Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/23/2325
Scrag Copse Farm, Prestwood Lane, Ifield, West Sussex,

DESCRIPTION:
Change of use from B8 (Storage and Distribution) to the use for vehicle parking, storage and maintenance (Sui Generis) and / or B8 (Storage and Distribution) together with office provision, installation of roller shutters, windows, landscaping and associated works (Retrospective)

RELEVANT PLANNING HISTORY:

DC/16/0276	Prior Notification for proposed Change of Use from Agricultural barn to 3 x dwelling houses (C3)	Prior Approval Required and REFUSED on 23.03.2016
DC/17/0887	Prior Notification for proposed Change of Use from agricultural barn to 3 x dwelling houses	Prior Approval Required and REFUSED on 19.06.2017
DC/18/1693	Retrospective application for the continued use of agricultural barn and defined area of hardstanding for B8 (Storage and Distribution) purposes for plant machinery and storage	Application Permitted on 10.10.2018
DC/20/2181	Change of use of land from agricultural to equestrian use and the construction of 5x stables and a sand school	Application Permitted on 05.03.2021
DC/22/1900	Change of use from B8 (Storage and Distribution) to the use for vehicle parking, storage and maintenance (Sui Generis) together with installation of roller shutters, windows and associated works (Retrospective).	Application Refused on 30.01.2023

SITE AND SURROUNDS
The application site is located on the northern side of Prestwood Lane, approximately 3.3km from Rusper. The application site is therefore located within a countryside in policy terms. The application site consists of a barn and hardstanding most recently used for the storage of plant and machinery. The application site is accessed via an existing entrance to the southern corner of the site, which is separated from the public highway by a metal gate. The wider surroundings are characterised by open countryside, with the neighbouring properties to the south-west of the site consisting of residential properties.

DETAILED DESCRIPTION
The application seeks full planning permission for the change of use of the site and building to a sui generis use for vehicle parking and associated office/workshop provision, along with external alterations to the building and proposed landscaping.

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 35 - Strategic Policy: Climate Change
Policy 36 - Strategic Policy: Appropriate Energy Use
Policy 37 - Sustainable Construction
Policy 38 - Strategic Policy: Flooding
Policy 40 - Sustainable Transport
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.

Rusper Neighbourhood Plan:
Policy RUS1 – Spatial Plan
Policy RUS2 – Rural Diversification
Policy RUS3 – Design

REPRESENTATIONS AND CONSULTATIONS RESPONSES
Where consultation responses have been summarised, it should be noted that Officers have had consideration of the full comments received, which are available to view on the public file at www.horsham.gov.uk

Consultations:
INTERNAL CONSULTATIONS
HDC Environmental Health: Comment. The application site is affected by aircraft noise, but measures should still be required to ensure noise from site activities are controlled. Conditions suggested.

OUTSIDE AGENCIES
WSCC Highways: No Objection: -
The proposals will be accessed from Prestwood Lane a “D” class road. The road is subject to a 40 mph speed limit.

The site does have an existing vehicular access onto Prestwood Lane, no modifications are proposed to the existing access arrangements. The access is considered to be of sufficient geometry to accommodate the anticipated level of vehicular activity. Sightlines along Prestwood Lane from the existing point are considered acceptable and were not previously raised as a concern in the 2022 application.

A review of the access onto Prestwood Lane indicates that, there have been no recorded road traffic collisions within the last 3 years and that there is no evidence to suggest that the access and local highway network are operating unsafely.

Traffic flow information has been provided with the current application within the TS, this has been provided by the applicant on what vehicular activity currently exists at the site and the potential traffic generation. This information considers the permitted and proposed uses. The traffic flow generation is based upon the use of TRICS (Trip Rate Information Computer System).

The data suggests the site is to produce a daily average of 46 trips a day. This number of trips are unlikely to result in a 'Severe' impact on the highway network in accordance with Paragraph 115 of the National Planning Policy Framework (NPPF). Further to this, the TS states that no more than 17% (7) of daily trips will take place during the evening (23:00-07:00). In total there will be a slight decrease in traffic movements over the existing use as proposed. In addition, there are no known capacity and congestion issues within the immediate vicinity of the site. From a capacity perspective we are satisfied the proposal will not have a severe residual impact.

