Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/25/0944
Merryhill, Storrington Road, Thakeham, West Sussex, RH20 3ED

DESCRIPTION:

Erection of barn for use by Merryhill Mushrooms business, acoustic fencing and alterations to driveway.

RELEVANT PLANNING HISTORY:

DC/24/1404 Demolition of existing outbuildings and erection of a barn. Application Refused on 21.01.2025

DESCRIPTION OF THE SITE

The application site is located on the west side of Storrington Road and includes two residential properties: Merryhill and Merryhill Cottage. Both share a large plot originally linked to Merryhill. Merryhill Cottage, the smaller, newer bungalow sits northeast of the main house. Merryhill itself is a large, two-storey detached house with white-painted brick walls and a hipped, tiled roof.

Merryhill has a connected garage on its eastern side with a curved extension. East of the garage are five single-story timber sheds of various designs and sizes. These outbuildings, along with the garage, support the Merryhill Mushrooms business. The site is surrounded by thick vegetation and mature trees, limiting visibility from outside, except slightly in winter.

The site is about 0.2 miles north of Storrington, in an area of large, detached houses on spacious plots. The area has a rural, edge-of-village character, with properties arranged along the road and partly screened by vegetation. Located in designated countryside, the site has no specific landscape or heritage designations nearby.

DESCRIPTION OF THE APPLICATION

The application seeks planning permission for the erection of a barn to be used in connection with the established family business, Merryhill Mushrooms, together with the erection of acoustic fencing and alterations to the existing driveway and vehicular access at Merryhill, Storrington Road, Thakeham.

The proposed barn would replace the current collection of small, dilapidated timber sheds and provide a consolidated, purpose-built, insulated facility for the production and storage of the company's mushroom growing kits and related products. The building is designed in a traditional rural form, utilising timber cladding above a brick plinth. The development also includes amendments to the access arrangements onto Storrington Road, with the driveway widened and the stone wall realigned.

This application represents a resubmission following the refusal of application DC/24/1404 in January 2025, which sought permission for a larger, two-storey barn positioned to the east of the main dwelling. The previous proposal was refused on grounds relating to its scale and massing, potential adverse impacts on countryside character and residential amenity, and insufficient information on water

neutrality and ecology. The current proposal has been revised to address these concerns, including relocating the barn further south within the site, reducing its height to a single-storey structure with a mezzanine, and submitting additional supporting documents.

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 28 - Replacement Dwellings and House Extensions in the Countryside
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 37 - Sustainable Construction
Policy 40 - Sustainable Transport
Policy 41 – Parking

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

Parish Design Statement:
Thakeham Parish Neighbourhood Plan has been Made.
Thakeham6- Design

Planning Advice Notes:
Facilitating Appropriate Development
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:

HDC Arboricultural officer: No Objection - The removal of two roadside Leyland cypress trees is considered acceptable, as they lack individual merit, and their loss will not harm public amenity or the wider landscape. Excavation works are confined to the northern bank, protecting the key Oak tree (T5) to the south. No construction is proposed within the Root Protection Areas (RPAs) of retained trees, which is positive. Although the RPA for T2 is extensive, the compacted soil and elevation reduce the risk of impact, and “no-dig” methods will further safeguard the area. Overall, the proposed tree protection measures comply with BS5837 standards.

HDC Environmental Health: No Objection - Due to the proximity of residential dwellings to the site, the applicant must implement appropriate control measures. Conditions provided for the Planning Department’s consideration.

Re-consultation (received 26.08.2025) – No additional comments to make.

Ecology Consultant: No Objection - The Preliminary Ecological Appraisal (Arun Ecology, May 2025) confirms that the site does not support roosting bats and no further bat surveys are required. However, due to the site's proximity to The Mens SAC and records of Barbastelle bats within 2km, potential impacts from light spill must be considered. A Wildlife Friendly Lighting Strategy is recommended to mitigate disturbance to foraging and commuting bats, with specific technical measures outlined in accordance with Bat Conservation Trust and Institute of Lighting Professionals guidance. These measures should be secured by condition and submitted prior to occupation. The site lies outside the conservation area for Ebernoe Common SAC and is 4.6km from Arun Valley SAC, SPA, and Ramsar site.

