Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/24/1513
Wellens Farm, Steyning Road, Ashurst, West Sussex, BN44 3AN

DESCRIPTION:
Demolition of existing redundant farm buildings and erection of two new detached residential dwellings with associated landscaping including boundary wall, two garage barns, cycle stores and a refuse store.

RELEVANT PLANNING HISTORY:

DC/20/1273	Conversion and extension of existing barns to form 1x two storey dwelling and 1x single storey dwelling.	Application Permitted on 23.12.2020
DC/21/1778	Application to confirm the lawful commencement of application DC/14/1030 (Conversion of redundant farm buildings to form residential dwelling, including internal and external alterations, retaining 2 further farm buildings for use as annexe and garden store and external landscaping).	Application Refused on 16.11.2021

DESCRIPTION OF THE SITE

The application site consists of a collection of agricultural farm buildings to the east of Steyning Road, involving five former farm buildings. There are non designated heritage assets to the north of the application site subject to the previous application DC/21/1778 which were shown on the 1910 ordinance survey record, with them being considered attractive brick built buildings built in traditional formal vernacular. The site is located outside of the Built up area boundary. There is an existing access onto Steyning Road but an additional access would be created as part of the application site. A detailed landscape plan has been included as part of the submission.

DESCRIPTION OF THE APPLICATION

Planning permission is sought for the demolition of several farm buildings and the erection of two chalet style dwellinghouses with four bedrooms each. The dwellings would be served by a parking area and hardstanding and would have amenity garden spaces. The built form on site would be arranged such that it is largely in the footprint of the existing farm buildings. The landscape works would include an orchard, earthworks and removal of vegetation on site. The external materials would include a cedar shingle with brick plinth base, clay tiled roof and would have six conservation style rooflights on the northern slope and eight rooflights on the southern slope.

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 15 - Strategic Policy: Housing Provision
Policy 16 - Strategic Policy: Meeting Local Housing Needs
Policy 24 - Strategic Policy: Environmental Protection
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
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 37 - Sustainable Construction
Policy 38 - Strategic Policy: Flooding
Policy 39 - Strategic Policy: Infrastructure Provision
Policy 41 - Parking

Paragraph 33 of the NPPF requires that all development plans complete their reviews no later than 5 years from their adoption. Horsham District Council is currently in the process of reviewing its development plan however at this stage the emerging policies carry only limited weight in decision making. As the HDPF is now over 5 years old, the most important policies for the determination of this application must be considered as to whether they are 'out of date' (NPPF paragraph 11d). This includes, for applications involving the provision of housing, whether the Council can demonstrate a five year supply of deliverable housing sites (NPPF footnote 8).

The Council is currently unable to demonstrate a five year supply of deliverable housing sites, with the supply currently calculated as being 2.9 years. The presumption in favour of development within Paragraph 11d) of the NPPF therefore applies in the consideration of all applications for housing development within the District (unless footnote 7 or Paragraph 14 applies to relevant applications), with Policies 2, 4, 15 and 26 now carrying only moderate weight in decision making.

All other policies within the HDPF as itemised above have been assessed against the NPPF and are considered to be consistent such that they continue to attract significant weight in decision making.

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 4: Horsham Town
Strategic Policy 6: Climate Change
Strategic Policy 7: Appropriate Energy Use
Strategic Policy 8: Sustainable Design and Construction
Strategic Policy 9: Water Neutrality
Strategic Policy 10: Flooding
Strategic Policy 11: Environmental Protection
Strategic Policy 12: Air Quality
Strategic Policy 13: The Natural Environment and Landscape Character
Strategic Policy 14: Countryside Protection
Strategic Policy 15: Settlement Coalescence
Strategic Policy 16: protected Landscapes
Strategic Policy 17: Green Infrastructure and Biodiversity
Policy 18: Local Green Space
Strategic Policy 19: Development Quality
Strategic Policy 20: Development Principles
Policy 21: Heritage Assets and Managing Change within the Historic Environment
Policy 22: Shop Fronts and Advertisements
Strategic Policy 23: Infrastructure Provision
Strategic Policy 24: Sustainable Transport
Policy 25: Parking
Policy 26: Gatwick Airport Safeguarding
Strategic Policy 27: Inclusive Communities, Health and Wellbeing