The proposed parking at 45 spaces considered acceptable. Given the likely use and trip generation provided within the TS it is considered unlikely that there would be any likelihood off overspill parking onto the public highway as a result of this proposal.

The submitted TS does provide cycle parking spaces and other sustainable transport measures. Realistically given the type of use, the majority of visits would be via the car. However as previously stated the proposal is not anticipated to result in a material increase in traffic movements over the proposed and historic uses.

Based on the information submitted the LHA does not consider that the proposal would have ‘severe’ impact on the operation of the highway network, therefore is not contrary to the NPPF, and that there are no transport grounds to resist the proposal.

Natural England: Standing Advice issued.

Parish Comments:
Objection: -

- Water Neutrality Statement does not account for the use of the site in terms of the washing of multiple vehicles. Only caters for employees.

Representations:
5 letters of objection received from 2 separate households, and these can be summarised as follows: -

- Floodlighting
- Water neutrality
- Traffic impacts
- Light intrusion to neighbouring properties
- Highway safety
- Washing and cleaning of vehicles
- Inappropriate location
- Overdevelopment
- Noise impacts

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 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 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 be contained wherever possible within suitably located buildings which are appropriate for conversion, or in the case of an established industrial estate, within the existing boundaries of the estate; or result in substantial environmental improvement and reduce the impact on the countryside, particularly if there are exceptional circumstances where new or replacement buildings are involved.

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 RUS2 of the Rusper Neighbourhood Plan states that proposals for the development of new business, commercial, community uses and flexible start-up business accommodation outside the built-up area boundary of Rusper, for example as part of farm diversification, will be supported provided they adhere to other policies of the development plan. Development proposals that enhance the operational effectiveness and appearance of such existing employment sites, or to redevelop those sites to provide appropriate modern commercial units, will be supported.

The application relates to the use of the site for vehicle parking, storage, and maintenance and follows a planning compliance investigation which found that a change of use had occurred from storage and distribution to a vehicle operating centre for a vehicle hire and transport firm. The supporting documents indicate that 3no. full-time members of staff are employed at the site with the site open for 38 drivers employed by the business to collect and return vehicles, with the intention of the site to open 24 hours a day throughout the week, including bank holidays. It is outlined that routine servicing of vehicles will be carried out during the week (Monday to Friday) between the hours of 07:00 and 18:00. A total of 42 vehicles are to be kept on the site, with approximately 45 parking spaces available.

It is recognised that the application site has been subject of a previous planning permission under reference DC/18/1693 for B8 (Storage and Distribution) purposes in connection with a plant hire and ground works business. It was considered that while the proposed use could increase the level of activity on the site, it is acknowledged that this would support economic development in the rural area, and would be of a nature that would be acceptable within a countryside locality.

The current development would contribute to the wider rural economy and support economic development in the rural area. The proposal is therefore considered acceptable in principle, subject to all other material considerations.

Design and Appearance:

Policies 25, 32 and 33 of the HDPF promote development that is of a high quality design, which is sympathetic to the character and distinctiveness of the site and surroundings. The landscape character of the area should be protected, conserved and enhanced, with proposals contributing to a sense of place through appropriate scale, massing and appearance.

Policy RUS3 of the Rusper Neighbourhood Plan states that proposals s for new development, including extensions to existing buildings, must be of the highest design standards, and will be required to reflect the character and scale of surrounding buildings.

The application site is located within Landscape Character Area I2 (Warnham and Rusper Wooded Ridge). The key characteristics of this Character Area include undulating wooded ridges; strong pattern of shaws and hedgerows; intricate pattern of small pasture fields; strong historic vernacular and mostly rural character. The area is characterised by dense woodland, with mostly small irregular fields surrounded by large and small woodlands and many shaws/hedgerows. As a result, there is a strong sense of enclosure, and views are confined, except from some ridgetops. Despite noise intrusion from Gatwick, the area retains a rural unspoilt character, and the historic dispersed settlement pattern is largely intact. The key issues are local pressure for urban development, localised intrusion of suburban features, increasing traffic pressures on roads, poor woodland and hedgerow/shaw management, and poor pond management. Overall, the sensitivity to change is high. Despite the high degree of enclosure in many parts of the area, some ridgetops and slopes are prominent, and the area has intrinsic landscape qualities. Key sensitivities are to any large scale housing/commercial development, cumulative impact of vertical structures on ridge slopes/ridgetops, and small scale incremental change.