The site comprises modified grassland, scrub, bare ground, and native hedgerow with trees. The proposed development will result in minimal habitat loss, with replacement planting and retention of key features ensuring habitat connectivity is maintained. Mitigation measures for mobile protected species, including hedgehogs and amphibians, are supported and should be secured by condition. Biodiversity enhancements are also recommended to deliver net gains, in line with national policy and statutory duties under the NERC Act 2006. Subject to securing these mitigation and enhancement measures, the development is considered ecologically acceptable, and the LPA is advised to undertake a Stage 2 Appropriate Assessment and consult Natural England.

Natural England: No Objection - We concur with the conclusion of your authority's HRA appropriate assessment insofar that adverse effects on the integrity of the Arun Valley Designated sites can be ruled out, as such: We have no objections subject to the: delivery, management and maintenance of measures identified in the water neutrality statement to achieve water neutrality.

West Sussex Highway Authority: No Objection - The application proposes the erection of a barn for the "Merryhill Mushrooms" business, alongside alterations to the existing driveway and vehicle access on Storrington Road, a B-classified road with a 40-mph speed limit. The Local Highway Authority (WSCC) previously reviewed a similar proposal (DC/24/1404) and raised no concerns regarding highway safety or capacity. For the current application, the access point is to be widened, and the wall realigned, with no visibility issues identified. Any works within the highway boundary will require a licence from WSCC.

The business is expected to generate minimal traffic, with only one delivery van trip per day, and the site provides adequate space for parking and turning. As such, the proposal is not considered to materially intensify use of the access or adversely affect highway safety. The Local Highway Authority concludes that the development will not result in severe cumulative impacts on the highway network and does not conflict with paragraph 116 of the National Planning Policy Framework. There are no transport grounds to resist the proposal.

PUBLIC CONSULTATIONS:

Representations:

3 letters of Objection have been received from 1 address, objecting to the application on the following grounds:

- Lack of clear details on driveway alterations and acoustic fencing specification.
- The two-storey barn is considered out of keeping when located next to a single-storey bungalow.
- Proximity to the boundary is viewed as poor planning that fails to respect the residential character of the area.
- Acoustic fencing
- Concern that the 2.5m high fence will negatively impact light, priva-cy, and enjoyment of the neighbour's property.
- Fence is seen as compounding the problem rather than mitigating it.
- Anticipated loss of light and privacy.
- Overbearing impact due to bulk and height.
- Doubts expressed about the agricultural/commercial need for a barn in this residential context.
- Fear that the proposal may facilitate subdivision and sale of the site, establishing a precedent for further commercial development.

Re-consultation received (21.10.2025) – Objection received from one neighbour - The only difference we can see to this new planning application is the site is no longer sectioned and is one large site. The planned building location has not been altered, therefore our previous objections in terms of design, loss of general amenity, over development of a residential site, privacy, light and noise and trees and landscaping all still remain.

Parish Comments:

Thakeham Parish Council: No Objection - Thakeham Parish Council (TPC) discussed the above application on 26.08.25. The applicant has amended original application, and the Committee have revisited this application and made the following comments.

- The committee noted the letter of objection and felt that a number of comments had been discussed by other Stakeholders (Highways etc.)
- The committee acknowledges that it is a large Commercial building within a residential area, although it has traded as a business from this site.
- TPC would like to see that if this application is approved – then this new building remains ancillary to the property and be kept as a barn – no future conversions to anything residential.

Re-consultation received (20.10.2025) – No further comments.

