

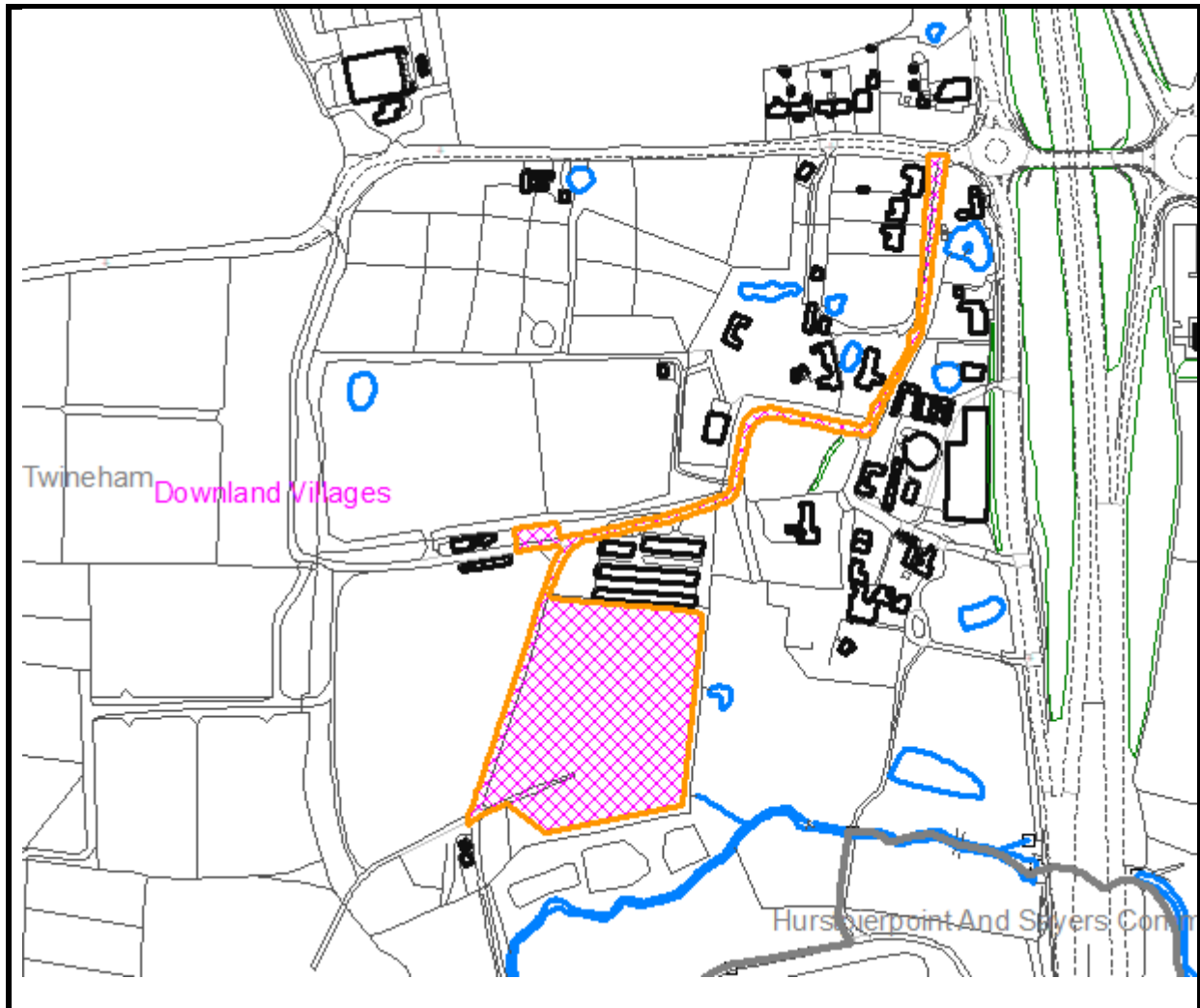
District Planning Committee



Recommended for Permission

14th December 2023

DM/23/1813



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Site:	Hickstead Ltd All England Jumping Course London Road Sayers Common Hassocks
Proposal:	Development of three barns to contain permanent loose boxes for competitors, a storage barn for hay and fodder with associated work.
Applicant:	Mr William Bunn
Category:	Smallscale Major Other
Target Date:	12th January 2024

Parish:	Hurstpierpoint And Sayers Common
Ward Members:	Cllr Geoff Zeidler /
Case Officer:	Susan Dubberley

Link to Planning Documents:

<https://pa.midsussex.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=RXL5JQKT07E00>

1.0 Purpose of Report

- 1.1 To consider the recommendation of the Assistant Director for Planning and Sustainable Economy on the application for planning permission as detailed above.

2.0 Executive Summary

- 2.1 This application seeks full planning permission for the erection of three barns to contain 204 permanent loose boxes for competitors' horses, a storage barn for hay and fodder, with associated work.
- 2.2 The development would replace the temporary stabling that is erected during events with a permanent solution and a storage barn for hay and fodder, which together would provide improved facilities on the site. The development would enhance the attractiveness of the site and help maintain the reputation of Hickstead as a world-renowned national and international showjumping venue.
- 2.3 Planning legislation holds that the determination of a planning application shall be made in accordance with the Development Plan unless material considerations indicate otherwise.

Specifically, Section 70 (2) of the Town and Country Planning Act 1990 states:

'In dealing with such an application the authority shall have regard to:

- a) The provisions of the development plan, so far as material to application,*
- b) And local finance considerations, so far as material to the application, and*
- c) Any other material considerations.'*

- 2.4 Section 38(6) Planning and Compulsory Purchase Act 2004 provides:

'If regard is to be had to the development plan for the purposes of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.'

- 2.5 In this part of Mid Sussex the development plan comprises the District Plan, the Site Allocations DPD and the Twineham Neighbourhood Plan.
- 2.6 In making an assessment as to whether the proposal complies with the development plan, the Courts have confirmed that the development plan must be

considered as a whole, not simply in relation to any one individual policy. It is therefore not the case that a proposal must accord with each and every policy within the development plan.

- 2.7 The development lies in the countryside therefore Policy DP12 is relevant which seeks to protect and enhance the countryside and allows development where it is supported by other policies in the District Plan. In this case the proposals are supported by policies DP1, which supports the effective use of employment land and premises, while policy DP14 supports the sustainable growth and the vitality of the rural economy, while Policy DP19 supports tourism related development in the countryside provided that it maintains or where possible enhances the quality of the rural and landscape character. Finally, Policy DP24 supports development that provides new and/or enhanced leisure and cultural activities and facilities.
- 2.8 The Twineham neighbourhood plan Policy TNP3.1 also supports the diversification of established agricultural businesses and buildings.
- 2.9 As such, the principle of development is supported by the aforementioned policies and the NPPF, subject to the proposal protecting and potentially enhancing the rural and landscape character of the District.
- 2.10 The proposed design, layout and scale of the development is considered acceptable, and it would not cause harm to the character and appearance of the area. It is not considered to cause significant harm to the neighbouring amenities.
- 2.11 There will be a neutral impact in respect of a number of issues such as highways, traffic, drainage and ecology.
- 2.12 Weighing against the proposal is the less than substantial harm identified in relation to the setting of nearby heritage assets, and therefore there is a conflict with policy DP34. However, in NPPF terms, the harm is considered to be less than substantial, and having regard to paragraph 202, the identified harm needs to be weighed against the public benefits of the proposals.
- 2.13 It is considered that overall, whilst the less than substantial harm to the setting of the nearby listed buildings should be afforded weight, on balance, the public benefits arising from the scheme, which are, new improved facilities with permanent stabling and storage facilities for a world renowned international showjumping ground; (which would provide economic and social benefits, including employment and local spend as well as health and social wellbeing)are considered to outweigh the heritage harm identified.
- 2.14 Overall, while there is a conflict with DP34, it is considered that the application complies with the Development Plan as a whole. The Courts have confirmed that the development plan must be considered as a whole, not simply in relation to any one individual policy. The proposal also meets the test of paragraph 202 of the NPPF, with the public benefits outweighing the less than substantial harm to the setting of the nearby listed buildings. It is therefore recommended that this application is approved.
- 2.15 The application is thereby considered to comply with policies DP1, DP12, DP14, DP21, DP26, DP29, DP37, DP39 and DP41 of the District Plan, policies TPN2, TPN3, TPN4 of the Neighbourhood Plan, The Mid Sussex Design Guide SPD and the relevant provisions of the NPPF.

