Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/24/1720
Northover Manor Farm, Horsham Road, Steyning, West Sussex, BN44 3AA

DESCRIPTION:
Change of use of 2 bays in an agricultural/commercial open yard to:
Bay A - The Storage and maintenance of road gritting vehicles.
Bay B - The storage of salt for the gritting of roads.

RELEVANT PLANNING HISTORY:

DC/19/1555	Installation of cladding and cart shed doors to existing barns	Application Permitted on 14.02.2020.
DC/19/1577	Prior Approval for Change of Use of light industrial use to residential dwelling.	Prior Approval Required and REFUSED on 24.09.2019.
DC/19/2130	Conversion of existing building to one bedroom dwelling	Application Permitted on 06.10.2020.
DC/20/0405	Prior approval for proposed change of use of agricultural building to a dwellinghouse (Use Class C3), and for associated operational development	Withdrawn Application on 17.07.2020.
DC/20/0406	Prior approval for proposed change of use of agricultural building to a dwellinghouse (Use Class C3), and for associated operational development	Prior Approval Required and PERMITTED on 19.08.2020.
DC/20/0726	Prior notification for the demolition of buildings and the removal of silage clamp	Prior Approval Required and PERMITTED on 14.08.2020.
DC/20/1659	Prior notification for the change of use of an agricultural building to 5No. dwellings.	Prior Approval Required and PERMITTED on 26.10.2020.
DC/22/0311	Demolition of existing buildings and erection of 5no dwellings. Conversion of existing granary building to form 1no dwelling. Relocation of existing barn building to north, alterations to existing accesses, landscaping and associated works.	Application Refused on 13.05.2022.
HRA/22/0007	Regulation 77 of the conservation of habitats and species Regulations 2017 in respect of Prior Approval DC/20/1659.	Application Refused on 13.05.2022.
DC/22/1074	Prior Notification for the erection of an agricultural storage barn.	Prior Approval Required and REFUSED on 28.07.2022.
DC/22/1484	Prior Notification for the erection of an agricultural barn for the storage of hay and agricultural plant and machinery to allow for the maintenance of the land.	Prior Approval Required and REFUSED on 14.09.2022.
HRA/23/0002	Application under Regulation 77 of the Conservation of Habitats and Species Regulations 2017 in respect of Prior Approval consent DC/20/1659.	Application Refused on 03.05.2023.
DC/23/0048	Removal of existing barn and erection of a replacement agricultural barn for the storage of hay and agricultural plant and machinery including the provision of a solar panel array with associated landscaping	Application Permitted on 20.09.2023.

DESCRIPTION OF THE SITE

The application site comprises of agricultural barns constituent of Northover Farm, found to the east of Horsham Road to the east of the built footprint of Northover Manor as a Grade II listed building. The site is accessible by means of a shared private driveway to the west or via an alternative access to the north onto the B2135 Horsham Road. Historically, the owners ran a 200+ cow dairy herd, producing milk, beef cattle and stores. The site has been used for various commercial uses in the interim period.

The site is within the SSSI Impact Risk Zone of Chanctonbury Hill (4.4km) and Beeding to Newtimber Hill (5.5km) SSSIs. The nearest listed building is Northover Manor, and the location of the agricultural yard is shielded from the property by distance, structure, and natural features.

DESCRIPTION OF THE APPLICATION

The application is retrospective, with the site already used for the storage of road salt and gritting vehicles for the fulfilment of winter road gritting contracts with the Highways Authority and Highways Department of several local authorities. The application seeks to change the use of 90 sqm of yard forming part of Northover Manor Farm from a mixed use to the storage and distribution of road salt (within use Class B8) and the siting of 6 spreading vehicles and associated snow plough attachments to facilitate the winter gritting of roads in the area.

The site will seasonally have up to 6 gritting vehicles parking in Bay “A” ready for winter spreading of salt. The adjacent Bay “B” to the south, will hold the salt required for the gritting of the roads.