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 26 of the HDPF states that outside built-up area boundaries, the rural character and undeveloped nature of the countryside will be protected against inappropriate development. Any proposal must be essential to its countryside location, and in addition meet one of the following criteria: support the needs of agriculture or forestry; enable the extraction of minerals or the disposal of waste; provide for quiet informal recreational use; or enable the sustainable development of rural areas.

In addition, proposals must be of a scale appropriate to its countryside character and location. Development will be considered acceptable where it does not lead, either individually or cumulatively, to a significant increase in the overall level of activity in the countryside, and protects, and/or conserves, and/or enhances, the key features and characteristics of the landscape character area in which it is located.

Policy 10 of the Horsham District Planning Framework (HDPF) states that sustainable rural economic development and enterprise within the District will be encouraged in order to generate local employment opportunities and economic, social, and environmental benefits for local communities. In the countryside, 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 must:

1. Contribute to the diverse and sustainable farming enterprises within the District or, in the case of other countryside-based enterprises and activities, contribute to the wider rural economy and/or promote recreation in, and the enjoyment of, the countryside; and either:
    a) Be contained wherever possible within suitably located buildings which are appropriate for conversion or, in the case of an established rural industrial estate, within the existing boundaries of the estate; or
    b) Result in substantial environmental improvement and reduce the impact on the countryside, particularly if there are exceptional cases where new or replacement buildings are involved. New buildings or development in the rural area will be acceptable provided that it supports sustainable economic growth towards balanced living and working communities and criteria a) has been considered first.

2. Demonstrate that car parking requirements can be accommodated satisfactorily within the immediate surrounds of the buildings, or an alternative, logical solution is proposed.

Policy Thakeham1 of the Thakeham Neighbourhood Plan states that development plan policies for development in the countryside apply outside the built-up area boundaries.

The site is located outside of a defined built-up area boundary and therefore falls within designated countryside where development is strictly controlled under Policy 26 of the Horsham District Planning Framework (HDPF). Such proposals must be essential to their countryside location, be of a scale appropriate to the character of the area and must not give rise to a significant increase in overall activity.

The proposal seeks permission for a barn to support the continued operation of Merryhill Mushrooms, a small, family-run business that has been based at the site since 2010. The business produces and distributes mushroom growing kits and associated products, trading exclusively online with no customer visits to the site. Operations are currently spread across a collection of small, deteriorating sheds and the domestic garage, which are no longer fit for purpose. The proposed barn would consolidate these existing functions into one purpose-built, insulated facility, enabling efficient and hygienic operations essential to the nature of the enterprise.

Planning permission was refused under DC/24/1404 in January 2025 for four main reasons: (1) insufficient evidence that the proposal would not lead to an unacceptable increase in countryside activity, (2) excessive scale and massing, (3) potential adverse impacts on neighbouring amenity, and (4) lack of certainty on water neutrality and ecology. Each matter is addressed by the current submission as follows.

Firstly, in relation to countryside activity, the applicant has submitted detailed business information confirming that the proposal does not seek to expand operations but to consolidate existing activities, currently spread across several small and deteriorating sheds. The business remains small-scale, with no public visits, limited staff, and only routine courier and Royal Mail collections. As such, the proposal will not result in any intensification of activity, satisfying Policy 26.

Secondly, with regard to scale and massing, the current scheme has been reduced from a two-storey barn to a single-storey structure with only a modest mezzanine. While the footprint is marginally larger than the refused scheme, the reduced height, simplified form, and relocation to the southern part of the site ensure a less prominent and more proportionate development in its context. This revised siting also improves the relationship with the host dwelling, ensuring the building reads as a functional outbuilding within the established plot.

Thirdly, amenity impacts were previously cited as a reason for refusal. The resubmitted scheme includes acoustic fencing and strengthens landscaping to protect neighbouring occupiers. The relocation of the building provides greater separation from the immediate residential cluster to the east and positions it closer to robust boundary vegetation to the south. Detailed consideration of amenity is

set out later in this report, but in principle the current scheme directly addresses the concerns raised in the earlier refusal.