3.0 Recommendation

3.1 It is recommended that planning permission be approved subject to the conditions set in Appendix A.

4.0 Summary of Representations

4.1 458 letters of **support**:

- Will greatly improve the available facilities at this important sports ground. This would be a huge addition to a fantastic show ground.
- This will be hugely beneficial to the showground. This is an internationally recognised venue and it would be nice to see an upgrade of facilities to bring Hickstead up into line with similarly prestigious international venues outside the UK
- This type of stabling is so much better for horse and groom/rider welfare, and as a regular competitor it is much needed. Better for animal welfare and horse comfort than temporary stables.
- The current stabling is often very small and unsuitable for larger horses for the week shows.
- Application is a vital commodity to the local, national and international equine industry and will help to keep this great showground at the cutting edge of show facilities and encourage national and international competitors to visit and spend time and money in West Sussex.
- The provision of these permanent stables will bestow competitors with safe, sun sheltered, dry, mud-free and wind-proof accommodation whilst at the same time offering a rustic and fitting appearance.
- Much needed addition to this world renowned show ground. This will add to the appeal and bring income to the area.
- A venue like this in UK rare, to move into keeping a place like this going and competing against many top class equestrian venues in Europe, which most of our top riders use, all improvements made will only enhance the future of this remarkable place for years to come.
- Hickstead show ground deserve all the possibility to build anything because it's the best showground of the world. This would be a great asset to the showground especially as it hosts international competitions so a great showcase for a UK showground. It is a class world famous venue who need our support if British sport is to survive.
- An upgrade to an excellent local sporting venue which contributes to the local economy. Good for the local economy, including jobs and people coming from home and abroad. Still a very popular local event after 63 years and these stables will be a very welcome addition.
- Giving people the chance to do two or three day show's without having to find stabling in near by area.

- It's impact on the community, neighbours etc. is minimal as the stables would not be overlooked. Additionally, installation of permanent stabling would reduce the environmental impact from installation and removal of temporary stables.
- Fantastic looking building which does not look out of place for the local area.
- This will encourage people to come to the area which can only benefit local businesses financially.
- The Venue is always working to improve things for those who use it and the stabling would be an amazing addition to such a prestigious place which many of the horse community enjoy and benefit from. Good stabling is really important to keep Hickstead on a par with other shows of its standing and importance in the equestrian world.
- When the weather is bad horses are having to stay in muddy wet stables. Furthermore, at larger international shows there is a vast amount of stallions, and it isn't always safe for them to be in temporary stables so more permanent stables are needed. Being permanent they will be of better quality and safer for our horses to stay in for the week's competition. The stables can be more easily disinfected between shows as well so will help with bio security within the equine industry.
- The barns will enhance the quality & welfare of the horses & ponies that have the opportunity to compete there. These Stables will fantastically improve horse welfare. These improved facilities will bring us up to the level that our competitors both British and International experience in Europe. These additional stables are very much needed and would be far more visually pleasing than the temporary structures that they will replace. Competitors travel across the UK and Europe to attend this venue.
- Many horses have travelled long distances to compete at the shows at Hickstead. Permanent stabling offers warmth as well as shelter from the wet and very hot weather conditions. They are far more hygienic as mobile stabling as can be completely washed out and disinfected. The health and welfare of a horse is paramount at these shows, especially when horses have travelled from abroad so that they can compete at their best ability.
- Allowing more stables could also possibly reduce traffic as allows more horses to stay for duration of shows rather than travel daily.
- We use the centre for training young horses which involves 50 or so riders who would not normally be able to afford to ride and get such a high quality of training at prestigious locations but Hickstead makes this available for us. Stabling is an important part of this so the provision of more permanent weatherproof shelter for their horses would be a massive boost to our riders. As part of UK Young Horse Training Program.
- As the leading show venue in the country Hickstead hosts international competitions and these facilities are needed to safely and comfortably stable horses taking part. As well as professionals Hickstead also supports grass root amateurs from across the country who compete in various equestrian disciplines at the Sunshine Tour. The venue also hosts competitions for young people taking part in equestrian sports and representing their

schools. They also support The Pony Club by hosting competitions and an annual camp and the experience young people have at these events develops their confidence, self discipline and sportsmanship which stays with them forever, and I speak here from experience as my daughter was lucky enough to take part.

- Hickstead is essential to the UK Equine Industry which generates millions of pounds annually for the surrounding and national economy. These stables represent a huge investment and will endure Hickstead's place at the forefront of the equine industry for generations
- This will provide a safe environment for the valuable horses that will be staying for the shows. The temporary stables are not a safe.
- The installation of permanent stables wouldn't change the current usage of the land or the impact on traffic/amenities (there is a finite number of competition arenas which limits the number of horses which can compete), however it would really positively impact the welfare of the equine athletes. Permanent flooring rather than grass.
- As a vet who works for the FEI, the governing body of international horse sport, I recognise the importance to horse's welfare of having permanent stabling which is much safer for the occupants than temporary stables. Working conditions for grooms are also much better in permanent stables. In order to remain competitive in attracting top horses and riders who have many options as to where they compete permanent stabling is becoming a 'must have'.
- The temp stables leave horses plastered in mud when they haven't had enough time to rest between show to show. In addition to this, they'll be a lot easier to clean and keep tidy and also treat. We had a horse come away from the competition with a virus which came up a few days after the show. This was probably due to the fact that the temp stables were dirty and not cleaned properly because they are essentially on grass. Having stables on hard stand may also make people want to come to the shows as they feel that they will be of better quality and the horses is less likely to escape from a well-built stable rather than "a tent" with a dodgy door.
- Permanent boxes are much safer for the horses (had horses smash through temp boxes) and if the weather turns and heavily rains, we are not standing our horses in a muddy swamp. If it's a heat wave, they are cooler and more comfortable for the horses too.
- Hickstead is an iconic venue for this sport and its legacy should be supported and should live on. It builds grass root horses and riders and is one of the few places left in the UK where top international competition can happen.
- It is a direct and indirect supporter and provider of local industry. From jobs on site, to local businesses, hotels, caterers, farriers, riding instructors, tack shops, feeds stores, farmers, and the list goes on. Both National and local community need to support any improvements and upgrading of facilities that continue to support and promote industry.

- Hickstead Hay Barns with permanent loose boxes it goes without saying that you want to give your horse the best quality hay possible and therefore hay barns are so important. Whether you grow your own or purchase in bulk, maintaining the quality of your hay is important. Hay barns offer an effective storage solution that helps keep your hay dry and nutritious.
- The quality of hay can be easily affected. As soon as it is cut, hay starts to lose its nutritious value and it can be badly affected by moisture, temperature and time. Moulds and bacteria can commonly thrive in badly stored hay.
- Effective hay storage indoors is more accessible, and maintains a higher quality than outdoor stored hay. Storing your hay effectively in a barn can make a big difference. By taking the time to assess your hay storage situation and making the necessary adjustments, you can help prevent hay damage, loss or reduced quality.

5.0 Summary of Consultees

5.1 **Historic England:** No advice offered in this case. Suggest that you seek the views of your specialist conservation and archaeological advisers.

5.2 **WSCC Highways:** No objection.

5.3 **West Sussex Fire and Rescue:** No objection.

5.4 **Consultant Ecologist:** No objection subject to conditions.

5.5 **MSDC Drainage Engineer:** No objection subject to conditions.

5.6 **MSDC Conservation Officer:** Objects - will result in a degree of less than substantial harm to the assets and would place this generally at the low-mid range of that scale, with the greater impact perhaps being to Westovers, Hickstead Place, and Hickstead Place barn, due to their proximity to the site and/or the PROW. Paragraph 202 of the NPPF and the balancing exercise set out within it will therefore apply. The proposal will also be contrary to the requirements of District Plan Policy DP34.

5.1 **MSDC Environmental Protection:** No adverse comments.