One shipping container and one diesel tank will be sited adjacent to the vehicles. A secure blue metal ISO container for the storage of a small amount of oil and coolant for the maintenance of the vehicles and a 1,200 litre, titan plastic diesel tank will be re-sited to refuel the vehicles at the location shown on the site plan.

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 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 31 - Green Infrastructure and Biodiversity
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 34 - Cultural and Heritage Assets
Policy 35 - Strategic Policy: Climate Change
Policy 36 - Strategic Policy: Appropriate Energy Use
Policy 40 - Sustainable Transport
Policy 41 - Parking

Steyning Neighbourhood Plan (2019-2031):
SNDP1 Green Infrastructure and Biodiversity
SNDP2 Responsible Environmental Design
SNDP3 Contribution to Character

Horsham District Local Plan (2023-40) (Regulation 19):
Strategic Policy 1: Sustainable Development
Strategic Policy 2: Development Hierarchy

Strategic Policy 8: Sustainable Design and Construction
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 16: protected Landscapes
Strategic Policy 17: Green Infrastructure and Biodiversity
Strategic Policy 19: Development Quality
Strategic Policy 20: Development Principles
Policy 21: Heritage Assets and Managing Change within the Historic Environment
Strategic Policy 24: Sustainable Transport
Policy 25: Parking
Strategic Policy 29: New Employment
Strategic Policy 30: Enhancing Existing Employment
Policy 31: Rural Economic Development

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

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 Conservation: Comment

The impact within the wider setting of the neighbouring listed building, Northover Manor will not be any more harmful in heritage terms than the current situation. However, mindful of the suggestion that a change of use of the land may lead to other uses not described in the supporting statement but covered under use class B8. Other uses that would increase the intensity of the activity on the site may lead to unintended harm to the setting of the listed building. Please take this into consideration when determining this application and include any conditions on the restriction of activity if appropriate.

WSCC Highways: No Objection

Whilst no information with regards to number of trips both existing or proposed, it is likely the proposed use for the storage of gritting vehicles will result in a reduction of traffic movements overall.

Visibility from the private access road onto the public highway (Horsham Road) is good and the access is of sufficient width to allow for vehicles to pass each other.

The applicant will need to take note of the comments issued by our Public Rights of Way team in light of safe areas for pedestrians and other bridleway users.

WSCC Rights of Way: No Objection

It is understood that vehicular access to the application site is proposed to be along the single-track lane that carries Public Bridleway 2587.

The Local Planning Authority must consider the safety of the public users of the bridleway in determining this application. It is noted that there are no passing places along the track between the application site and its access onto Horsham Road B2135 and the PROW Team requests that

consideration be given as to how the Applicant will mitigate potential conflict and risk between the proposed vehicular use and members of the public exercising their lawful right of access, on foot, on bicycle and on horseback.

There is no public access right to drive a motor vehicle along the public bridleway. Vehicular access along the bridleway is only lawful if a private right of access is held for such use. Driving a vehicle along the public right of way in the absence of such a right would be a criminal offence under the Highways Act.

It is understood that the application does not propose any alteration, to the Public Right of Way. The Public Rights of Way team offer no objection to the proposal. If the applicant does now, or in future, propose any alteration to the public right of way then they must first consult directly with West Sussex County Council, Public Rights of Way team (prow@westsussex.gov.uk).

PUBLIC CONSULTATIONS:

Representations:

2 letters of Objection have been received from 2 addresses, objecting to the application on the following grounds:

- Access is a Public Bridleway.

Parish Comments:

Steyning Parish Council: No Objection

Member Comments:

None received.

HUMAN RIGHTS AND EQUALITY:

The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a person's rights to the peaceful enjoyment of property and Article 8 of the same Act, which sets out their rights in respect to private and family life and for the home. Officers consider that the proposal would not be contrary to the provisions of the above Articles.

The application has also been considered in accordance with Horsham District Council's public sector equality duty, which seeks to prevent unlawful discrimination, to promote equality of opportunity and to foster good relations between people in a diverse community, in accordance with Section 149 of the Equality Act 2010. In this case, the proposal is not anticipated to have any potential impact from an equality perspective.