Policy 28: Community Facilities, Leisure and Recreation
Strategic Policy 29: New Employment
Strategic Policy 30: Enhancing Existing Employment
Policy 31: Rural Economic Development
Policy 32: Conversion of Agricultural and Rural Buildings to Commercial, Community and Residential Uses
Policy 33: Equestrian Development
Strategic Policy 34: Tourism Facilities and Visitor Accommodation
Strategic Policy 35: Town Centre Hierarchy and Sequential Approach
Strategic Policy 36: Town Centre Uses
Strategic Policy 37: Housing Provision
Strategic Policy 38: Meeting Local Housing Needs
Policy 39: Affordable Housing
Policy 40: Improving Housing Standards in the District
Policy 41: Rural Exception Homes
Policy 42: Retirement Housing and Specialist Care
Strategic Policy 43: Gypsies and Travellers
Policy 44: Rural Workers Accommodation
Policy 45: Replacement Dwellings and House Extensions in the Countryside
Policy 46: Ancillary Accommodation

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: Objection

The heritage statement supporting the 2014 application (DC/14/1030) is a comprehensive assessment of the surviving historic building and supports the conclusion the principal barn should be considered a non-designated heritage asset. The documentary evidence suggest this is a surviving outfarm. These historic agricultural buildings are the most susceptible to being lost due to their particular characteristics. Historic England draw attention to outfarms and field barns as a once common feature of the Low Weald landscape with few surviving into the present.

The current application does not make a case that the historic buildings are not capable of repair and reuse. And I suggest we ask for evidence this is the case before permitting demolition. I draw attention to two similar cases where we have supported repair and reuse of non-designated outfarms1 at Northlands Barn (DC/21/2676) & Morelands Barn (DC/21/2842). I would be supportive of increasing the amount of sympathetic built structure on the site to support the repair and reuse of the historic farm buildings in this case. The current proposal will result in the complete loss of a non-designated heritage asset and will lead to significant harm.

Secondary comment [Summary] There is no justification for the loss of unit 3 which is a non designated heritage asset. In this case, as a non-designated heritage asset, the total loss will result in less than substantial harm in the middle of the scale. I understand there are other objections and it is my view the public benefits are not sufficient to outweigh the harm. If the other reasons for refusal can be surmounted there is opportunity to give the development some depth by retaining unit 3 and retaining a

memory of historic land use. This opportunity should be taken to mitigate the harm resulting from the loss of the other surviving historic farm buildings.

HDC Environmental Health: Objection
Commercial or agricultural buildings can be subject to significant contamination risks arising from their use, construction and storage of machinery equipment fuels or other chemicals. Potentially hazardous materials may also be incorporated in made ground, yards and hard standings. In accordance with the recommendations of the Planning Practice Guidance, information is required on these matters and a preliminary risk assessment including a site walkover should be provided to ensure the site can be made safe and suitable for the development. The information provided with respect to water neutrality proposes that rainwater harvesting will be used but it is unclear if the each of the proposed dwellings will be independently supplied or if they will share the rainwater harvesting system. The schematic provided indicates that reverse osmosis will be used to treat the water. Further details of the rainwater harvesting proposals should be provided including: Detail on the likely contaminants associated with the rainwater harvesting system, Detail on what type of treatment that will be installed on the supply Details, including a plan or schematic, showing the supply - storage tanks, treatment etc, Detail on the continuity of supply during dry periods extending beyond 35 days.

Secondary consultation response [Summary]:
Several conditions would be required to demonstrate a safe and potable water supply. Conditions are outlined within the full consultation response.

Archaeology Consultant: Comments [Summary]
Insufficient information has been submitted to be able to make a definitive assessment of the archaeological situation on site. It was noted that a previous officer made no objection in relation to a development within the site to the north of the existing agricultural buildings, however this development was for the conversion of agricultural buildings rather than the complete demolition. The demolition and other works in this case would have potential to result in greater levels of harm. It is advised that a condition be attached to the report in the event that the application were permitted as a pre-commencement such that would necessitate the submission of further information.