6.0 Town/Parish Council Observations

6.1 **Hurstpierpoint and Sayers Common Parish Council:** Our recommendation is that MSDC should give permission. The Parish Council support the application in principle, there are concerns around the impact of the increased traffic on the surrounding lanes. A Traffic Management Study is required.

6.2 **Twineham Parish Council:** supports the activities at the Hickstead Showground and its aspiration to participate at an international level and has no objections to this application.

6.3 Whilst we recognise the fact that the proposed buildings will not be visible from the road, there will be a loss of habitat and we would ask that some additional planting work is undertaken in the vicinity of the new buildings to mitigate the environmental damage.

- 6.4 A large number of letters of support have been submitted to Mid Sussex District Council (MSDC), but the majority of those submitting the letters do not live in the vicinity and, therefore, are not affected on a day-to-day basis.
- 6.5 The Design and Access Statement submitted in support of this application makes no mention of the traffic in Hickstead Lane and states that there will be no increase in the numbers of vehicles accessing the Stable Field where all the horseboxes are parked. However, the Parish Council and local residents have long been concerned with the ever-increasing size of these vehicles and believe that Hickstead Showground needs to address the problems with access and egress to and from the Stable Field. This issue needs to be addressed by the Highways Authority, West Sussex County Council, as soon as possible. This needs to include arrangements for traffic controls and marshals in Hickstead Lane.
- 6.6 We realise that events at Hickstead do not happen every week. However, the traffic involved in the event which took place during the week commencing Monday, 24th July 2023 and running to Sunday, 30th July 2023, caused a huge amount of inconvenience to local residents.
- 6.7 We would draw your attention to the traffic jams which occurred on Monday, 24th July. We understand that horseboxes had arrived early and were not allowed onto the Showground. This caused a queue of vehicles across the bridge to the Shell garage and Hickstead Lane was completely blocked. The northbound A23 sliproad was blocked, and horseboxes were stationary on the south bound A23 sliproad with the queue extended onto the A2300 towards Burgess Hill. This caused those drivers who were not involved in the Showground to go the wrong way around the roundabout by the Castle pub.
- 6.8 In conclusion, Twineham Parish Council would ask Mid Sussex District Council to give serious consideration to the traffic issues before granting any planning permission. The Parish Council believes that this is an opportunity to improve the traffic situation for local residents.

7.0 Introduction

- 7.1 This application seeks full planning permission for the development of three barns to contain permanent loose boxes for competitors, a storage barn for hay and fodder with associated work.

8.0 Relevant Planning History

- 8.1 There have been several minor applications approved on the site and in addition to the extensive number of planning applications at the site, the Council has also entered into a number of legal agreements in relation to the activities that can take place at the site.

- 8.2 However, the most relevant to the current application is:

10/01152/LDC Use of Land as Showground. Approved.

9.0 Site and Surroundings

- 9.1 The site comprises a large area of land that is used for show jumping events. The use of the site dates back to 1960 and has grown over the years with the site now

containing six arenas, seating for around 5,000 spectators and corporate hospitality suites.

- 9.2 The site is located to the west of the A23, to the south of the junction with the A2300. The site contains large areas of grassland that are used for amongst other things, the parking of vehicles, stabling and the erection of stands. There are permanent buildings within the site including offices and stands.
- 9.3 The area in which the permanent loose boxes for competitors, and the storage barn for hay and fodder are proposed is in a field in the northern section of the show ground, to the north of the International Arena.
- 9.4 The field is currently partly occupied by several buildings relating to the showground, including stabling, toilets and an accommodation block. To the east of the site there are a group of buildings around Hickstead Place, which is a substantial II* listed house dating originally from the 15th century, with 17th century and later wings. To the south of the house, within its gardens, is The Castle, a 17th century summer house (Grade II listed). To the north, the 17th century barn associated with the house is also Grade II listed, and there are a range of other ancillary buildings, some of which would be regarded as curtilage listed. A more modern stable yard and barn lie to the north again. A short distance northeast of Hickstead Place is Westovers, a Grade II listed partly 15th century building.
- 9.5 To the west and north of the site there is open countryside. There is also a Public Right of Way that runs along the northern boundary of the application site.
- 9.6 Part of Hickstead Place and the Hickstead site are located within Twineham Parish and this includes the application site; however, the show jumping arena itself, and the public access off the A23 to the south, fall within Hurstpierpoint and Sayers Common Parish. The whole site lies in the countryside as defined by the District Plan.

10.0 Application Details

- 10.1 This application seeks full planning permission for the development of three barns to contain permanent loose boxes for competitors, a storage barn for hay and fodder with associated work.
- 10.2 The new permanent loose boxes would provide stabling for 204 horses and would be arranged as three double barns each measuring some 65m x 25m with a height of some 2.8m to the eaves and 4m to the ridge. Each barn would accommodate 68 loose boxes and include horse wash down facilities.
- 10.3 The barns would be made of steel frame modular barns with recycled composite plastic infill made to look like wood, with a double pitched fibre cement roof, which would have translucent panels above each of the stables.
- 10.4 The storage barn for hay and fodder would be in the form of open fronted steel framed barn with pitched roof, measuring some 18m x 6m with a height of some 3m to the eaves and 3.7m to the ridge.
- 10.5 In support of the application the applicant has stated that the stables are required to upgrade the facilities and to bring the showground into line with other international equestrian venues around the work such as Aachen in Germany, which has 428 permanent stables, and Valkenswaard in the Netherlands, which has 500.

- 10.6 The only existing permanent stabling on the site is located close to the northern boundary of the site and consists of 4 brick built stable blocks with 126 small loose boxes. However, due to their size the loose boxes are only suitable for ponies, and they also do not comply with international competition regulations, and therefore can only be used for national events.
- 10.7 During the competitions that take place over several days temporary stabling is currently used in this location, which is erected on the grass and is both time consuming and expensive.
- 10.8 Additional issues are the need to clean and disinfect the stabling and if the weather is wet then the wet ground soil can cause skin condition to the legs of the horses.
- 10.9 The site also holds residential camps for adults and children and the new accommodation for the horses would provide additional income during these events.
- 10.10 The applicant has also stated that Hickstead is a valuable contributor to the local economy with twenty permanent employees and this increases to over 100 during the major events. In addition, there are external contractors and suppliers employed to service the venue and its hospitality business.
- 10.11 Visitors and competitors stay locally and support local businesses and eating establishments during events. The venue attracts over 100,000 people a year.
- 10.12 In summary the application would replace temporary stabling with a permanent solution and a storage ban for hay and fodder to provide improved facilities that would enhance the attractiveness of the site, particularly when holding international show jumping events.

11.0 Legal Framework and List of Policies

- 11.1 Planning legislation holds that the determination of a planning application shall be made in accordance with the development plan unless material considerations indicate otherwise.
- 11.2 Specifically Section 70 (2) of the Town and Country Planning Act 1990 states:
- 'In dealing with such an application the authority shall have regard to:*
- a) The provisions of the development plan, so far as material to application,*
 - b) And local finance considerations, so far as material to the application, and*
 - c) Any other material considerations.'*
- 11.3 Section 38(6) Planning and Compulsory Purchase Act 2004 provides:
- 'If regard is to be had to the development plan for the purposes of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.'*
- 11.4 The requirement to determine applications "in accordance with the plan" does not mean applications must comply with each and every policy but is to be approached on the basis of the plan taken as a whole. This reflects the fact, acknowledged by the Courts, that development plans can have broad statements of policy, many of

which may be mutually irreconcilable so that in a particular case one must give way to another.

- 11.5 Under section 38(5) of the Planning and Compulsory Purchase Act 2004 if a policy contained in a development plan for an area conflict with another policy in the development plan, the conflict must be resolved in favour of the policy which is contained in the last document to be adopted, approved or published.
- 11.6 Using this as the starting point the development plan for this part of Mid Sussex consists of the District Plan, the Mid Sussex Site Allocations Development Plan Document and the Twineham Neighbourhood Plan.
- 11.7 National policy (which is contained in the National Planning Policy Framework and National Planning Policy Guidance) does not form part of the development plan, but is an important material consideration.
- 11.8 **Mid Sussex District Plan**

The District Plan was adopted at Full Council on the 28th March 2018

Relevant policies include;

- DP1 Sustainable economic development
- DP12 Protection and enhancement of countryside
- DP14 Sustainable rural development and the rural economy
- DP21 Transport
- DP26 Character and design
- DP29 Noise, Air and Light Pollution
- DP34 Listed Buildings and Other Heritage Assets.
- DP37 Trees, woodland and hedgerows
- DP39 Sustainable Design and Construction
- DP41 Flood risk and drainage

Site Allocations DPD

- 11.9 The SADPD was adopted on 29th June 2022. It allocates sufficient housing and employment land to meet identified needs to 2031. There are no relevant policies specific to this application.