Finally, the refusal highlighted insufficient evidence on water neutrality and ecological impact. The resubmission is accompanied by a Water Neutrality Statement, which has been reviewed and accepted by Natural England, demonstrating that the proposal would result in a net reduction in water demand compared to the existing operation. A full ecological assessment and biodiversity net gain plan have also been submitted, confirming that the scheme will not harm protected habitats or species and will achieve the statutory 10% biodiversity net gain requirement. These matters are considered in detail under later sections of this report.

It is acknowledged that the building, being positioned further from the main dwelling of Merryhill, could in theory operate independently. However, the barn is directly associated with and will remain functionally tied to the host dwelling, from which the Merryhill Mushrooms business currently operates. To avoid any risk of severance or independent commercial use, a condition will be imposed to ensure the building remains ancillary to the host dwelling and in use solely for purposes connected with the existing business. This will ensure full compliance with Policy 10 of the HDPF. This resubmission directly addresses those issues in principle. The proposed barn is reduced in scale from the earlier scheme, being single storey with a modest mezzanine, and is repositioned within the site to reduce its impact. Detailed business information has been submitted confirming that the level of activity will remain as at present, with no intensification proposed. Instead, the purpose of the new building is to consolidate and improve existing operations, not to expand them. Supporting information on water neutrality, ecology and biodiversity also accompany the application and are addressed elsewhere in this report.

In principle terms, the proposal represents a proportionate and sustainable form of rural economic development that sustains an established local business, consolidates activity into a single purpose-built facility, and addresses all reasons for the earlier refusal. The scheme therefore complies with Policies 7, 10 and 26 of the HDPF, Policy Thakeham1 of the Thakeham Neighbourhood Plan, and with paragraphs 85–89 of the NPPF, which give significant weight to supporting rural economic growth.

Accordingly, the development is considered acceptable in principle as a proportionate form of rural economic development that sustains an established business, supports local employment, and makes efficient use of land.

Design and Appearance:

Policies 25, 32, and 33 of the Horsham District Planning Framework (HDPF) emphasize the importance of high-quality design that is sympathetic to the character and distinctiveness of its site and surroundings. Proposals must protect, conserve, and enhance the landscape character while contributing to a strong sense of place through appropriate scale, massing, and appearance.

The proposed outbuilding has been carefully re-designed in response to the concerns raised in the previous refusal. The scale, massing, and overall appearance have been moderated to ensure the development sits comfortably within its context and does not dominate the site or surrounding area.

The revised scheme employs a simple built form with a shallow roof profile and restrained ridge height, which reduces its visual prominence. Elevations now incorporate a considered mix of facing brickwork, timber cladding, and neutral finishes, drawing on materials characteristic of local vernacular outbuildings and thereby softening the overall impact.

The layout and siting of the building have been positioned to respect the established pattern of development on site. Its location is informed by functional requirements of the existing enterprise, while new boundary treatments – including the provision of a 2.5m acoustic fence will screen the structure from adjoining land and further mitigate any potential visual intrusion.

Overall, the design has been simplified and refined to address the previous concerns. The development is now considered to respect its rural setting through a more modest scale, sensitive material palette, and appropriate landscaping and screening measures.

Trees and Landscaping:

In compliance with Policy 31, which mandates the protection and enhancement of green infrastructure, the proposal retains the dense vegetation surrounding the site.

The Arboricultural Officer has confirmed no objection to the proposal. Two roadside Leyland Cypress trees will be removed, which are of low individual merit and their loss will not harm public amenity. No development is proposed within the root protection areas of retained trees, including the key Oak (T5) on the southern boundary. Appropriate “no-dig” construction methods will be used near sensitive areas, ensuring compliance with BS5837 standards.

Overall, tree impacts are minimal and acceptable, with native planting proposed to reinforce boundary screening and compensate for the two lost specimens.

