DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/25/0079
Millstones , Stane Street, Slinfold, West Sussex, RH13 0RE

DESCRIPTION:
Change of use from equestrian to incidental residential curtilage and retention of patio (Retrospective).

RELEVANT PLANNING HISTORY:

DISC/24/0217	Application for Approval of Details Reserved by Condition 3,4,5,6,7 and 8 to approved application DC/21/2818	Application Permitted on 19.11.2024
DC/21/2818	Variation of Condition 1 of previously approved application DC/20/1765 (Construction of rural workers accommodation in association with the equestrian and residential property at Millstones) to allow for amendments to the roof design, to be changed from hip end to gable end.	Application Permitted on 21.10.2022
DISC/21/0199	Approval of details reserved by conditions 3 and 4 to approved application DC/20/1765.	Application Permitted on 20.12.2021
DC/20/1765	Construction of rural workers accommodation in association with the equestrian and residential property at Millstones.	Application Permitted on 19.03.2021

SITE AND SURROUNDS
The application site is located within Millstones, an equestrian site comprising a landholding of approximately 12.8 hectares. It is located to the west of Stane Street, Slinfold outside of any designated built up area boundary. As such, the site is considered within the countryside. There are two dwellinghouses over 100 metres to the east of the application site. Millstones Cottage, a detached dwelling is located along the access track of Millstones, as well as Lutwicke Corner Cottage, a Grade II listed detached dwelling on a large plot.

To the north of the application site is a sand school and stable block, as well as another detached dwellinghouse within the boundaries of Millstones. The dwellinghouse on Black Barn Farm, which shares the same access to Stane Street as Millstones, is located further north of the application site.

DESCRIPTION OF THE APPLICATION
This retrospective application seeks to regularise the existing rear garden, previously a paddock used for horse grazing purposes, and which is located outside of the red line boundary of the groom's / rural workers accommodation in association with the equestrian and residential property at Millstones constructed under DC/20/1765 and DC/21/2818.

RELEVANT PLANNING POLICIES
The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character

Policy 26 - Strategic Policy: Countryside Protection
Policy 28 - Replacement Dwellings and House Extensions in the Countryside
Policy 29 - Equestrian Development
Policy 31 - Green Infrastructure and Biodiversity
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles

2014-2031 Slinfold Neighbourhood Plan:
Policy 5 - Development Principles

Slinfold Parish Design Statement

Horsham District Local Plan (2023-40) (Regulation 19):
Strategic Policy 9: Water Neutrality
Strategic Policy 13: The Natural Environment and Landscape Character
Strategic Policy 14: Countryside Protection
Strategic Policy 17: Green Infrastructure and Biodiversity
Strategic Policy 19: Development Quality
Strategic Policy 20: Development Principles
Policy 33: Equestrian Development
Policy 44: Rural Workers Accommodation
Policy 45: Replacement Dwellings and House Extensions in the Countryside

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 Environmental Health: No comments.

Representations:
One representation has been received, supporting the application on the grounds that there are no impacts to wildlife and is not visible from other properties.

Parish Comments:
Slinfold Parish Council raises no objection to this development.

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 existing dwelling was approved as a rural worker dwelling, with a condition restricting occupancy in this manner attached to the related planning permission. The enlarged curtilage would not prejudice future occupation by a rural worker, and the resulting scale of the site is not considered disproportionate to the dwelling. In principle, the proposal is not considered to create conflict with relevant local and national planning policies.

Design and Appearance:

Policies 25, 32 and 33 of the HDPF promote development that protects, conserves and enhances the landscape and townscape character from inappropriate development. Proposals should take into account landscape characteristics, with development seeking to provide an attractive, functional and accessible environment that complements the locally distinctive character of the district.

Policy 5 of the SNP seeks to require development proposals to respect the design, density and layout of the surrounding area, as detailed in the Slinfold Parish Design Statement.

The application site forms part of a larger equestrian use, with the dwelling providing Grooms Accommodation for a rural worker. Th dwelling is located in the south-western corner of a larger paddock, to the south of a substantial covered sand school. The enlarged curtilage has created a curved incursion into the adjoining undeveloped paddock marked by a post and rail fence. The extent of the enlarged curtilage is considered modest and the means of enclosure is not intrusive, being appropriate to the use of the site within the immediate landscape. The wider paddock is well screened to the south and eastern boundaries, with the extent of this screening such that the wider visual impact would be limited, despite the presence of rights of way to the south of the site.

The raised patio would not be an unexpected feature to the rear of a dwelling and, given its modest scale and proportions, it is primarily seen against the backdrop of and in conjunction with the existing dwelling, not appearing unduly intrusive or dominant in views from the surrounding area.

For a combination of these reasons, it is considered that the enlarged curtilage and raised patio has not resulted in any adverse impact on the landscape character of the site or wider surrounding area, in accordance with the above policies.

The original planning permission is subject to a condition which removed permitted development rights for the erection of outbuildings (under Class E or Part 1 within Schedule 2 of the GPDO), ref: condition 12 of DC/21/2818. The enlarged curtilage creates a new area of incidental curtilage which would not be subject to this existing condition. In the interests of visual amenity, a condition is recommended to remove these permitted development rights (for outbuildings) in the enlarged curtilage. Further, given the nature of the new curtilage boundaries it is also recommended that permitted development rights for the erection of boundary fences, gates and walls (or other means of enclosure) be similarly removed.

Amenity Impacts:

Policy 33 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.

The nature and siting of the proposal and the resulting relationship with surrounding properties and land is such that no unacceptable harm would arise from the proposed development, in accordance with the above policy.

Water Neutrality:

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 dwelling 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 180 and the Council's obligations under the Conservation of Habitats and Species Regulations 2017.

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 application is retrospective made under Section 73(A) of the Town and Country Planning Act, which is exempt from Biodiversity Net Gain.

Conclusions:

This retrospective application for the change of use from equestrian land to residential use within the curtilage of the rural worker's dwelling in Millstones, as well as the retention of patio, are considered to accord with all relevant local and national planning policies.

Recommendation: Application Permitted

Conditions:

2 **Regulatory Condition**: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (and/or any Order revoking and/or reenacting that Order) no development falling within Class E of Part 1 of Schedule 2, or within Class A of Part 2 of Schedule 2 of the order shall be erected, constructed or placed within the curtilage hereby permitted without express planning consent from the Local Planning Authority first being obtained.

Reason: Due to the nature of the approved development and in the interest of visual amenity and due to in accordance with Policies 20 and 33 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/25/0079

(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 & Block plan	Existing	1593/19/P/01A	20.01.2025
Location & Block plan	Pre-existing (Boundaries approved in DC/20/1765)	1593/19/P/01B	20.01.2025

Supporting Statement	Planning Statement	NONE	25.03.2025

DELEGATED

Case Officer sign/initial Joshua Lee Date: 15.04.2025

Authorising Officer sign/initial Guy Everest Date: 24.04.2025