The Hurstpierpoint and Sayers Common Neighbourhood Plan

- 11.10 The Twineham Neighbourhood Plan was adopted in March 2016. Relevant policies include:

Policy TPN2 Design

Policy TNP3 Employment and the Local Economy

Policy TNP4 Landscape and Environment

Mid Sussex District Plan 2021-2039 Consultation Draft

- 11.11 The District Council is now in the process of reviewing and updating the District Plan. The new District Plan 2021 - 2039 will replace the current adopted District Plan. The draft District Plan 2021-2039 was published for public consultation on 7th November and the Regulation 18 Consultation period ran to 19th December 2022. No weight can currently be given to the plan due to the very early stage that it is at in the review process.

Mid Sussex Design Guide Supplementary Planning Document (SPD)

- 11.12 The Council has adopted a 'Mid Sussex Design Guide' SPD that aims to help deliver high quality development across the district that responds appropriately to its context and is inclusive and sustainable. The Design Guide was adopted by Council on 4th November 2020 as an SPD for use in the consideration and determination of planning applications. The SPD is a material consideration in the determination of planning applications.

- 11.13 **MSDC Developer Infrastructure & Contributions SPD (2018)**

The National Planning Policy Framework (NPPF) September 2023.

- 11.14 The NPPF is a material consideration with specific reference to decision-taking paragraph 47 states that planning decisions must be taken in accordance with the development plan unless material considerations indicate otherwise.

- 11.15 **National Planning Policy Guidance**

National Design Guide

Ministerial Statement and Design Guide

On 1 October 2019 the Secretary of State for the Ministry of Housing, Communities and Local Government made a statement relating to design. The thrust of the statement was that the Government was seeking to improve the quality of design and drive up the quality of new homes. The Government also published a National Design Guide, which is a material planning consideration.

- 11.16 The National Design Guide provides guidance on what the Government considers to be good design and provides examples of good practice. It notes that social,

economic and environmental change will influence the planning, design and construction of new homes and places.

12.0 Assessment

Principle of development

12.1 The site lies in the countryside and Policy DP12 seeks to protect and enhance the countryside and states:

'The countryside will be protected in recognition of its intrinsic character and beauty. Development will be permitted in the countryside, defined as the area outside of built-up area boundaries on the Policies Map, provided it maintains or where possible enhances the quality of the rural and landscape character of the District, and:

- *it is necessary for the purposes of agriculture; or*
- *it is supported by a specific policy reference either elsewhere in the Plan, a Development Plan Document or relevant Neighbourhood Plan.'*

12.2 The Policy DP1 of the District Plan relates to Sustainable Economic Development. It states that amongst other criteria that the

" Effective use of employment land and premises will be made by:

- *Protecting allocated and existing employment land and premises (including tourism) unless it can be demonstrated that there is no reasonable prospect of its use or continued use for employment or it can be demonstrated that the loss of employment provision is outweighed by the benefits or relative need for the proposed alternative use;*
- *Permitting appropriate intensification, conversion, redevelopment and/ or extension for employment uses providing it is in accordance with other policies in the Plan;"*.

12.1 Policy DP14 makes clear that:

"new small-scale economic development, including tourism-related development, within the countryside (defined as the area outside of built up area boundaries as per the Policies Map) will be permitted provided:

- *it supports sustainable growth and the vitality of the rural economy; and*
- *where possible, utilises previously developed sites.*

diversification of activities on existing farm units will be permitted provided:

- *they are of a scale which is consistent to the location of the farm holding; and*
- *they would not prejudice the agricultural use of a unit.*

the re-use and adaptation of rural buildings for business or tourism use in the countryside will be permitted provided:

- *the building is of permanent construction and capable of re-use without substantial reconstruction or extensive alteration;*
- *the appearance and setting is not materially altered; and*

- *it is not a recently constructed agricultural building which has not been or has been little used for its original purpose.*

12.2 Policy DP19 of the District Plan also supports tourism related development in the countryside provided that it supports the sustainable growth of the rural economy and maintains or where possible enhances the quality of the rural and landscape character of the District.

12.3 Policy DP24 supports development that provides new and/or enhanced leisure and cultural activities and facilities.

12.4 The Twineham Neighbourhood Plan Policy TNP3.1 supports the diversification of established agricultural businesses and buildings. where it complements the existing farming enterprise and is suitable and appropriate to the existing character of the parish. With the preamble to the policy stating:

“Accompanying the Parish’s employment opportunities is a significant leisure and tourism offer, including the Hickstead Show Ground, which is one of the most popular visitor attractions in Mid Sussex.”

12.5 The NPPF is also relevant and at para 84, states that:

planning policies and decisions should enable:

- a) “the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well-designed new buildings.”*

12.6 There is therefore broad support for this type of development in rural locations.

12.7 The proposed development will enable Hickstead to significantly enhance the facilities on the site by replacing the need for temporary stabling with a permanent solution and a storage ban for hay and fodder, providing improved facilities that would enhance the attractiveness of the site when holding international show jumping events. As such, the principle of development is supported by the aforementioned policies and the NPPF, subject to the proposal maintaining, or where possible enhancing, the rural and landscape character of the District.

Design and Impact on the Character of the Area

12.8 Policy DP26 of the District Plan relates to character and design and states in part that:

‘All development and surrounding spaces, including alterations and extensions to existing buildings and replacement dwellings, will be well designed and reflect the distinctive character of the towns and villages while being sensitive to the countryside. All applicants will be required to demonstrate that development:

- *is of high quality design and layout and includes appropriate landscaping and greenspace;*
- *creates a sense of place while addressing the character and scale of the surrounding buildings and landscape;*

- *protects open spaces, trees and gardens that contribute to the character of the area;*
- *incorporates well integrated parking that does not dominate the street environment, particularly where high density housing is proposed; (see Policy DP29);'*

12.9 As stated above DP12 seeks to protect and, where possible, enhance the countryside and this ethos is echoed within the Twineham Neighbourhood Plan policy TNP4 (landscape and environment).

12.10 Policy TPN2 of the Neighbourhood Plan relates to design and states:

'All development should be of good design consisting of the best practice standards for well-designed new homes and neighbourhoods in force at the time, contemporary and innovative design is encouraged where appropriate. This means development should:

- *Include energy and water efficiency measures.*
- *Use quality materials, these should be sustainably and locally sourced where feasible.*
- *Apply space standards taking into account the user, circulation space and the need for storage.*
- *Contribute positively to the local character and rural setting.*
- *Recognise that architectural integrity is of paramount importance and respond in a coherent way.*
- *Not be dominated by parking and hard surfacing.*
- *Utilise appropriate landscaping.*

12.11 The proposals represent a relatively significant development in the countryside, on what is for the most part an open field. Although, there are several existing buildings relating to the showground, including stabling, toilets and an accommodation block located in the north eastern corner of the site, and along the northern boundary.

12.12 The new stable blocks would be sited to the south of the existing stable blocks and would therefore been seen in the context of the existing permanent stabling on the site. The stable blocks have been loosely designed to appear as barns which is considered to be in keeping with the countryside setting, and would not appear out of character with the rural location.

12.13 It is also relevant that for some parts of the year the field is used for temporary stabling and that is considered to be visually more intrusive than the proposals.

12.14 The hay and fodder storage would be in the form of open fronted steel framed barn with pitched roof, located along the northern boundary. The storage barn is considered acceptable, since the design and appearance would not be unexpected in a rural location.

12.15 The site also benefits from screening along the northern and eastern boundaries in the form of mature trees and hedges.

12.16 In view of the above it is therefore considered that the design and impact on the character of the countryside are acceptable, and the proposal would comply with the policies DP12, DP26 of the district plan and policy TPN2 of the Neighbourhood Plan.

