
- Routine monitoring of the site by the owner.

In addition, it should be noted that that field is segregated from the bridleway by two fences, including one made from 1.9m of wire mesh, as well as a section of ancient woodland. The bridleway is therefore well screened/separated from dogs utilising the field.

The Council's Environmental Health Officer has been consulted on the application and recommended that some minor changes be made to the Management Plan, which the applicant has actioned. They have also recommended a condition restricting the hours of operation to 08:00-19:00 Monday to Friday and 09:00-13:00 on Sundays and Bank Holidays.

While this is acknowledged, it is considered appropriate to align operating hours more with other dog walking fields within the District (e.g. DC/21/0597, DC/23/0242, DC/21/1044) given the remote location of the site, it's size and the limited number of dogs present at any one time. The representation made by the neighbouring property Shortloes Farm highlights concerns around light pollution from vehicle headlights however as the site will not be lit it is unlikely that people would be using the site after dusk (i.e. when headlights would be used). A condition will therefore be applied restricting hours of operation in line with those outlined in the Operational & Environmental Management Plan.

Highways Impacts:

Policies 39 and 41 of the HDPF seek to ensure that both sufficient capacity in the existing infrastructure exists prior to the release of land for development and that adequate parking facilities are provided to meet the needs of anticipated users. In addition, paragraph 116 of the NPPF states that where there will be an unacceptable impact upon highway safety or a severe impact on the road network (following mitigation), development should be refused.

The proposal will utilise an existing access point on Okehurst Road, which is an unclassified road subject to the national speed limit. An area for parking will be provided, as demonstrated on the submitted Site Layout Plan, with space for two vehicles. As the use of the field will be restricted to two vehicles per booking, this is considered sufficient parking provision for the site.

The Local Highways Authority has been consulted on the proposal, advising that there is no evidence to suggest that the existing access has been operating unsafely or that the proposal would exacerbate an existing safety concern. Given the usage restrictions on site, the LHA does not anticipate that the change of use would give rise to a significant material intensification of the access. They have concluded by advising that there are no transport grounds on which to refuse the proposal.

It is therefore considered that the proposal conforms with both local and national highways policy.

Ecology:

Policy 25 of the HDPF (2015) seeks to protect existing biodiversity and green infrastructure in the District by ensuring no net loss, while Policy 31 looks to encourage the provision and enhancement of new habitats as well as outlining requirements for areas of particular importance (SPAs, SACs, SSSIs etc.). This is in line with paragraphs 187-188 of the NPPF (2024).

Upon initial review of the site, the site does not contain any statutorily designated sites with the nearest designation being Coppedhall Hanger SSSI some 2km south. The site is however located within the 6.5km zone for The Mens SAC and the 12km zone for Ebernoe Common SAC, both designated for the species of barbastelle and Bechstein's bat, meaning that a Habitats Regulations Assessment will be required. The site is located within a green impact risk zone for Great Crested Newt (GCN) meaning that they are unlikely to be present in this area and will therefore not be discussed further.

The submitted Preliminary Ecological Appraisal (Arbtech Consulting Ltd, November 2025) has identified that the surrounding woodland offers suitable nesting and sheltering habitat for various protected species while the grassland on site would provide suitable foraging opportunities. The Council's Ecological Consultant has reviewed the application and advised that they consider it unlikely that bats have been impacted by the works (both SAC and wider species), given that no hedgerows or trees have been removed. A Habitats Regulations Screening Assessment has been completed that reflects this view and is available on the Council's website. It has however been advised that, should lighting be required, a Wildlife Friendly Lighting Strategy be adopted to avoid impacts as a result of light disturbance. As per the applicant's Design & Access Statement (Evolve Planning, March 2026) no external lighting is proposed and therefore a condition will be applied restricting the installation of external lighting unless otherwise agreed with the Council.

Given the above, it is considered that the proposal conforms with Policies 25 and 31 of the HDPF, as well as relevant national policy and ecological legislation.

Water Neutrality:

A 2021 Position Statement from Natural England identified that it could not be concluded with the required degree of certainty that new development in the Sussex North Water Supply Zone would not have an adverse effect on the integrity of the Arun Valley SAC, SPA and Ramsar sites. As a consequence, and to comply with the legal duties set out in the Conservation of Habitats and Species Regulations 2017 (known as the Habitat Regulations), all new development since has been required to demonstrate water neutrality.

On 31st October 2025 Natural England formally withdrew the 2021 Position Statement, citing a package of measures that they were satisfied would safeguard the Arun Valley sites. Principal amongst these measures is a reduction in the Southern Water abstraction licence 'by March 2026'. However, given the licence change has not yet taken place Horsham District Council, as competent authority under the Habitats Regulations, cannot yet be certain that new development will not result in adverse impacts on the Arun Valley sites.

To ensure development can come forward as water neutral in the meantime, the Council has agreed with Natural England to use the significant water savings made by Southern Water in 2024/25 through their programme of leakage reduction (amongst other measures). This has generated some 3,240,000 litres per day of water savings that can now be attributed to new development without increasing water abstraction in the Arun Valley beyond baseline. These savings were previously to be used to launch the Sussex North Water Certification Scheme (SNWCS), however following the withdrawal statement SNWCS will no longer be launching. Natural England standing advice dated 10 November 2025 raises no objection to using these savings to enable development to come forward. The standing advice clarifies that it functions as Natural England's formal response pursuant to Regulation 63(3) of the Conservation of Habitats and Species Regulations 2017 to all relevant planning applications which seek to achieve water neutrality using the above Southern Water savings.