The application site relates to an established former agricultural barn, which benefitted from a small area of hardstanding. The development as constructed has involved external alterations to the building, including the insertion of a roller shutter door, windows, and doors. The development as constructed has formalised the character and appearance of the former agricultural barn. It is however recognised that the materials reflect the finish of the existing building, with the additional windows and doors considered proportionate to the existing building. The area of hardstanding has also increased from that initially permitted, with this further formalising the setting of the building.

While the development has result in a more formalised arrangement it is recognised that the building has formed part of the locality for some time, where there are clusters of other agricultural and equestrian buildings (including associated hardstanding) within the wider surroundings.

Concerns have previously been raised under planning reference DC/22/1900 regarding the visual impact of the development. Specifically, it was considered that this created localised intrusion into the otherwise informal character and ambience of the countryside, with the associated activities and increased traffic pressure resulting in harm to the intrinsic landscape qualities of the area.

To overcome these previous concerns, the proposal seeks to provide new planting with the boundaries of the site to the north and west, with the intention that this would screen the yard area from wider views. While such planting cannot be relied upon to make development acceptable, it is considered that this landscaping would provide some appropriate visual mitigation and would reduce the visual impact of the development. Subject to a condition to secure the landscaping scheme, it is considered that the proposal would be adequately screened from the immediate and wider surroundings to mitigate the visual impact.

The development would therefore be considered on balance, to be acceptable, in accordance with the above policies.

Amenity Impacts:

Policy 32 of the HDPF states that development will be expected to provide an attractive, functional, accessible, safe, and adaptable environment that contribute a sense of place both in the buildings and spaces themselves. Policy 33 continues that development shall be required to ensure that it is designed to avoid unacceptable harm to the amenity of occupiers/users of nearby property and land.

Paragraph 180 of the NPPF states that decisions should contribute to and enhance the natural and local environment by preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Paragraph 191 continues that decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions, and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so, they should mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development, and avoid noise giving rise to significant adverse impacts on health and the quality of life. Paragraph 194 outlines that the focus of planning decisions should be on whether proposed development is an acceptable use of land, rather than the control of processes or emissions. Planning decisions should assume that these regimes will operate effectively.

The application is supported by a Transport Statement which estimates proposed vehicle movements based upon an annual dataset collected by the Applicant between March 2022 and April 2023, where the site operated 7 days per week and for 24 hours a day. The data collected has been used and combined with the anticipated number of movements that would be generated by staff travelling to and from work (as additional trips) as well as including the trips generated by workshop staff. The information provided indicates that there would be 46 vehicle movements per day, where it is outlined that on average there would be 4/5 vehicle movements each hour. The Transport Statement outlines that the monthly trip generation would fluctuate due to the seasonality of the business, with the average daily profile of vehicle movements suggesting that 7 two-way vehicle movements take place within “night-time” hours (23:00 to 07:00).

The Transport Statement makes the case that the proposal would reduce the number of larger vehicle movements (OGVs) accessing the site, although it is recognised that these would have only occurred across the daytime only due to the operating hours of the previous business.

A Noise Impact Assessment Report by RBA Acoustics has been submitted and this concludes that the noise emanating from the site and associated activities would have a low impact to the nearest residential receptor, with the change of use likely to result in a significant decrease in the noise levels generated on the surrounding road network.

The application site is located to the north of Prestwood Lane, with the nearest residential properties located approximately 120m to the south-west and 225m to the north-east. The wider area is characterised by open countryside, with equestrian and dog boarding/walking facilities within the locality. While recognised that the application site is located in close proximity to Gatwick Airport and the associated flight path, the site is located within a rural area that is considered to be generally noise sensitive.

Objections have been received on the basis that the development results in noise and light intrusion, where the hours of operation and vehicle movements resulting in adverse impacts to the nearby residential properties.

Concerns were previously raised under planning reference DC/22/1900 that the hours of operation and the nature of the activities, when considered against the noise character of the area, would generate a level of noise and disturbance that would adversely impact the amenities of nearby residential properties.