Impact on the setting of listed Buildings

- 12.17 The application site is located just to the west of the group of buildings around Hickstead Place, which is a substantial II* listed house dating originally from the 15th century, with 17th century and later wings. To the south of the house, within its gardens, is The Castle, a 17th century summer house (Grade II listed). To the north, the 17th century barn associated with the house is also Grade II listed, and there are a range of other ancillary buildings, some of which would be regarded as curtilage listed. A more modern stable yard and barn lie to the north again. A short distance north east of Hickstead Place is Westovers, a Grade II listed partly 15th century building.
- 12.18 North of Westovers is Little Hickstead Place, a Grade II listed 17th century or earlier former farmhouse to Little Hickstead Farm. Warren Barn, to the east of this, dates from historic map regression from the 19th century or earlier, and may be regarded as curtilage listed, but due to assumed different ownership is more likely to be considered as a non-designated heritage asset (NDHA).
- 12.19 The West Sussex Historic Farmstead and Landscape Character assessment records Hickstead Place, Hickstead Farm and Warren Barn as three individual historic farmsteads.
- 12.20 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that:
- 'In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.'*
- 12.21 Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 outlines the statutory duty placed on Local Planning Authorities to have special regard to the desirability of preserving a [listed] building or its setting or any features of special architectural or historic interest it possesses.
- 12.22 Paragraphs 197 - 202 of the NPPF are also relevant:
- '197. In determining applications, local planning authorities should take account of:*
- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
 - b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
 - c) the desirability of new development making a positive contribution to local character and distinctiveness.*

199. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

200. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

- a) grade II listed buildings, or grade II registered parks and gardens, should be exceptional;
- b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

201. Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a) the nature of the heritage asset prevents all reasonable uses of the site; and;
- b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
- d) the harm or loss is outweighed by the benefit of bringing the site back into use.

202. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

203. The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.'

12.23 Policy DP34 of the District Plan seek to preserve the special interest of the Listed Building and their setting.

12.24 The Council Conservation Officer has carefully considered the application and while noting that a public footpath (PROW) runs east-west through the group of buildings, between Hickstead Place and Westovers and Little Hickstead Place, and on across the northern edge of the site, has made the following comments in regard to the impact on the setting of the Listed Buildings and the Non-Designated Heritage Asset;

“Based on the information in front of us I would think it likely that Hickstead Place would be considered to possess architectural interest based partly on its construction and craftsmanship, as well as historical illustrative value as a very good example of a rural building of its type and period. It also possesses aesthetic value based in part on the use of vernacular materials viewed within the landscape from which they were drawn, as well as group value, in particular with The Castle and the listed barn, but also with Westovers and Little Hickstead Place and associated curtilage listed buildings/NDHAs identified above.

The Castle and barn would be considered to possess similar values as good examples of buildings of their individual types and periods, and again group value with each other and Hickstead Place.

Westovers would be considered to possess architectural value, as well as historical illustrative value as good example of a rural Sussex building, and aesthetic value based in part on the use of vernacular materials viewed within the landscape from which they were drawn. Again, it has group value with the other assets identified above.

Little Hickstead Place again possesses architectural and historical illustrative values, as a good example of a rural Sussex farmhouse, as well as fortuitous aesthetic value similar to the buildings considered above. It also possesses group value with the former farmyard buildings to the west, as well as the other listed buildings and curtilage listed buildings/NDHAs around Hickstead Place.

In all cases, I would consider that the surviving rural setting of the various heritage assets makes to a greater or lesser degree a positive contribution to their special interests, and the manner in which these are appreciated, including in particular that part of those interests which is drawn from historical illustrative and aesthetic values. The exact level of contribution may vary due to proximity and to the former use or purpose of the buildings, although in many cases this is not entirely clear. Buildings associated with former farmsteads will have a close historical association with the surrounding farmlands, although it is not clear at present which farmsteads were associated with which land. In any case, continuing proximity to landscape of a rural character will contribute to an understanding of the former function of these buildings.

The application site, although partly built upon, remains largely an open field. Despite being part of the Hickstead showground, it therefore retains to some extent its original rural character. The site is located directly to the west of the grounds to Westovers and Hickstead Place, and although intervisibility is limited particularly in summer by intervening planting, it is likely that glimpsed views between the site and these buildings and/or their immediate garden settings will be possible especially in winter. Furthermore, the site forms a prominent part of the approach to the group of buildings along the PROW running towards them from the countryside to the west. In my opinion, the remaining green open space of the site forms part of the surviving rural setting of the group of listed buildings, and the positive contribution which this makes to the manner in which their special interests are appreciated, as discussed above.

The current proposal is for the construction of further stabling on the eastern part of the field, comprising three sets of paired stable buildings, with associated hard landscaping, lighting and infrastructure.

Notwithstanding the existing permanent and seasonal temporary stabling on the site, the proposal will have a significant impact on its surviving open and rural character. The proposed new buildings, although of a loosely barn typology, will not resemble traditional Sussex agricultural buildings in their layout, form or materials. They will appear as an intrusion into the traditional rural landscape, albeit as an extension of the existing stable provision within the same field. The associated hard landscaping etc. will exacerbate this impact. For these reasons, in my opinion they will detract from the surviving rural character of the site and the positive contribution this makes to the settings of the adjacent listed buildings. In particular, the proposal will detract from the character of the approach to the buildings along the adjacent

PROW, although there is likely to also be some impact on views from Westovers, Hickstead Place and their immediate garden settings, particularly in winter.

This will result, in my opinion, in a degree of less than substantial harm to the assets identified above. I would place this generally at the low-mid range of that scale, with the greater impact perhaps being to Westovers, Hickstead Place, and Hickstead Place barn, due to their proximity to the site and/or the PROW, although this assessment may be subject to adjustment on receipt of an appropriately detailed heritage statement. There will also be an impact on the associated curtilage listed buildings/NDHAs which again can be further assessed on receipt of the Statement. Paragraph 202 of the NPPF and the balancing exercise set out within it will therefore apply.

The proposal will also be contrary to the requirements of District Plan Policy DP34.”

- 12.25 The objections to the development by the Conservation Officer are noted and in view of the above it is therefore considered that the proposal will materially affect the setting of the nearby heritage assets. Case law has confirmed that when an authority finds that a proposed development would harm the setting of a listed building or the character or appearance of a conservation area, it must give that harm considerable importance and weight.
- 12.26 In cases where less than substantial harm to a designated heritage asset has been identified, paragraph 202 of the NPPF is applicable. This states that where a proposed development will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.
- 12.27 In this case what the decision maker needs to do is weigh up whether or not the identified less than substantial harm outweighs any public benefits brought about by the development. This balancing exercise is carried out in the final section of the report.

12.28

Access And Transport

12.29 Policy DP21 the Mid Sussex District Plan states:

‘Development will be required to support the objectives of the West Sussex Transport Plan 2011-2026, which are:

- *A high quality transport network that promotes a competitive and prosperous economy;*
- *A resilient transport network that complements the built and natural environment whilst*
- *reducing carbon emissions over time;*
- *Access to services, employment and housing; and*
- *A transport network that feels, and is, safer and healthier to use.*

To meet these objectives, decisions on development proposals will take account of whether:

- *The scheme is sustainably located to minimise the need for travel noting there might be circumstances where development needs to be located in the countryside, such as rural economic uses (see policy DP14: Sustainable Rural Development and the Rural Economy);*
- *Appropriate opportunities to facilitate and promote the increased use of alternative means of transport to the private car, such as the provision of, and access to, safe and convenient routes for walking, cycling and public transport, including suitable facilities for secure and safe cycle parking, have been fully explored and taken up;*
- *The scheme is designed to adoptable standards, or other standards as agreed by the Local Planning Authority, including road widths and size of garages;*
- *The scheme provides adequate car parking for the proposed development taking into account the accessibility of the development, the type, mix and use of the development and the availability and opportunities for public transport; and with the relevant Neighbourhood Plan where applicable;*
- *Development which generates significant amounts of movement is supported by a Transport Assessment/ Statement and a Travel Plan that is effective and demonstrably deliverable including setting out how schemes will be funded;*
- *The scheme provides appropriate mitigation to support new development on the local and strategic road network, including the transport network outside of the district, secured where necessary through appropriate legal agreements;*
- *The scheme avoids severe additional traffic congestion, individually or cumulatively, taking account of any proposed mitigation;*
- *The scheme protects the safety of road users and pedestrians; and*
- *The scheme does not harm the special qualities of the South Downs National Park or the High Weald Area of Outstanding Natural Beauty through its transport impacts.*

Where practical and viable, developments should be located and designed to incorporate facilities for charging plug-in and other ultra-low emission vehicles.