Residential Amenity:

Policy 33 of the HDPF states that development should be designed to avoid unacceptable harm to the amenity of occupiers/users of nearby property and land, whilst having regard to the sensitivities of surrounding development.

Concerns have been raised by neighbouring residents regarding loss of light, privacy, noise and disturbance, overdevelopment, and the effect of boundary treatments on the enjoyment of their property. The siting and scale of the building have been designed to reduce any potential impact on neighbouring property. The building is positioned well within the site, standing approximately 12.7m from the nearest dwelling, ‘Littlebury Lodge’. The eaves height on this side is restricted to 3.2m, and the shallow 14-degree roof pitch slopes away from the boundary, which serves to reduce bulk and visual dominance. The overall ridge height is only marginally taller than the existing structure it replaces, and its form reflects an agricultural character appropriate to the rural setting.

The privacy aspect has been safeguarded through the careful arrangement of fenestration. Of the five proposed windows, four are located at high level, set over 3.7m above the floor, with no direct outlook. The only outward-facing window capable of direct use is positioned on the south-west elevation, facing away from neighbouring gardens and dwellings. As a result, the development will not give rise to any loss of privacy or overlooking.

With regard to light and outlook, the orientation of the building and path of the sun ensures no material overshadowing of neighbouring properties. Existing mature planting already provides effective screening, and this has been supplemented by new hedgerow planting along the southern boundary as suggested on the BNG plan. Strengthening the natural buffer over time. Although neighbours have expressed concern that the 2.5m acoustic fence may affect light and outlook, its primary purpose is to reduce noise and provide additional screening. When read alongside the landscaping, it will form a softened boundary treatment that supports rather than harms local amenity.

Noise and disturbance have been raised as further concerns. The proposal, however, consolidates all existing activities into a single well-insulated building, which is expected to reduce external noise compared to the current arrangement of smaller sheds. The business operates on a very modest scale, run by two directors with only occasional part-time support. It is not open to the public and does not generate customer footfall. Deliveries are limited to standard-sized vans, with only infrequent pallet deliveries, most of which are handled off-site. Consequently, there is no intensification of activity and no reasonable expectation of increased noise or disturbance.

The replacement of outdated sheds with a purpose-built, well-designed structure will enhance the overall visual and environmental quality of the site. Waste will be stored securely within the building and collected by the Council’s commercial service, eliminating the potential for odour or untidiness. In combination with the new planting, the scheme will improve the appearance and management of the site compared to the existing condition.

In summary, through its careful siting, modest height, sensitive window placement, strengthened boundary treatments, and consolidation of activity, the proposal would not give rise to unacceptable harm to the light, outlook, privacy, or tranquillity of neighbouring residents. On the contrary, it represents an improvement over the current arrangement and provides long-term benefits for both the business and the surrounding environment.

Highways Impacts:

Policies 40 and 41 of the HDPF promote development that provides safe and adequate access, suitable for all users. The application site benefits from an existing access with minor alterations to the existing driveway indicated on the submitted plans.

West Sussex County Council Highways has reviewed the proposal and raised no objection. The access point is onto Storrington Road, a B-classified road subject to a 40mph speed limit, with no visibility constraints identified. Any works within the highway boundary would require a licence from WSCC. The business is expected to generate very limited traffic, equating to around one delivery van trip per day with occasional palletised deliveries managed off-site. Sufficient parking and turning areas are available within the site.

It is therefore considered that the scheme would not result in an unacceptable intensification of use of the access, nor would it give rise to a severe cumulative impact on the highway network. The proposal accords with Policies 40 and 41 of the HDPF and paragraph 116 of the NPPF.

Ecology:

Policy 31 of the HDPF states that 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 which retains and/or enhances significant features of nature conservation on development sites.