Natural England: No Objection [Summary]
No objection to the application subject to the inclusion of relevant conditions that would secure the mitigation measures outlined within the Water Neutrality statement. Furthermore, the quality of the water would need to be to a potable standard such that Environmental Health were satisfied that the filtration and treatment methods and maintenance were appropriate for the method of mitigation (Rainwater Harvesting)/

Southern Water: General Advice [Summary]
general advice in relation to soakaways and connection to mains

WSCC Highways: No Objection [Summary]
In summary there are no objections to the proposed development subject to the inclusion of relevant conditions. The Parking provision on site for 6 cars would be sufficient for the quantum of development and the new access to the proposed dwellings has demonstrated adequate visibility in both directions. Overall, the proposal would not be considered to result in concern to highway safety.

HDC Landscape Officer: Holding objection [Summary]
Given the context of the site including planning history, the erection of two dwellings is unlikely to give rise to adverse landscape and visual effects in principle. However access on to Ashurst road is concerning as it would include the clearance of vegetation and would involve earthworks required would result in landscape character and visual amenity harm. More information is needed on mitigation of this harm.

[further comment]
The additional information and visualization of the proposed access from Ashurst Road have been reviewed. We remain of the view that the works required to facilitate the access will result in localised adverse effects on the landscape character and amenity of the sunken road and its rural setting. The

applicant has presented examples of other access points off Ashurst Road but fails to recognise that the sunken nature of the road in this location is the key difference.

Furthermore, we remain unclear of the level of vegetation that would need to be removed to facilitate the access and what measures are proposed to mitigate the loss as per points a) and b) in the detailed comments below.

As previously recommended, we remain of the view that the identified effects can be eliminated if the existing access remains in use.

HDC Arboriculture Officer: Objection

In order to make a fair assessment of the extent of trees and understorey loss required and the visual and biodiversity impacts associated therewith, I recommend that further information is sought in the form of an accurate AIA that includes recognition of the fact that the root protection areas of the trees will not be significant beneath the adjacent road, includes details of size and construction of proposed retaining features and assesses highway sightline vegetation control requirements.

The wooded shaw on the sloping banks on either side of the road are an attractive and integral part of the rural approach to the village. It is predominantly hazel coppice that is indicative of longstanding undisturbed hedgerow/woodland soils.

The submitted preliminary ecological assessment recognises the importance of the Western boundary tree belt and states it should be retained.

The application is not accompanied by an Arboricultural Impact Assessment (AIA) that makes a fair assessment of the extent of engineering and sightline requirements required to achieve the new driveway access.

PUBLIC CONSULTATIONS:

Representations:
Two letters of Objection have been received from one address, objecting to the application on the following grounds:

- Highways safety in respect of access
- Highways safety in respect of pedestrian use of the access
- List of requested conditions to mitigate concern over contamination, pedestrian and vehicle access, built heritage, embedded carbon and hours of construction

Parish Comments:
Ashurst Parish Council: Neutral comment on this proposal.

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 Horsham District Planning Framework ('the HDPF') seeks to ensure development takes place in a manner that ensures that the settlement pattern and the rural landscape character of the District is retained and enhanced, but still enables settlements to develop in order for them to continue to grow and thrive. The mechanism by which this will be achieved is through the designation of built-up area boundaries and the planned expansion of existing settlements through the Local Plan and Neighbourhood Plans.

This is reflected by Policy 3 of the HDPF, which states that planning permission will be granted for development within built-up area boundaries.

Policy 4 of the HDPF sets out that outside the built-up areas expansion will be supported where, the site is allocated in the Local Plan or in a Neighbourhood Plan and adjoins an existing settlement edge; the level of expansion is appropriate to the scale and function of the settlement type; the development is demonstrated to meet the identified local housing needs; the impact of development individually or cumulatively does not prejudice comprehensive long term development; and, the development is contained within an existing defensible boundary and the landscape and townscape character features are maintained and enhanced.

The residential development on this site outside of any settlement boundary would not accord with the totality of the above policies.