Neighbourhood Plans can set local standards for car parking provision provided that it is based upon evidence that provides clear and compelling justification for doing so.'

- 12.30 While both Hurstpierpoint and Sayers Common Parish Council and Twineham Parish Council are generally supportive of the application, they have commented on the needs to address problems with traffic and access, and egress, to and from the site during showjumping events. Twineham Parish Council gives an example of an

event which took place during July of this year and state that traffic jams occurred on Monday, 24th July:

“We understand that horseboxes had arrived early and were not allowed onto the Showground. This caused a queue of vehicles across the bridge to the Shell garage and Hickstead Lane was completely blocked. The northbound A23 sliproad was blocked, and horseboxes were stationary on the south bound A23 sliproad with the queue extended onto the A2300 towards Burgess Hill.”

The Parish Council believe that this application is an opportunity to improve the traffic situation for local residents.

12.31 The Local Highway Authority (LHA) has reviewed the application and have raised no objections commenting:

“The proposed stabling is ancillary to the existing permitted use. It is a replacement and improvement of the existing facility and necessary for the operation of the site activities and therefore will not generate any additional traffic, over and above existing levels.

Large vehicles, including horse boxes and any construction traffic, currently access the site via the northern access from Hickstead Lane, just west of the A2300 roundabout junction. The Highway Authority has been made aware of recent issues associated with vehicles blocking this access when gaining access into Hickstead. It is the preference of the Highway Authority that the site is accessed via the southern access off the B2118.”

12.32 The Highways Authority are therefore satisfied that the proposal will not result in any increase in traffic, and therefore will not exacerbate the existing situation in term of traffic generation.

12.33 The applicant has also responded to the comments of the Parish Council stating that while historically, there have been traffic jams on most days of our international shows, measures have been introduced to try to alleviate this, such as;

- In approximately 2006, the creation of a one way system, with lorries entering 20m into Hickstead Lane, and lorries exiting approximately 400m down Hickstead Lane.
- In 2021 increased ability to quickly check in lorries once in the stable field, with 2 check in lanes, before only one. Introduction of a parking area on the hard for three lorries, allowing them to be moved from the main lanes to deal with any complications etc. The number of check in staff for horse boxes has been doubled.

12.34 In 2024, the plan is to open and main the gate earlier, around 8am, and charge for early arrivals with a limited number of slots available and a larger holding area is planned.

12.35 In respect of the proposed Hay Barn, WSCC have commented that as it will be located adjacent to a public footpath, then the applicant will need to ensure the barn, and its doors/access, do not encroach on the Public Right of Way (PROW), and that the footpath is kept clear and not obstructed at any time. An informative to this effect forms part of the recommendation.

- 12.36 In conclusion, it is acknowledged that there are existing traffic issues with problems arising during certain large events, when traffic including large horseboxes are entering and exiting the site. However, it is also clear that the current proposals would not generate additional traffic over and above existing levels but will improve the facilities on the site for the horses of the competitors.
- 12.37 In view of the above it is therefore considered that the proposal would comply with the policy DP21.

Residential Amenity

- 12.38 In regard to residential amenity Policy DP26 states, inter alia:
- "does not cause significant harm to the amenities of existing nearby residents and future occupants of new dwellings, including taking account of the impact on privacy, outlook, daylight and sunlight, and noise, air and light pollution (see Policy DP29)"*
- 12.39 The nearest residential properties are located to the east of the site with the closest residential properties being Westovers, which is some 80m away and Castle, which is some 95m away and there is also screening on the boundary in the form of mature trees and hedges. It is therefore considered that given the distances from the boundary and screening, the proposal will not have a significant impact on the amenities of adjacent residential properties.
- 12.40 It is also relevant that while the stabling will be permanent rather than temporary, the activities on the site in regard to the use for stabling and for show jumping events during the year will not increase as a result of the proposals. The application will enable the applicant to enhance the existing facilities on the site, and not give rise to any increase in activity that could potentially have an impact on residential amenity.
- 12.41 In view of the above it is considered that the proposals would comply with Policies DP26 and DP29 the Mid Sussex District.

Ecology

- 12.42 Policy DP38 of the District Plan relates to biodiversity and states:

'Biodiversity will be protected and enhanced by ensuring development:

- Contributes and takes opportunities to improve, enhance, manage and restore biodiversity and green infrastructure, so that there is a net gain in biodiversity, including through creating new designated sites and locally relevant habitats, and incorporating biodiversity features within developments; and*
- Protects existing biodiversity, so that there is no net loss of biodiversity. Appropriate measures should be taken to avoid and reduce disturbance to sensitive habitats and species. Unavoidable damage to biodiversity must be offset through ecological enhancements and mitigation*

measures (or compensation measures in exceptional circumstances); and

- Minimises habitat and species fragmentation and maximises opportunities to enhance and restore ecological corridors to connect natural habitats and increase coherence and resilience; and*
- Promotes the restoration, management and expansion of priority habitats in the District; and*
- Avoids damage to, protects and enhances the special characteristics of internationally designated Special Protection Areas, Special Areas of Conservation; nationally designated Sites of Special Scientific Interest, Areas of Outstanding Natural Beauty; and locally designated Sites of Nature Conservation Importance, Local Nature Reserves and Ancient Woodland or to other areas identified as being of nature conservation or geological interest, including wildlife corridors, aged or veteran trees, Biodiversity Opportunity Areas, and Nature Improvement Areas.*

Designated sites will be given protection and appropriate weight according to their importance and the contribution they make to wider ecological networks. Valued soils will be protected and enhanced, including the best and most versatile agricultural land, and development should not contribute to unacceptable levels of soil pollution.'

12.43 Para 180 of the NPPF highlights that the planning system should contribute to and enhance the natural and local environment by, amongst other things protecting and enhancing valued landscapes and minimising impacts on biodiversity and providing net gains where possible. In determining planning applications, para 180 sets out a number of principles that local planning authorities should apply in trying to conserve and enhance biodiversity, which include the following:

- 'if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts),adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused..'*

12.44 Twineham Parish Council have commented that there will be a loss of habitat and have asked that some additional planting work is undertaken in the vicinity of the new buildings to mitigate the environmental damage. The Council's consultant ecologist has however reviewed the ecology reports submitted with the application and has raised no objection. While noting that all existing buildings and trees are to be retained and your consultant ecologist has commented that there is sufficient ecological information available to determine the application positively, subject to conditions.

12.45 It is noted that the ecology reports submitted as part of the application propose biodiversity enhancements, and your consultant ecologist is supportive of these biodiversity enhancements, which would secure net gains for biodiversity. Your consultant ecologist has recommended that an appropriate condition is attached to any approval to ensure that the further details of the biodiversity enhancement measures are submitted for approval, and that the implementation of these measures is also secured.

12.46 A Wildlife Friendly Lighting Strategy has been submitted with the application and your consultant ecologist is satisfied with this report, again subject to a condition

requiring technical specification, which demonstrate measures to avoid lighting impacts to foraging / commuting bats, which are likely to be present within the local area.

- 12.47 In view of the above it is considered that subject to the conditions recommended by the ecologist the proposals would comply with policy DP38 and the aims of the NPPF.