PLANNING ASSESSMENT

Principle of Development:

Policy 10 of the HDPF, Rural Economic Development, 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.

Policy 26 of the HDPF relates to countryside protection, stating 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 meet a specified criterion, which includes enabling the sustainable development of rural areas.

The application is retrospective, with the site already used for the storage of road salt and gritting vehicles. The application seeks to change the use of 90 sqm of yard forming part of Northover Manor Farm from a mixed use to the storage and distribution of road salt and siting of 6 spreading vehicles and associated snow plough attachments to facilitate the winter gritting of roads in the area.

The vehicles will consist of:

- 2 x 18 tonne 4 wheel, gritting trucks
- 2 x 7 ½ tonne gritting trucks
- 2 x 3 tonne gritting trucks

One shipping container, measuring 3.03m long x 2.44m wide x 2.59m high, will be sited south-west of the bays for storage. The shipping container would be a secure blue metal ISO container and used for the storage of a small amount of oil and coolant for the maintenance of the vehicles. A 1,200 litre, titan, plastic, diesel tank, will be re-sited to refuel the vehicles next to the ISO container.

The Planning Statement notes that the site has had several commercial uses since the demise of the dairy farm. The new use would facilitate the gritting of the roads within Horsham District and neighbouring districts. There would be an increase in employment, with the proposed use resulting in 5 additional part-time employees. The site would maintain a commercial use and continue rural employment while also re-using existing redundant agricultural infrastructure. The scale of the change of use is not considered to intensify the use on site, with the site used as a base for storage of gritting vehicles and associated equipment. The Planning Statement argues that the change of use will positively contribute towards the sustainable management of the public road network in the area and diversify the income for the holding, complying with the prevailing planning policies of the Horsham Local Plan. It is considered that the proposed change of use of 2 bays within an agricultural/commercial open yard would contribute to maintaining rural economic development and re-use existing infrastructure on an already established commercial site. It is therefore considered that the proposal would comply with the above policies.

Design and Appearance:

Policy 32 of the HDPF states that good design is a key element in sustainable development and seeks to ensure that development promotes a high standard of urban design, architecture, and landscape. Policy 33 of the HDPF states that development proposals should make efficient use of land, integrate effectively with the character of the surrounding area, use high quality and appropriate materials, retain landscaping where feasible (and mitigate loss if necessary) and ensure no conflict with the character of the surrounding town or landscape.

The proposed change of use would utilise the existing site and the existing hard standing within the existing boundaries of the complex. The site is well-screened from public vantage points due to vegetation along the boundaries with nearby amenities. There would be limited changes to the site, with the storage of gritting vehicles and addition of a shipping container, so it is considered that there would not be a significant visual impact beyond the existing use on site.

Heritage and Archaeology:

Policy 34 of the Horsham District Planning Framework states that development should be reinforce the special character of the historic environment through appropriate siting, scale, form and design; and should make a positive contribution to the character and distinctiveness of the area. Proposals should preserve and ensure clear legibility of locally distinctive vernacular building forms and their settings, features, fabric, and materials.

The application site is situated approximately 25m east of the built footprint of Northover Manor as a Grade II Listed Building. The HDC Conservation Officer noted that the suggestion that a change of use would lead to other uses not described in the supporting statement, other uses that would increase the intensity of the activity on the site may lead to unintended harm to the setting of the listed building. It is considered that the use of the site can be conditioned to restrict the use to that as described in the planning statement.

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.

There is considered to be limited impact on the neighbouring residential properties, as the location of the storage area sits within an established commercial site, which is surrounded by open field and vegetation which screens the site from public vantage points. It is considered that due to the nature of the use, storage of gritting vehicles, that the occasional movement of vehicles will be sufficiently infrequent and would not result in adverse harm to residential amenity. The proposed change of use is therefore not expected to result in significant potential for harmful levels of noise or disturbance.