The application has been supported by a Transport Statement which outlines that the site would operate 24 hours a day throughout the week for drivers to collect and return vehicles. Routine servicing of vehicles would be carried out between the hours of 07:00 and 16:00 Monday to Friday, where 3no. workshop staff would be present on site. Proposed trip generation has been given, which outlines that on average there would be 46 vehicle movements per day, albeit this will fluctuate dependent upon the time of year. An average daily profile of vehicle movements has been provided, indicating that the majority of vehicle movements would occur between the hours of 06:00 and 19:00.

It is acknowledged that the figures provided are averages, where this takes into account the fluctuation of the business operation, which is dependent on vehicles needing to leave and arrive at the site across the day dependent upon flights and/or cruise times.

It is recognised that the application site is located under the flight path for Gatwick Airport where it is acknowledged that the site and surroundings are impacted by aircraft noise. The London Gatwick Airport Aviation Noise Information Booklet outlines that the “night period” for the airport is between the hours of 23:00 and 07:00 inclusive. The noisiest types of aircraft may not be scheduled to land or take-off during this period, with the “night quota period” being 23:30 to 06:00 where aircraft movements are restricted to an upper limit.

Based upon this information, it is considered that the site and surroundings are generally quiet between the hours of 23:00 and 07:00 inclusive, when aircraft movements are more greatly restricted. These hours are therefore considered to be more noise sensitive, where vehicle movements and associated activities would be more recognisable within the noise landscape. It is however recognised that the information provided confirms that vehicle trips would on average not exceed 2 movements during these hours. It is not considered that this would result in a degree or intensity of activity and movements that would result in an unacceptable level of noise and disturbance, and it is therefore considered that the previous concerns have been overcome.

The Applicant has submitted a Vehicle Management Plan which outlines the practices in place to limit noise from the site during operating hours, including during unsociable hours. These management practices would ensure that the site functions with minimal disturbance, and it is considered reasonable to impose a condition to secure that the site is managed in accordance with these details.

For the above reasons, it is considered that the development would not result in harm to the amenities and sensitivities of nearby residential properties and users of land, in accordance with the above policies.

Highways Impacts:

Policies 40 and 41 of the HDPF promote development that provides safe and adequate access, suitable for all users.

Objections have been received regarding the vehicle movements and impact on the safety of the highway, as well as increased traffic.

Following consultation with WSCC Highways, it is acknowledged that the site benefits from an existing access, which is considered to be of sufficient geometry to accommodate the anticipated level of vehicular activity. Sightlines along Prestwood Lane from the existing point are considered acceptable, and there is no evidence to suggest that the access and local highway network are operating unsafely.

The Transport Statement submitted in support of the application outlines that the site would produce a daily average of 46 trips, where this is not considered by the Local Highways Authority to result in a severe impact on the highway network. The proposed parking is considered acceptable, and it is considered unlikely that there would overspill parking onto the public highway.

For these reasons, the development is considered to benefit from acceptable access and is not considered to result in harm to the function and safety of the highway network, in accordance with the above policies.

Water Neutrality:

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

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

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

Officers have undertaken an Appropriate Assessment which demonstrates that the anticipated increase in mains water consumption from this development, alongside all other development granted since the 31st October 2025, will not exceed 3,240,000 litres per day.

Accordingly, Officers consider that the proposed development will not have an Adverse Effect on the Integrity of the Arun Valley Site, either alone or in combination with other plan and projects, thereby complying with Regulations 63 and 70 of the Conservation of Habitats and Species Regulations 2017, HDPF Policy 31, and paragraph 193 of the NPPF.

Conclusions:

The development would contribute to the wider rural economy and would provide economic benefits in this regard. Subject to conditions to secure the proposed landscaping, the development would not result in harm to the landscape character and visual amenity of the area, with the proposed operation of the site not considered to result in harm to the amenities and sensitivities of nearby residential properties and users of land. The development would not result in harm to the function and safety of the highway network, and with mitigation, would not have a likely significant effect on the protected Arun Valley sites.

For these reasons, the development is considered acceptable, in accordance with all relevant local and national planning policies.

Recommendation: Application Permitted

Conditions:

2 **Regulatory Condition**: The development hereby approved shall be undertaken in strict accordance with the approved Landscaping Plan reference 2301V2/PT and Planting Schedule. The approved landscaping scheme shall be fully implemented in accordance with the approved details within the first planting season following the permission hereby granted. Any proposed planting which dies, is removed, or becomes seriously damaged or diseased shall be replaced in

the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure a satisfactory development that is sympathetic to the landscape and townscape character and built form of the surroundings, and in the interests of visual amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015).