Sustainability

- 12.48 District Plan policy DP39 relates to Sustainable Design and Construction and states:

'All development proposals must seek to improve the sustainability of development and should where appropriate and feasible according to the type and size of development and location, incorporate the following measures:

- *Minimise energy use through the design and layout of the scheme including through the use of natural lighting and ventilation;*
- *Explore opportunities for efficient energy supply through the use of communal heating networks where viable and feasible;*
- *Use renewable sources of energy;*
- *Maximise efficient use of resources, including minimising waste and maximizing recycling/ re-use of materials through both construction and occupation;*
- *Limit water use to 110 litres/person/day in accordance with Policy DP42: Water Infrastructure and the Water Environment;*
- *Demonstrate how the risks associated with future climate change have been planned for as part of the layout of the scheme and design of its buildings to ensure its longer term resilience'*

- 12.49 Principle DG37 of Council's Design Guide the deals with 'sustainable buildings' and states;

'The Council welcomes innovative and inventive designs that respond to the sustainability agenda by minimising the use of resources and energy both through building construction and after completion.'

- 12.50 Paragraph 154 of the NPPF seeks to ensure new development helps, *'to reduce greenhouse gas emissions, such as through its location, orientation and design.'*

- 12.51 In determining planning applications paragraph 157 expects new development to, *'take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption'*.

- 12.52 An energy and sustainability statement has been submitted in support of the application and it explains that due to the nature of the development it is difficult to incorporate significant sustainability gains in relation to energy, water and drainage. This is because while the stables would be unheated, some thought was given to the use of solar panels on the roof to service other buildings on the site. However, the battery storage requirements and distance from the buildings which would actually use this energy source made this difficult to achieve technically, in addition to the economic cost.

- 12.53 Grey water harvesting for reuse in the stables was considered but the International Federation for Equestrian Sports (FEI) has a duty to monitor drug use in competing horses. Therefore, the reuse of water within the stables would be a problem as there could be evidence of drugs in the recycled water. The water will therefore be stored and used for watering the show ground when required.
- 12.54 The submitted Sustainability Assessment is considered acceptable and demonstrates that the applicant has considered sustainable matters as part of their design approach, including the use of renewable technologies.
- 12.55 It should be noted that in respect of policy DP39 of the District Plan, the wording of this policy is supportive of improving the sustainability of developments, but there are no prescriptive standards for developments to achieve in respect of carbon emission reductions.
- 12.56 Similarly, the wording of principle DG37 of the Council's Design Guide seeks applicants to demonstrate and consider sustainable matters as part of their design approach, including the use of renewable technologies, but it does not require their use. It is therefore considered that the proposal complies with the requirements of policy DP39.

Drainage

- 12.57 Policy DP41 of the District Plan requires development proposals to follow a sequential risk-based approach, ensure development is safe across its lifetime and not increase the risk of flooding elsewhere. In areas that have experienced flooding in the past, use of Sustainable Drainage Systems should be implemented unless demonstrated to be inappropriate.
- 12.58 The Drainage Engineer has considered the information submitted in regard to flood risk, surface water and foul water drainage and has raised no objection. It is considered that this matter can be suitably dealt with by condition, so there should be no conflict with these policies.
- 12.59 It is therefore considered that the proposal complies with Policy DP41 of the Mid Sussex District Plan.

13.0 Planning Balance and Conclusion

- 13.1 Planning legislation requires the application to be determined in accordance with the Development Plan unless material circumstances indicate otherwise.
- 13.2 In this part of Mid Sussex the development plan comprises the District Plan (DP), the Site Allocations Development Plan Document (SADPD), and the Twineham Neighbourhood Plan.
- 13.3 National policy (which is contained in the NPPF and National Planning Policy Guidance) does not form part of the development plan but is an important material consideration.
- 13.4 The development lies in the countryside therefore Policy DP12 is relevant which seeks to protect and enhance the countryside and allows development where it is supported by other policies in the District Plan. In this case the proposals are

supported by policies DP1 that supports the effective use of employment land and premises, while policy DP14 supports the sustainable growth and the vitality of the rural economy and Policy DP19 supports tourism related development in the countryside provided that it maintains or where possible enhances the quality of the rural and landscape character. Finally, Policy DP24 supports development that provides new and/or enhanced leisure and cultural activities and facilities.

- 13.5 The Twineham neighbourhood plan Policy TNP3.1 also supports the diversification of established agricultural businesses and buildings.
 - 13.6 As such, the principle of development is supported by the aforementioned policies and the NPPF, subject to the proposal protecting and potentially enhancing the rural and landscape character of the District.
 - 13.7 The proposed design, layout and scale of the development is considered acceptable, and it would not cause harm to the character and appearance of the area. It is not considered to cause significant harm to the neighbouring amenities.
 - 13.8 There will be a neutral impact in respect of a number of issues such as highways, traffic, drainage and ecology.
 - 13.9 Weighing against the proposal is the less than substantial harm identified by the Conservation Officer in relation to the setting of nearby heritage assets and therefore there is a conflict with policy DP34. However, this has to be weighed against the benefits of the proposals.
 - 13.10 It is considered that overall, whilst the less than substantial harm to the setting of the nearby listed buildings should be afforded weight, on balance, the public benefits arising from the scheme, which are, new improved facilities with permanent stabling and storage facilities for a world renowned international showjumping ground; (which would provide economic and social benefits, including employment and local spend as well as health and social wellbeing) are considered to outweigh the heritage harm identified.
 - 13.11 Overall, while there is a conflict with DP34, it is considered that the application complies with the Development Plan as a whole. The Courts have confirmed that the development plan must be considered as a whole, not simply in relation to any one individual policy. The proposal also meets the test of paragraph 202 of the NPPF, with the public benefits outweighing the less than substantial harm to the setting of the nearby listed buildings. It is therefore recommended that this application is approved.
 - 13.12 The application is thereby considered to comply with policies DP1, DP12, DP14, DP21, DP26, DP29, DP37, DP39 and DP41 of the District Plan, policies TPN2, TPN3, TPN4 of the Neighbourhood Plan, The Mid Sussex Design Guide SPD and the relevant provisions of the NPPF.
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APPENDIX A – RECOMMENDED CONDITIONS

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the plans listed below under the heading "Plans Referred to in Consideration of this Application".

Reason: For the avoidance of doubt and in the interest of proper planning.

3. The development hereby permitted shall not commence unless and until details of the proposed foul and surface water drainage and means of disposal have been submitted to and approved in writing by the local planning authority. No building shall be occupied until all the approved drainage works have been carried out in accordance with the approved details. The details shall include a timetable for its implementation and a management and maintenance plan for the lifetime of the development which shall include arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime. Maintenance and management during the lifetime of the development should be in accordance with the approved details.

Reason: To ensure that the proposal is satisfactorily drained and to accord with the NPPF requirements, and Policy DP41 of the Mid Sussex District Plan (2014 - 2031).

4. Works of construction or demolition, including the use of plant and machinery, necessary for implementation of this consent shall be limited to the following times:

- Monday - Friday 08:00 - 18:00 Hours
- Saturday 09:00 - 13:00 Hours
- Sundays and Bank/Public Holidays no work permitted

Reason: To protect the amenity of local residents and to accord with Policy DP29 of Mid Sussex District Plan.

5. No development shall be carried out above ground slab level unless and until there has been submitted to and approved in writing by the Local Planning Authority full details of both hard and soft landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of those to be retained, together with measures for their protection in the course of development.

Hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become 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: In the interests of visual amenity and of the environment of the development and to accord with Policy DP26 of the District Plan.

6. No development shall be carried out above ground slab level unless and until there has been submitted to and approved in writing by the Local Planning Authority samples and a schedule of materials and finishes to be used for the external walls, roofs and windows/doors of the proposed buildings. The works shall be carried out in accordance with the approved details unless otherwise agreed with the Local Planning Authority.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality and to accord with Policy DP26 of the Mid Sussex District Plan.

7. All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Badger Survey (Arbtech Consulting Limited, June 2023), Great Crested Newt eDNA Survey (Arbtech Consulting Limited, June 2023) and the Preliminary Ecological Appraisal and Preliminary Roost Assessment (Arbtech Consulting Limited, June 2023) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. This includes the Non-Licensed Great Crested Newt Method Statement in Table 4 of the Great Crested Newt eDNA Survey (Arbtech Consulting Limited, June 2023) which avoid impacts on this European Protected Species.

This will include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

Reason: To conserve and enhance protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species) and in accordance with policies DP38 of the Mid Sussex District Plan and 180 of the NPPF.