As the site is outside of any built-up area boundary is falls within the countryside. Policy 26 of the HDPF is therefore relevant, and requires development to be essential to its countryside location and to meet one of the following criteria:

1. Support the needs of agriculture or forestry;
2. Enable the extraction of minerals or the disposal of waste;
3. Provide for quiet informal recreational use; or
4. Enable the sustainable development of rural areas.

A residential development of the scale proposed and, in its entirety, would not seemingly be essential to the countryside location and would not meet one of the above criteria.

The HDPF is now over 5 years old and the most important policies for the determination of this application must therefore be considered as to whether they are 'out of date'. The Council is currently unable to demonstrate a five-year supply of deliverable housing sites, with the supply currently calculated as being 2.9 years. The presumption in favour of development (within Paragraph 11d) of the NPPF therefore applies in the consideration of all applications for housing development within the District (unless footnote 7 or Paragraph 14 applies to relevant applications), with Policies 2, 4, 15 and 26 now carrying only moderate weight in decision making.

In recognition of the current housing land supply position, the Council published a 'Facilitating Appropriate Development' (FAD) Document in October 2022. The FAD recognises that the Council is likely to receive applications outside of defined BUABs and on unallocated sites (such as this proposal) as it is unable to demonstrate a five-year housing land supply. The documents states that given this position and the principles behind HDPF Policy 4, it will consider positively applications that meet *all* of the criteria:

- The site adjoins the existing settlement edge as defined by the BUAB;
- The level of expansion is appropriate to the scale and function of the settlement the proposal relates to;
- The proposal demonstrates that it meets local housing needs or will assist the retention and enhancement of community facilities and services;
- The impact of the development individually or cumulatively does not prejudice comprehensive long-term development; and

- The development is contained within an existing defensible boundary and the landscape character features are maintained and enhanced.

The proposed scheme would not meet all of the above criteria as it would not adjoin an existing settlement edge. The FAD document would not therefore lend any support to the proposed scheme.

The Council is in the process of preparing a new Local Plan to replace the HDPF. This attracts limited weight. The new plan, the Horsham District Local Plan, is at an advanced stage and would attract some weight were an application to be submitted. Policy 2 of the emerging Local Plan introduces 'secondary settlements', whereby infilling a gap or plot within an otherwise cohesive settlement form may be acceptable. While Ashurst is identified as a secondary settlement the suggested boundary is limited to the existing cluster of built-form, and therefore part of this site. In addition, the scale, siting and layout of the development would not represent infill within the existing settlement form. The emerging policy framework would not therefore be supportive of residential development on this site.

It is acknowledged that there is within the wider site ownership an application which has been approved for the conversion of agricultural buildings to residential. It was identified that these buildings were of some limited historic interest such that they would be converted but essentially retained in form. The re-use of existing buildings as part of the D/21/1778 application added weight in favour of the development, however no such retention is being proposed as part of the current application. The buildings subject to the previous application DC/21/1778 would be viewed within the cluster of existing buildings from wider views given the footprint and form would remain largely unchanged. In the case of this application, the proposal would represent conflict with the HDPF policies 3, 4 and 26.

Design, Appearance and Character:

Policy 25 of the HDPF states that natural environment and landscape character of the District will be protected against inappropriate development. Proposals should seek to protect, conserve and enhance landscape character.

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.

Policy 34 of the HDPF seeks to ensure that development sustains and enhances the historic environment. Development will be required to preserve and enhance the significance of heritage assets, through development of appropriate siting, scale, form and design while maintaining legibility of distinctive vernaculars, features and fabrics.

The development would result in the demolition of the existing agricultural buildings with the proposed buildings being designed in such a way as to mimic modern agricultural building conversion. Multiple rooflights would provide daylight to four bedrooms per dwellings which would appear domestic in appearance and the number of these in this respect is excessive in both buildings such that it would be an unconvincing barn conversion. Nevertheless, the form and scale of the dwellings would be modest chalet style dwellings and would not be overly prominent from the streetscene given that they would be set away from it.