The submitted Preliminary Ecological Appraisal (Arun Ecology, May 2025) has been reviewed by Place Services and Natural England. No bat roosts are present on site, and the two Leyland Cypress trees to be removed are not suitable roosting habitat. The site lies within the wider conservation zone for The Mens SAC, designated for Barbastelle bats, and is also within proximity to the Arun Valley SAC, SPA, and Ramsar sites.

While the development will result in a small loss of modified grassland, the native hedgerows and trees are retained, maintaining habitat connectivity. Replacement planting of native species such as Holly and Yew is proposed. A Wildlife Sensitive Lighting Strategy is required to prevent light spill impacting foraging or commuting bats. It is noted that no external lighting has been added as part of the proposal, which supports the ecological objectives of the scheme. A Precautionary Method Statement will also protect mobile species including hedgehogs and amphibians.

Place Services and Natural England have confirmed that, subject to securing mitigation and enhancement measures by condition, the development would not adversely affect the integrity of designated sites. In addition, biodiversity enhancements will be secured to achieve net gain, in line with the Environment Act 2021 requirements.

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 site lies within the Sussex North Water Supply Zone, where Natural England requires all new development to demonstrate water neutrality due to potential impacts on the Arun Valley SAC, SPA and Ramsar sites.

The Water Neutrality Statement confirms that the proposal will not lead to additional water demand. The existing mushroom business currently operates from Merryhill Cottage, generating approximately 42.9 litres/day of business-related water use. The proposed barn would accommodate the same three employees in a more efficient setting, with demand calculated at 27.75 litres/day. This represents a net reduction of 15.15 litres/day.

Water-efficient fittings will be installed in the new barn, and the relocation of business activity ensures that the project results in an overall saving. The Appropriate Assessment undertaken by Horsham District Council concludes that, with this mitigation, there will be no adverse effect on the integrity of the Arun Valley designated sites. Natural England has confirmed agreement with this conclusion.

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 and significant on-site enhancements will be secured over this period by way of a Legal Agreement.

The submitted statutory biodiversity metric demonstrates that the proposed development at Merryhill Mushrooms will result in a small on-site biodiversity deficit, with area habitat units reducing from 0.14 to 0.12 (a net loss of –15.72%) and hedgerow units increasing slightly from 0.68 to 0.69 (+1.44%), while watercourse units remain unchanged at 0.00. To achieve the required 10% net gain, the scheme requires an additional 0.16 habitat units and 0.75 hedgerow units. Given the constraints of the site, it is not possible to deliver sufficient enhancements on-site. The applicant has therefore secured an off-site solution through a Unit Purchase Agreement with Nature Impact (Kensham) Ltd for the provision of biodiversity units at Kensham Farm, Rolvenden, Kent. This agreement covers the purchase of 0.0372052 units of Other Neutral Grassland and 0.058317 units of Species-rich Hedgerow, secured by a Conservation Covenant with RSK Biocensus for a minimum of 30 years. Alongside the retention and protection of the existing on-site native hedgerow with trees, these measures will ensure compliance with the statutory requirement to deliver at least a 10% biodiversity net gain, in accordance with the Environment Act 2021. No irreplaceable habitats are present on or affected by the site.

Conclusions:

In conclusion, the proposal represents a proportionate form of rural economic development that consolidates an existing business within a purpose-built facility, without intensifying activity in the countryside. The design and siting are sympathetic to the rural setting, residential amenity and highway safety are safeguarded, and statutory requirements for biodiversity net gain and water neutrality are addressed. The scheme is therefore considered to accord with the relevant provisions of the Horsham District Planning Framework and the NPPF, and is recommended for approval subject to the conditions outlined.