Officers have undertaken a HRA Screening Assessment which demonstrates that, as the proposal does not require a mains water connection or the intensification of use of an existing mains connection, there is no likely significant effect on the Arun Valley SAC, SPA and Ramsar sites.

Accordingly, Officers consider that the proposed development is compliant with Regulations 63 and 70 of the Conservation of Habitats and Species Regulations 2017, HDPF Policy 31, and paragraph 193 of the NPPF.

Drainage and Flood Risk:

Policy 38 of the HDPF states that development should follow a sequential approach to flood risk management, giving priority to development with the lowest risk of flooding and making required development safe without increasing flood risk elsewhere. In addition, paragraph 170 of the NPPF discourages inappropriate development in areas at risk of flooding by directing development away from the areas at highest risk, while paragraph 173 states that a sequential risk-based approach should be taken to individual applications in areas known to be at risk now or in future from any form of flooding.

The application site sites wholly within Flood Zone 1, which is land defined by the Planning Practice Guidance for Flood Risk and Coastal Change as having a low probability of flooding. The majority of the site is also not susceptible to surface water flooding, though some areas along the southern boundary have a 1 in 30 chance of flooding in any given year with the impacted area increasing within the 1 in 1000 scenario. This area corresponds to the proposed wildflower margin, open grassland and the proposed parking area. There is no built development proposed on site and the parking area will be surfaced with loose aggregate (Fittleworth stone) to maintain natural drainage patterns.

It is therefore considered that the proposal conforms with Policy 38 of the HDPF in that it is located in an area with a predominantly low risk of flooding and is not proposing development that would increase this risk.

Other Matters:

Climate Change:

Policies 35, 36 and 37 require that development mitigates to the impacts of climate change through measures including improved energy efficiency, reducing flood risk, reducing water consumption, improving biodiversity and promoting sustainable transport modes. These policies reflect the requirements of Chapter 14 of the NPPF that local plans and decisions seek to reduce the impact of development on climate change. Conditions are attached to secure the following:

- Storage for refuse facilities.
- Biodiversity enhancement.

Subject to these conditions the application will suitably reduce the impact of the development on climate change in accordance with local and national policy.

Biodiversity Net Gain (BNG):

Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) mandates that every development must achieve at least a 10% Biodiversity Net Gain (BNG) (unless the development qualifies as exempt under the Biodiversity Gain Requirements (Exemptions) Regulations 2024) and that every planning permission granted for the development of land in England shall be deemed to have been granted subject to the condition that development must not be begun unless a Biodiversity Gain Plan has been submitted to the planning authority and the planning authority has approved the Plan.

The Biodiversity Gain Plan must show how the development will achieve the required minimum 10% BNG using the statutory biodiversity metric tool, and must demonstrate how the habitats will be managed and maintained for 30 years, starting from the date the development is completed. Off-site gains (on unregistered sites) and significant on-site enhancements will be secured over this period by way of a Legal Agreement.

The Applicant has demonstrated that the development is exempt from the requirement to achieve a minimum 10% BNG by reason of:

- The application is retrospective made under Section 73(A) of the Town and Country Planning Act.

It is noted that the Parish Council has queried the applicants claim for exemption from BNG purely on the grounds that it is a retrospective application however, the Biodiversity Net Gain PPG is clear in that BNG does not apply to retrospective applications made under section 73A and there is no evidence to suggest that the application is not retrospective. Therefore, no further information is required.

Conclusions:

The proposal is considered to comply with all relevant local and national planning policies and is therefore recommended for approval.

Recommendation: Application Permitted

Conditions:

- 1 Plans
- 2 **Regulatory Condition:** The parking, turning and access facilities outlined in the submitted Operational & Environmental Management Plan (27 March 2026) and shown on plan 0003-32-D01B shall be retained at all times to serve the development hereby permitted.

Reason: To ensure adequate parking, turning and access facilities are available to serve the development in accordance with Policy 40 of the Horsham District Planning Framework (2015).

- 3 **Regulatory Condition:** All mitigation measures and/or works shall be carried out within 3 months of this permission being granted in accordance with the details contained in the Biodiversity Enhancement Strategy Drawing Reference 0003-32-D01B (June 2026), Site Layout Plan Dwg No. 0003-32-D01B (Jamie Whittall, May 2026) and Preliminary Ecological Appraisal (Arbtech Consulting Limited, November 2025), as already submitted with the planning application and agreed in principle with the Local Planning Authority prior to determination. All implemented measures shall be retained thereafter unless express written consent is given from the Local Planning Authority.

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 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 and Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (as amended).

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

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

- 5 **Regulatory Condition:** The use hereby approved, including hours of operation, shall be carried out at all times in full accordance with the submitted Operational & Environmental Management Plan (dated 27 March 2026, received 7 May 2026).

Reason: In the interests of amenity of adjacent occupiers and to ensure the use of the site does not have a harmful environmental effect and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

NOTE TO APPLICANT

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/26/0544

(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 plan		0003-32-D02	30.03.2026
Design & Access Statement		NONE	30.03.2026
Supporting Docs	PRELIMINARY ECOLOGICAL APPRAISAL	NONE	30.03.2026
Supporting Docs	OPERATIONAL AND ENVIRONMENTAL MANAGEMENT PLAN	NONE	30.03.2026
Site plan	Updated Site Layout Plan	0003-32-D01B	29.05.2026
Supporting Docs	Biodiversity Enhancement Strategy		10.06.2026

DELEGATED

Case Officer sign/initial Sophie Moore Date: 24/06/2026

Authorising Officer sign/initial Adrian Smith Date: 01/07/2026