The Council's Conservation Officer has objected to the proposal. It is noted in their consultation response that there is a principle building which is a non-designated heritage asset to the north of the site, with some of the application buildings being part of a historic Edwardian agricultural enterprise such that this is considered part of the surviving historic outfarm. These historic agricultural buildings are the most susceptible to being lost due to their particular characteristics. Historic England draw attention to outfarms and field barns as a once common feature of the Low Weald landscape with few surviving into the present. These surviving buildings do have some limited heritage value.

The Council's Conservation Officer outlined that there was insufficient information and evidence on the structural condition of the buildings such that it appeared the total loss of these would be unjustified. The applicant has since submitted a structural survey, which outlines that the buildings, excluding unit 3 are in a poor state off condition such that they would be some justification for their demolition. The report however has not demonstrated that the unit 3 would not be capable to retention and repair. The Council's Conservation Officer was reconsulted on this basis and has maintained an objection to the proposal given that it would result in a complete loss of a non-designated heritage asset and will lead to less than substantial harm in the middle of the scale. The proposal would result in heritage harm given that the application buildings hold some historic value and unit 3 could be retained and reused and it is not considered that the loss of unit 3 has been justified in this regard.

The immediate locality is characterised by a rural appearance with some residential development to the north on this side of Ashurst road. Given the topography of the site, with the application site rising significantly from the road, earthworks would be required to accommodate a new access to the development. The Council's Landscape Officer has been consulted to consider the proposal and raises concerns over the impacts of the earthworks and clearance of vegetation. It is noted that the dwellings would be built within the cluster of existing built form on site such that there is no objection to the principle of development in this regard from a landscape perspective, however more information would be required on mitigation to ensure that the proposal would not result in landscape character and visual amenity harm. Whilst further information and crossover information was submitted, this has not been sufficient to overcome Landscape concerns that the proposal would result in harm to the landscape character and visual amenity of the existing site. Furthermore, the Council's Arboriculture Officer has objected, stating that the wooded shaw on the sloping banks of either side of the road are an attractive and integral part of the rural approach to the village. It is predominantly hazel coppice that is indicative of longstanding undisturbed hedgerow/woodland soils. The application is not accompanied by an Arboricultural Impact Assessment (AIA) which is needed to make a fair assessment of the extent of engineering and sightline requirements required to achieve the new driveway access.

The proposed dwellings would be reasonably modest in scale given that they would be chalet style bungalows and revised drawings were submitted in the course of the application that would better reflect the character of the dwellings within the locality. Nevertheless, the proposal would result in the complete demolition of a non designated heritage asset and would result in landscape character harm such that the proposal would be contrary to policies 25, 32, 33 and 34 of the HDPF.

Residential Amenity:

Policy 32 of the HDPF state that development will be expected to provide an accessible and safe development. Policy 33(2) of the HDPF 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.

Given the distance and positioning of the developments within their plots, the proposals would not result in a demonstrable increase in activity or a level of noise and disturbance that would detract from the character of the immediate surroundings. The relationship between the dwellings themselves would not be unacceptable when considering the future occupiers access to daylight/sunlight, amenity space and would not result in unacceptable overlooking. No objections in this regard.

Highways Impacts:

Policy 40 of the Horsham District Planning Framework states that transport access and ease of movement is a key factor in the performance of the local economy. The need for sustainable transport and safe access is vital to improve development across the district. Policy 41 of the Horsham District Planning Framework states that development that involved the loss of existing parking spaces will only be allowed if suitable alternative provision has been secured elsewhere. Adequate parking facilities must be provided within the developments to meet the needs of the anticipated users.

The proposal would involve the creation of a new access to serve the development and the parking provision on site would accommodate six vehicles. This would be sufficient to serve the development

and the access itself would be acceptable in terms of visibility. The proposal subject to the recommended conditions would not result in harm to the function or safety of the public highway network in accordance to policies 40 and 41 of the HDPF.

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.