Highways Impacts:

Policy 40 of the HDPF deals with sustainable transport and seeks new developments to provide safe and suitable access for all vehicles, pedestrians, cyclists, horses riders, public transport, and the delivery of goods. Policy 41 which relates to parking requires adequate parking and facilities to be provided within developments to meet the needs of anticipated users.

Objections have been received relating to the unachievable nature of the access due to PROW access restrictions for vehicles and ownership issues with the access point onto Horsham Road. The proposal would not create any access rights which do not currently exist for agricultural purposes, and the matter of ownership is a civil matter. The development would make use of the existing northern access track to access the site and there is sufficient parking and turning space provided on site. WSCC Highways note that while no information with regards to number of trips both existing or proposed has been provided, it is likely the proposed use for the storage of gritting vehicles will result in a reduction of traffic movements overall when compared with the previous agricultural movements. The visibility onto the public highway (Horsham Road) is good and the access is of sufficient width to allow for vehicles to pass each other. It is therefore considered that the proposal would not have an adverse impact on the highway network or highway safety.

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.

There is no clear or compelling evidence to suggest the nature and scale of the proposed development would result in a more intensive occupation of the site necessitating an increased consumption of water that would result in a significant impact on the Arun Valley SAC, SPA and Ramsar sites, either alone or in combination with other plans and projects. The grant of planning permission would not therefore adversely affect the integrity of these sites or otherwise conflict with policy 31 of the HDPF, NPPF paragraph 194 and the Council's obligations under the Conservation of Habitats and Species Regulations 2017.

Other Matters:

Public Rights of Way

The application site is accessed along a private drive that carries a Public Footpath. It is considered that the proposed change of use would not significantly increase the intensity of the vehicular traffic along the public right of way, above the existing arrangement. There are no alterations proposed to the public right of way and therefore the WSCC Public Rights of Way have no objections to the proposal. However, WSCC PROW did draw attention to paragraphs H & J of the informative, which notes that there is no public right of access to drive a motor vehicle along a public bridleway. The WSCC PROW team however, offered no objection to the proposal as there was no alteration proposed to the Public Right of Way.

Noise

Regarding noise, due to the location and the nature of area and existing agricultural and commercial uses, there are considered to be limited noise and vehicular movement impacts associated with the use.

Drainage and Flood Risk:

The site is not located within a flood risk zone and therefore there is no significant risk.

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

- The development qualifies as 'de minimis' under Regulation 4 of the Biodiversity Gain Requirements (Exemptions) Regulations 2024, as there is less than 5sqm of habitat being affected or 5m of hedgerow. The whole site is covered in concrete hardstanding.

Conclusions:

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

Recommendation: Application Permitted

Conditions:

2 **Regulatory Condition**: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order amending or revoking and/or re-enacting that Order), or the Town and Country Planning (Use Classes) Order 1987 (as amended), the premises hereby permitted shall be used for B8 storage purposes only, and for no other purposes whatsoever without express planning consent from the Local Planning Authority first being obtained.

Reason: Changes of use as permitted by the Town and Country Planning (General Permitted Development) Order or Use Classes Order 1987 are not considered appropriate in this case and in accordance Policy 33 of the Horsham District Planning Framework (2015).

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

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

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

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

5 **Regulatory Condition**: The premises shall not operate outside of the hours stated in the email dated 17.03.2025.

Reason: To safeguard the amenities of neighbouring properties in accordance with Policy 33 of the Horsham District Planning Framework (2015).

NOTE TO APPLICANT

A. The granting of planning permission does not authorise obstruction of, interference to or moving of any Public Right of Way (PROW); this can only be done with the prior consent of West Sussex County Council (WSCC), as highway authority, and possibly also a legal Order process by the relevant local planning authority. Further advice can be provided on request.

B. Safe and convenient public access is to be available at all times across the full width of the PROW, which may be wider than the available and used route - advice on the legal width can be provided by the WSCC PROW Team.

C. The path is not to be obstructed by vehicles, plant, scaffolding or the temporary storage of materials and / or chemicals during any works. These will constitute an offence of obstruction under the Highways Act 1980.