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-Commencement Condition**: No development shall commence, including demolition pursuant to the permission granted, ground clearance, or bringing equipment, machinery or materials onto the site, until the following preliminaries have been completed in the sequence set out below:

i. All trees on the site shown for retention on approved drawing number Tree Protection Plan BS:5837, as well as those off-site whose root protection areas ingress into the site, shall be fully protected throughout all construction works by tree protective fencing affixed to the ground in full accordance with section 6 of BS 5837 'Trees in Relation to Design, Demolition and Construction - Recommendations' (2012).

ii. Once installed, the fencing shall be maintained during the course of the development works and until all machinery and surplus materials have been removed from the site. Before any work begins on site, the person(s) responsible for supervising the works must meet the Arboricultural Officer of the Local Planning Authority, on site, so the Arboriculturist Officer can supervise that the tree protection measures have been installed in accordance with the approved drawing number Tree Protection Plan BS:5837.

iii. Areas so fenced off shall be treated as zones of prohibited access and shall not be used for the storage of materials, equipment or machinery in any circumstances. No mixing of cement, concrete, or use of other materials or substances shall take place within any tree protective zone, or close enough to such a zone that seepage or displacement of those materials and substances could cause them to enter a zone. Any trees or hedges on the site which die or become damaged during the construction process shall be replaced with trees or hedging plants of a type, size and in positions agreed by the Local Planning Authority.

iv. Before any work begins on site, the person(s) responsible for supervising the works must meet the Arboricultural Officer of the Local Planning Authority, on site, so the Arboriculturist Officer can supervise that the tree protection measures have been installed in accordance with the approved drawing number Tree Protection Plan BS:5837 All works shall be carried out in strict accordance with the approved details.

Reason: As this matter is fundamental to the acceptable delivery of this permission, to ensure the underground services do not conflict with satisfactory landscaping in the interests of amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015).

4 **Pre-Installation Condition**: No external plant/machinery (if required) shall be installed until a plan detailing the location, type, and specification of any proposed external plant/machinery (including but not limited to refrigeration and air conditioning units) has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in full accordance with the approved details.

Reason: To ensure that any external plant or lighting does not result in unacceptable harm to the visual amenity of the area or the residential amenity of nearby occupiers and to ensure compliance with Policy 33 of the Horsham District Planning Framework (2015).

5 **Pre-Commencement (Slab Level) Condition**: A Biodiversity Enhancement Layout for the biodiversity enhancements listed in the Preliminary Ecological Appraisal (Arun Ecology, May 2025) shall be submitted to and approved in writing by the local planning authority.

The content of the Biodiversity Enhancement Layout shall include the following:

a) detailed designs or product descriptions for biodiversity enhancements; and
b) 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 Local Planning Authority to discharge its duties under paragraph 187d of the NPPF 2024 and s40 of the NERC Act 2006 (as amended).

6 **Pre-Occupation Condition**: The development hereby permitted shall be undertaken in full accordance with the water neutrality strategy (Water Neutrality Statement received on 08.05.2025). The development hereby permitted shall not be first occupied until evidence has been submitted to and been approved in writing by the Local Planning Authority that the approved water neutrality strategy has been implemented in full. The evidence shall include the specification of fittings and appliances used, evidence of their installation, evidence they meet the required water consumption flow rates. The installed measures shall be retained and operated as such at all times thereafter.

Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 193 and 194 of the National Planning Policy Framework (2024), and to allow the Local Planning Authority 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).

7 **Pre-Occupation Condition**: Prior to the first use of the development hereby permitted taking place, the proposed acoustic fencing shall be installed on the shared southern boundary of the site with Littlebury Lodge and Littlebury House in accordance with plan J7/01166 (received 13.08.2025), and shall remain in situ until otherwise agreed to and approved in writing by the Local Planning Authority.

Reason: In the interest of neighbouring amenity and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

8 **Regulatory Condition**: All mitigation measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (Arun Ecology, May 2025), as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. This includes the Precautionary Method Statement for mobile protected species in Sections 6.4.6 and 6.4.7 of the Preliminary Ecological Appraisal (Arun Ecology, May 2025), which avoids impacts to protected species.

This will 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 Local Planning Authority 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).