Water Neutrality information has been included Given the existing context of the application site which uses no water, the baseline water use is nil. As such, the proposal would need to involve mitigation measures to account for the proposed water use. The mitigation measures would include efficient fixtures and fittings to reduce usage and rainwater harvesting to account for the water usage on site. The water harvested would need to be in excess of the amount suggested to be used within the site and of a potable quality where needed to be water neutral. The usage per dwelling has been calculated based on average occupancy figure for a four bedroom dwelling which is 2.85 people and a Part G calculator which when accounting for both dwellings would result in a use of 715 litres per day (prior to efficient fixtures). Post efficient fixtures and fittings, the usage per person per day is reduced to 110 litres and when accounting for the occupancy of 5.27 people would be 579. 7 litres per day. The submission outlines potable and non potable uses and the amount of rainwater harvested from the dwellings. When the rainwater harvesting system accounts for the non potable uses, the mains water usage would be 65.89 litres per day per person which is 376.89 when accounting for the occupancy figures of 5.72 people for the whole development.

The information submitted includes rainwater harvesting calculations, however for the avoidance of doubt the following equation is included:

Yr = A x e x AAR x H

Where:
Yr = rainwater yield (in litres)
A = collection area (436m2 figure provided by applicant)
e = yield coefficient (of 0.8)
AAR = area annual average rainfall (of 733.91 Bognor weather station)
h = hydraulic filter efficiency (of 0.9)

230,389.027 litres per annum / 365 = 631.2 litres per day (average) provided

The quantity of water capable of being collected from the roofs of the proposed dwellings would be acceptable however there are concerns over the quality of potable being provided. Environmental health have been consulted and initially objected to the proposal given that it was unclear if each of the proposed dwellings will be independently supplied or if they will share the rainwater harvesting system. The schematic provided indicates that reverse osmosis will be used to treat the water. Further details of the rainwater harvesting proposals should be provided including detail on the likely contaminants associated with the rainwater harvesting system, detail on what type of treatment that will be installed on the supply Details, including a plan or schematic, showing the supply and treatment. Since this objection further information was submitted and reviewed by Environmental health and they would request several conditions regarding details for the rainwater harvesting tank and reverse osmosis system. Subject to this further mitigation, the proposal would be water neutral.

Other Matters:

Contaminated Land

It is noted that the Council's Environmental Health Officers have requested further information relating to contamination and identifying the previous use of the site. Since this, further information was submitted and the Environmental Health officer has commented that they would have no objection subject to the inclusion of conditions to ensure the water supply and quality. Overall there are no objections in this regard.

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.

Should the proposed development be considered acceptable, the following measures to build resilience to climate change and reduce carbon emissions would be secured by condition:

- Requirement to provide full fibre broadband site connectivity
- Dedicated refuse and recycling storage capacity
- Opportunities for biodiversity gain
- Cycle parking facilities
- Electric vehicle charging points

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

Ecology

Policy 31 of the HDPF states that development will be supported where it demonstrates that it maintains or enhances the existing network of green infrastructure. Development proposals will be required to contribute to the enhancement of existing biodiversity, and should create and manage new habitats where appropriate.

The Preliminary ecological appraisal submitted indicates moderate roosting potential within the buildings B1, B2 and B4 such that it is recommended that further surveys are undertaken which would need to be carried out prior to determination. Furthermore, the report outlines that there is an ecologically valuable line of trees which should be protected and makes recommendations for mitigation measures in terms of barn owls, nesting birds, dormice and reptiles. The application included the further two surveys recommended to look for foraging and roosting bats, and found that there were bats within the site foraging, however found no evidence of roosting bats within the site. It is noted that there are two valuable lines of trees that are recommended to be retained but some of this would be removed as part of the proposals. Within the submitted bat survey there was considered to be moderate potential for roosting, however no bats were found roosting. The line of trees to the east and west would be regarded as ecologically valuable given the presence of foraging bats within the site. The removal or partial removal of the western line of trees therefore, with some loss of trees to create the crossover would result in a loss of potential bat foraging potential within the site. Furthermore, given that the PEA assessed the buildings and not the trees themselves for bat roosts, it is not considered that the information submitted would be sufficient to demonstrate that no bat roosts are present within the site, albeit in the trees rather than the buildings. Overall therefore the proposal has not sufficiently demonstrated that the development would not result in harm to protected species.