D. No new structures, such as gates and stiles, are to be installed within the width of the PROW without the prior consent of the WSCC PROW Team. These will constitute an offence of obstruction under the Highways Act 1980.

E. Any down pipes or soakaways associated with the development should discharge into an existing or new drainage system and away from the surface of the PROW. No drainage system is to be installed through the surface of the path without the prior consent of the WSCC PROW Team.

F. Where the ground levels adjacent to the PROW are to be raised above existing ground levels, this could increase the potential to flood the path. A suitable drainage system must be installed adjacent to the path to a specification agreed with the WSCC PROW Team prior to development commencing.

G. Any alteration to or replacement of the existing boundary with the PROW, or the erection of new fence lines, must be done in consultation with the WSCC PROW Team to ensure the legal width of the path is not reduced and there is no unlawful encroachment.

H. Access along a PROW by contractors' vehicles, deliveries or plant is only lawful if the applicant can prove it has a vehicular right; without this an offence under the Road Traffic Act 1988 section 34(1) is being committed.

I. The applicant is advised that a public access right has precedence over a private access right. Where a PROW runs along a route also used for private access purposes, usually for private vehicle access, this shared use has the potential for accident or injury - the applicant must consider how access is managed so the public is not endangered or inconvenienced.

J. Some properties have private rights over them for the benefit of a particular individual or property; for example, a landowner may have the right to drive over a neighbour's track to gain access to property. This right of access is granted to individuals and / or properties only and does not extend to the public. The WSCC PROW Team does not hold records of private rights of access; the applicant is encouraged to check that no private access rights will be detrimentally affected by this proposal.

K. It is an offence to damage the surface of a PROW without the prior consent of the WSCC PROW Team. The applicant must supply a specification and secure the approval of the WSCC PROW Team before works affecting the PROW begin, even if the surface is to be improved. Where a PROW surface is damaged and there was no prior consent, the applicant will be liable and required to make good the surface to a standard satisfactory to the WSCC PROW Team.

L. Where it is necessary to undertake works within the legal width of a PROW, e.g. install utilities, (or for development works immediately adjacent to a PROW that can not reasonably be managed through different Health and Safety practice) the applicant must be advised to apply to WSCC PROW Team for a temporary path closure. The applicant must be advised there is no guarantee an application will be approved; that a minimum of 6 weeks is needed to consider an application.

M. Where it will be necessary to permanently divert or extinguish a path 'to enable development to take place' by means of a Public Path Order (PPO) (most often under Town & Country Planning Act 1990 s257), to be applied for by the developer through the Local Planning Authority prior to development, WSCC PROW Team is not able to grant a temporary path closure as a precursor to a PPO. In such circumstance, WSCC PROW Team will only consider an application for a temporary path closure once the Local Planning Authority has made and confirmed a PPO.

N. Consented development is often subject to various environmental requirements, which can impact on the availability of PROW. For example, Great Crested Newt fencing has often been known to be laid across a PROW, which is either subject to installation of unauthorised stiles or gates, or unlawfully diverted around the site edge. The applicant must be advised that any environmental licence, such as from Natural England, does not negate the need to provide the legal line of a PROW without additional structures.

O. If the development proposes shared use of a PROW with vehicles (and / or introduces a vehicle crossing point of a PROW), which may increase the risk of accident or injury to a PROW user, then the applicant is encouraged to introduce signage to advise vehicle drivers of the hazard and to act responsibly.

POSITIVE AND PROACTIVE STATEMENT

Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received, in order to be able to, where possible, grant permission.

Plans list for: DC/24/1720

Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Location plan	Location Plan	NONE	08.01.2025
Site plan	Site Plan	NONE	05.11.2024
Elevation & Floor plan	10ft Shipping Container	NONE	14.01.2025

DELEGATED

Case Officer sign/initial Bethan Tinning Date: 17.03.2025

Authorising Officer sign/initial RHERMITAGE Date: 19.03.2025