3 **Regulatory Condition**: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 and the Town and Country Planning (Use Classes) Order 1987 (or any order amending or revoking and/or re-enacting these Orders), the site shall be used solely for mixed use purposes for vehicle parking / storage and maintenance, with office and workshop premises, as set out in the Planning, Design & Access Statement (dated 21.12.2023), unless express planning consent is otherwise obtained from the Local Planning Authority.

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 due to the countryside location and the proximity to nearby residential properties under Policy 26 and 33 of the Horsham District Planning Framework (2015).

4 **Regulatory Condition**: The use hereby permitted shall operate in strict accordance with the Vehicle Management Plan received on 27.12.2023.

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

5 **Regulatory Condition**: There shall be no power tools or mobile hand tools used outside of the workshop building, and the doors to the workshop shall be kept closed at all times, other than during ingress and egress into the building.

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

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

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

7 **Regulatory Condition:** No externally located plant or equipment shall be installed or operated without the prior written approval of the Local Planning Authority by way of formal application.

Reason: To safeguard the amenities of the nearby residential properties and users of land and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

NOTE TO APPLICANT

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.

Under Regulations 4, 5, 7 & 8 of the Biodiversity Gain Requirements (Exemptions) Regulations 2024 the statutory biodiversity gain condition required by Schedule 7A to the Town and Country Planning Act 1990 (as amended) does not apply in relation to planning permission for development which:

1. does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (a hedgerow habitat or watercourse habitat identified for the purposes of the biodiversity metric);

2. is the subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015;

3. is undertaken solely or mainly for the purpose of fulfilling, in whole or in part, the biodiversity gain planning condition which applies in relation to another development (In determining whether a development is undertaken solely or mainly for this purpose, no account is to be taken of any facility for the public to access or to use the site for educational or recreational purposes, if that access or use is permitted without the payment of a fee);

4. consists of no more than 9 dwellings, is carried out on a site which has an area no larger than 0.5 hectares, and consists exclusively of dwellings which are self-build or custom housebuilding ("Self-build or custom housebuilding" has the same meaning as in section 1(A1) of the Self-build and Custom Housebuilding Act 2015 (as amended)).

In addition, the Biodiversity Gain Plan Condition does not apply to applications for major development made before 12 February 2024, or non-major development made before 2 April 2024.

Based on the information submitted in the planning application documents, the Planning Authority considers that this permission is exempt from biodiversity net gain, and as such does not require approval of a biodiversity gain plan before development is begun.

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/23/2325
(The approved plans will form Condition 1 on the Decision Notice of all Permitted applications)

Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Location plan	Proposed Site Location Plan	338/PA/1.001 Rev No B	27.12.2023

Site plan	Proposed Block Plan	338/PA/1.002 Rev No B	27.12.2023
Floor plan	Proposed Ground Floor Plan	338/PA/1.00 Rev No OR	27.12.2023
Floor plan	Proposed First Floor Plan	338/PA/1.01 Rev No OR	27.12.2023
Roof plan	Proposed Roof Plan	338/PA/1.00 Rev No OR	27.12.2023
Section plan	Proposed Section A-A	338/PA/2.00 Rev No OR	27.12.2023
Elevation plan	Proposed North West Elevation	338/PA/3.00 Rev No OR	27.12.2023
Elevation plan	Proposed North East Elevation	338/PA/3.01 Rev No OR	27.12.2023
Elevation plan	Proposed South East Elevation	338/PA/3.02 Rev No OR	27.12.2023
Elevation plan	Proposed South West Elevation	338/PA/3.03 Rev No OR	27.12.2023
Layout plan	Landscaping Plan	2301V2/PT	27.12.2023
Supporting Statement	Vehicle Management Plan	NONE	27.12.2023
Supporting Statement	Planting Schedule	NONE	27.12.2023
Supporting Docs	Planning and Design and Access Statement	NONE	27.12.2023

DELEGATED

Case Officer sign/initial Tamara Dale Date: 19.11.2025

Authorising Officer sign/initial Guy Everest Date: 26.11.2025