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 application form submitted includes an option to mark an exemption from Biodiversity net gain, with self-build development being the reason for exemption. In this instance, Biodiversity Net gain would not need to be demonstrated.

Conclusions and Planning Balance:

The Council published its Authority Monitoring Report (AMR) with the deliverable supply of housing sites being 1 years. Therefore, the presumption in favour of sustainable development at paragraph 11(d) of the NPPF is engaged in this instance.

NPPF paragraph 11(d)(ii) states that where there are no relevant development plan policies in place, the policies that are considered most important for the determination of applications (in this case, Policies 1, 2, 4 and 26 of the HDPF, owing to the lack of a five-year housing land supply) permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

Development Plan Policies

In circumstances where Paragraph 11(d) is engaged, NPPF (Annex 1) sets out that due weight can be given to the most important policies for determining an application according to their degree of consistency with policies in the Framework. However, the Framework does not prescribe the weight to be given to conflict with development plan policies. This is affected by the purpose of the policy and the circumstances of the case.

In this case the most important policies include those relating to the spatial development strategy as set out at HDPF Policies 1, 2, 3 and 4. Policy 1 reflects the Framework presumption in favour of sustainable development and is thus fully consistent with the NPPF. Policies 2, 3 and 4 set out how sustainable growth will be achieved, though as they seek to focus development within settlements and only allow expansion on allocated sites, they have a restrictive element. Nonetheless, they generally reflect the Framework preference for development to be well located in relation to services and facilities. Therefore, *moderate* weight is applied to these policies.

HDPF Policy 26 refers specifically to countryside protection outside built up area boundaries, requiring development to be essential to this location. Whilst again this reflects the Frameworks preference for development to be well located in relation to services and facilities, as the definition of built-up areas is based on out-of-date housing numbers, this policy is afforded *moderate* weight.

As per the preceding sections of this this report, the granting of this permission would conflict with Policies 1, 2, 4 and 26 of the HDPF. Whilst the proposed would not support the spatial strategy for the District, these policies are not fully framework compliant. Furthermore, these issues associated with the Council's current five-year housing land supply situation result in *moderate* weight being applied to these policies in the overall planning balance. It is considered that in some cases whilst the principle of development would not be strictly in accordance the development plan, other material planning considerations are capable of overcoming this in the planning balance.

Planning Balance

The proposal would provide for two market dwellings. As above, as the Council cannot currently demonstrate a five-year housing land supply, and the provision of two dwellings towards this supply is

afforded *significant* weight. However, the Council considers that this benefit would be fairly *limited* given the negligible overall contribution to the supply.

In addition, the dwelling would bestow associated socio-economic benefits in the form of short term construction employment to long term occupation. The material benefits of the proposal in these regards, however, are not unique to this proposal and are thus afforded *moderate* weight.

The proposal would by reason of the loss of the existing buildings which have some non-designated heritage value, would result in harm to the historic fabric of what was an Edwardian agricultural enterprise. The structural survey submitted provides some justification for the loss of the existing agricultural buildings, excluding unit 3, as they are not in a state such that could be retained and re-used. The proposal has not demonstrated however that unit 3 is not capable of retention and would therefore be contrary to policy 34 of the HDPF which seeks to ensure that development sustains and enhances the historic environment. As outlined within the report, the proposal would result in landscape character harm and harm to the visual amenity of the application site, with additional concern in regards to the loss of trees and the lack of an Arboricultural impact assessment, which, given the verdant character of the site, would be reasonably necessary to make a fair assessment of this loss. The Ecological information submitted is not sufficient to demonstrate that no protected species would be harmed, with the PEA submitted not appearing to make assessment of the bat roost potential of the trees within the site.

The proposal's ability to demonstrate an no adverse amenity impact, safe access and suitable parking, and the use of sustainable technologies and improved energy efficiency are not considered benefits to the scheme, but would rather be necessary to demonstrate compliance with local planning policies.