9 **Regulatory Condition**: All works shall be executed in full accordance with the submitted Arboricultural Impact Assessment/Method Statement BS:5837 Arboricultural Report, AIA/AMS 06647/2025 0.2, 05.06.2025.

Reason: To ensure the successful and satisfactory protection of important trees, shrubs and hedges on the site in accordance with Policies 30 and 33 of the Horsham District Planning Framework (2015).

10 **Regulatory Condition:** No additional 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).

11 **Regulatory Condition:** The building hereby permitted shall be used only to facilitate the continued commercial operations of Merryhill Mushrooms (in connection with the dwellings known as Merryhill and Merryhill Cottage) only, and for no other purpose (including any other purpose in any class the schedule to the Town and Country Planning (Use Classes) Order 2020), unless otherwise agreed to and approved in writing by the Local Planning Authority.

Reason: Changes of use as permitted by the Town and Country Planning (General Permitted Development) Order 2015 are not considered appropriate in this case under policy 10 of the Horsham District Planning Framework (2015).

12 **Regulatory Condition:** The use of the building hereby permitted shall be restricted to the storage, packing, and dispatch of products sold exclusively via online sales channels. The premises shall not be used for retail sales to visiting members of the public, nor shall any customer visits take place in connection with the commercial use of the building.

Reason: To ensure the commercial operations remain low-impact, do not generate unacceptable levels of vehicular traffic, and do not cause demonstrable harm to the character and amenity of this rural location, in accordance with the submitted supporting statements and the requirements of Policies 10 and 26 of the Horsham District Planning Framework (2015).

13 **Regulatory Condition:** No deliveries to or from the site shall occur except during the following times:

- Monday to Friday: 0900 to 1730
- Saturday: 0900 to 1500
- No operations on Sundays, Bank Holidays, or Public Holidays.

Reason: To protect amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015).

NOTE TO APPLICANT

Vehicle Crossover - Minor Highway Works

The applicant is advised that in addition to obtaining planning permission that they must also obtain formal approval from the highway authority to carry out the site access works on the public highway. The granting of planning permission does not guarantee that a vehicle crossover licence shall be granted because the highway license process considers wider factors than are considered by the Highway Authority at planning stage.

Additional information about the licence application process can be found at the following web page:

https://www.westsussex.gov.uk/roads-and-travel/highway-network-permits-and-licences/highway-licences/west-sussex-county-council-licences/dropped-kerbs-or-vehicle-crossovers-for-driveways/

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/25/0944
Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Location & Block plan		DE1223/01 REV P5	30.09.2025
Site plan	Existing	DE1223/02 REV P2	05.06.2025
Floor plan	Proposed	DE1223/04 REV P2	05.06.2025
Elevation plan	Proposed	DE1223/05 REV P2	05.06.2025
Site plan	Proposed	DE1223/06 REV P2	14.08.2025
Plans	Existing and Proposed Driveway	DE1223/07 REV P1	05.06.2025
Plans	Existing and Proposed Visualisations	DE1223/08 REV P1	05.06.2025
Supporting Statement	Arboricultural	AIA/AMS 06647/2025 0.2	05.06.2025
Supporting Statement	Business Information	NONE	05.06.2025
Design & Access Statement		NONE	05.06.2025
Tree plan	Protection	NONE	05.06.2025
Supporting Statement	Preliminary Ecological Appraisal	C-NJA-019-002-001	05.06.2025
Supporting Statement	Existing Fittings Survey	C3638	05.06.2025

Supporting Statement	Water Neutrality	C3638 REV P1	05.06.2025
Supporting Docs	Cover Letter	NONE	05.06.2025
Details plan	Acoustic Fencing Details	J7/01166	14.08.2025

DELEGATED

Case Officer sign/initial Shazia Penne Date: 03.11.2025

Authorising Officer sign/initial RHERMITAGE Date: 04.11.2025