The cumulative benefits (the provision of two market dwellings and the socio-economic benefits (moderate weight) would be outweighed by the identified adverse impacts of the development. Namely, the conflict with the development plan (moderate weight) and the site's unsustainable location (significant weight). It is acknowledged that Ashurst would be within the secondary settlement within the emerging local plan, however at this point in the examination process the weight attributed to this is limited. On balance, this would demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. Therefore, the proposal is recommended for refusal.

It is noted that throughout the course of the application process, further information has been received, however this has not been sufficient to overcome concerns with the application and further alterations needed would be to such an extent that would constitute a new application.

Recommendation: Application Refused

Reason for Refusal:

1. The development would be located beyond a defined built-up area on a site not allocated within the Development Plan and would not be essential to this countryside location. The development would therefore be contrary to the overarching spatial strategy and hierarchy approach of concentrating development within defined settlements and advocating a planned approach to settlement expansion, contrary to policies 1, 2, 4 and 26 of the Horsham District Planning Framework (2015). Notwithstanding the absence of a five-year land housing supply, and the provisions of the National Planning Policy Framework (2024) at paragraph 11(d), it is not considered that there are any material considerations in this instance which would outweigh harm arising from conflict with Local in these regards.

2. The proposal would include the clearance of vegetation and would involve earthworks required which would result in landscape character and visual amenity harm. The proposal would include the demolition of non-designated heritage assets and from the evidence available, there is no justification for the demolition of unit 3 as it has not been demonstrated that this could not be reused or repaired. The proposal would therefore be contrary to policies 25, 32, 33 and 34 of

the Horsham District Planning Framework (2015) and 135 of the National Planning Policy Framework (2024).

3. Insufficient information has been submitted to establish the protection of the ecological and biodiversity interests of the site and whether suitable mitigations or enhancements are necessary and achievable, contrary to Policy 31 of the Horsham District Planning Framework (2015).

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/24/1513

Schedule of plans/documents **not approved**:

Plan Type	Description	Drawing Number	Received Date
Photos		Picture	24.02.2025
Supporting Docs		1701_1.010	24.02.2025
Details plan		1701_3.012	24.02.2025
Location & Block plan		1701_1.001	30.09.2024
Site plan	Existing	1701_1.002	30.09.2024
Site plan	Existing with photos	1701_1.003	30.09.2024
Site plan	Existing with Constraints	1701_1.004	30.09.2024
Details plan	Existing Topography	1701_1.005	30.09.2024
Site plan	Proposed	1701_3.001	30.09.2024
Site plan	Proposed	1701_3.002	30.09.2024
Floor plan	and Roof - House Type 1	1701_3.003	30.09.2024
Elevation plan	House Type 1	1701_3.004	30.09.2024
Floor plan	and roof - House Type 2	1701_3.005	30.09.2024
Elevation plan	Proposed - House Type 2	1701_3.006	30.09.2024
Layout plan	Proposed Crossover	1701_3.007	30.09.2024
Details plan	Proposed Landscaping	1701_3.008	30.09.2024
Design & Access Statement		1701 Part 1 of 5	30.09.2024
Design & Access Statement		1701 Part 2 of 5	30.09.2024
Design & Access Statement		1701 Part 3 of 5	30.09.2024
Design & Access Statement		1701 Part 4 of 5	30.09.2024
Design & Access Statement		1701 Part 5 of 5	30.09.2024
Supporting Statement	Bat Survey	none	30.09.2024
Supporting Statement	Preliminary Ecological Appraisal	none	30.09.2024

Supporting Statement	Reptile Presence/Likely Absence Survey 2024	none	30.09.2024
Supporting Statement	Tree Survey	none	30.09.2024
Supporting Statement	Water Neutrality	63383	11.11.2024
Elevation plan	Existing Units 5, 6 and 7	1701_1.009	21.10.2024
Supporting Statement	Heritage	none	21.10.2024
Floor plan	Existing	1701_1.007	21.10.2024
Elevation plan	Existing Units 3 and 4	1701_1.008	21.10.2024

DELEGATED

Case Officer sign/initial Hannah Darley Date: 30 March 2025

Authorising Officer sign/initial RHERMITAGE Date: 09.05.2025