8. No development shall be carried out unless and until there has been submitted to and approved in writing by the Local Planning Authority a construction environmental management plan (CEMP: Biodiversity). The CEMP (Biodiversity) shall include the following.
 - a) Risk assessment of potentially damaging construction activities.
 - b) Identification of "biodiversity protection zones".
 - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
 - d) The location and timing of sensitive works to avoid harm to biodiversity features.
 - e) The times during construction when specialist ecologists need to be present on site to oversee works.
 - f) Responsible persons and lines of communication.
 - g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
 - h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To conserve protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats & species) and in accordance with policies DP38 of the Mid Sussex District Plan and 180 of the NPPF.

9. No development shall be carried out above ground slab level unless and until there has been submitted to and approved in writing by the Local Planning Authority a Biodiversity Enhancement Layout, providing the finalised details and locations of the enhancement measures contained within the Preliminary Ecological Appraisal and Preliminary Roost Assessment (Arbtech Consulting Limited, June 2023) shall be submitted to and approved in writing by the local planning authority.

The enhancement measures shall be implemented in accordance with the approved details prior to occupation and all features shall be retained in that manner thereafter.

Reason: To enhance Protected and Priority Species and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species) and in accordance with policies DP38 of the Mid Sussex District Plan and 180 of the NPPF.

10. No development shall be carried out above ground slab level unless and until there has been submitted to and approved in writing by the Local Planning Authority a lighting design scheme for biodiversity. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting contour plans, Isolux drawings and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory. All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species) and in accordance with policies DP38 of the Mid Sussex District Plan and 180 of the NPPF.

INFORMATIVES

1. In accordance with 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 and subsequently determining to grant planning permission in

accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

2. The applicant is advised that as the Hay Barn is to be located adjacent to a public footpath, the applicant will need to ensure the barn and its doors/access do not encroach on the Public Right of Way (PROW) and the footpath is kept clear and not obstructed at any time.
3. Your attention is drawn to the requirements of the Environmental Protection Act 1990 with regard to your duty of care not to cause the neighbours of the site a nuisance. Accordingly, you are requested that:
 - Hours of construction/demolition on site are restricted only to: Mondays to Fridays 0800 - 1800 hrs; Saturdays 0900 - 1300 hrs; No construction/demolition work on Sundays or Public Holidays.
 - Measures shall be implemented to prevent dust generated on site from crossing the site boundary during the demolition/construction phase of the development.
 - No burning of materials shall take place on site at any time.

If you require any further information on these issues, please contact Environmental Protection on 01444 477292.

Plans Referred to in Consideration of this Application

The following plans and documents were considered when making the above decision:

Plan Type	Reference	Version	Submitted Date
Location Plan	5016 01	-	10.07.2023
Existing Block Plan	5016 02	-	10.07.2023
Proposed Block Plan	5016 03	-	10.07.2023
Sections	5016 04	-	10.07.2023
Proposed Floor and Elevations Plan	5016 05	-	10.07.2023
Proposed Floor Plans	5016 06	-	10.07.2023
Proposed Roof Plan	5016 07	-	10.07.2023
Proposed Elevations	5016 08	-	10.07.2023
Proposed Elevations	5016 09	-	10.07.2023

APPENDIX B - CONSULTATIONS

Historic England

Thank you for your letter of 17 October 2023 regarding the above application for planning permission.

Historic England provides advice when our engagement can add most value. In this case we are not offering advice. This should not be interpreted as comment on the merits of the application.

We suggest that you seek the views of your specialist conservation and archaeological advisers. You may also find it helpful to refer to our published advice at <https://historicengland.org.uk/advice/find/>

It is not necessary to consult us on this application again, unless there are material changes to the proposals. However, if you would like advice from us, please contact us to explain your request.

WSCC - Highways Authority

I refer to your consultation in respect of the above planning application and would provide the following comments.

The proposed development is for the construction of three barns to contain permanent loose boxes for use by competitors attending events and storage for hay and fodder plus associated works.

There are currently 126 permanent small horse boxes on site, however these are small and do not meet the required regulations/welfare standards. Temporary horse boxes are currently being shipped in for each event at a cost to the applicant.

It is proposed for 2 barns of 68 boxes to include wash down facilities to be constructed plus an additional 18m x 6m hay storage barn.

The Hay Barn is to be located adjacent to a public footpath, the applicant will need to ensure the barn and its doors/access do not encroach on the Public Right of Way (PROW) and the footpath is kept clear and not obstructed at any time.

The proposed stabling is ancillary to the existing permitted use. It is a replacement and improvement of the existing facility and necessary for the operation of the site activities and therefore will not generate any additional traffic, over and above existing levels

Large vehicles, including horse boxes and any construction traffic, currently access the site via the northern access from Hickstead Lane, just west of the A2300 roundabout junction. The Highway Authority has been made aware of recent issues associated with vehicles blocking this access when gaining access into Hickstead. It is the preference of the Highway Authority that the site is accessed via the southern access off the B2118.

No highway objection.

Comments on the above planning application.

Conservation Officer

Comments dated 06/11/2023

Further comments on the above planning application following the receipt of a Heritage Statement and addendum email, both received on 17th October.

I have read and considered both documents but find that the contents do not alter my opinion in respect of the proposed works and the impact that these will have on the settings of the affected heritage assets.

Comments dated 14/09/2023

The application site is a field to the south west of Hickstead, forming part of the grounds associated with Hickstead All England Jumping Course. The field is currently partly occupied by several buildings relating to the showground, including stabling, toilets and an accommodation block. At certain times of the year extensive temporary stabling is also present.

The field is located just to the west of the group of buildings around Hickstead Place, which is a substantial II* listed house dating originally from the 15th century, with 17th century and later wings. To the south of the house, within its gardens, is The Castle, a 17th century summer house (Grade II listed). To the north, the 17th century barn associated with the house is also Grade II listed, and there are a range of other ancillary buildings, some of which would be regarded as curtilage listed. A more modern stable yard and barn lie to the north again.

A short distance north east of Hickstead Place is Westovers, a Grade II listed partly 15th century building.

North of Westovers is Little Hickstead Place, a Grade II listed 17th century or earlier former farmhouse to Little Hickstead Farm. Warren Barn, to the east of this, dates from historic map regression from the 19th century or earlier and may be regarded as curtilage listed but due to assumed different ownership is more likely to be considered as a non designated heritage asset (NDHA). To the west, the former farmyard to Little Hickstead Farm survives but now appears to be in separate ownership. This also appears to date from the 19th century or earlier and again may be regarded as curtilage listed, or as an NDHA.

The West Sussex Historic Farmstead and Landscape Character assessment records Hickstead Place, Hickstead Farm and Warren Barn as three individual historic farmsteads.

A public footpath (PROW) runs east-west through the group of buildings, between Hickstead Place and Westovers and Little Hickstead Place, and on across the northern edge of the site.

Based on the information in front of us I would think it likely that Hickstead Place would be considered to possess architectural interest based partly on its construction and craftsmanship, as well as historical illustrative value as a very good example of a rural building of its type and period. It also possesses aesthetic value based in part on the use of vernacular materials viewed within the landscape from which they were drawn, as well as

group value, in particular with The Castle and the listed barn, but also with Westovers and Little Hickstead Place and associated curtilage listed buildings/NDHAs identified above.

The Castle and barn would be considered to possess similar values as good examples of buildings of their individual types and periods, and again group value with each other and Hickstead Place

Westovers would be considered to possess architectural value, as well as historical illustrative value as good example of a rural Sussex building, and aesthetic value based in part on the use of vernacular materials viewed within the landscape from which they were drawn. Again, it has group value with the other assets identified above.

Little Hickstead Place again possesses architectural and historical illustrative values, as a good example of a rural Sussex farmhouse, as well as fortuitous aesthetic value similar to the buildings considered above. It also possesses group value with the former farmyard buildings to the west, as well as the other listed buildings and curtilage listed buildings/NDHAs around Hickstead Place.

In all cases, I would consider that the surviving rural setting of the various heritage assets makes to a greater or lesser degree a positive contribution to their special interests, and the manner in which these are appreciated, including in particular that part of those interests which is drawn from historical illustrative and aesthetic values. The exact level of contribution may vary due to proximity and to the former use or purpose of the buildings, although in many cases this is not entirely clear. Buildings associated with former farmsteads will have a close historical association with the surrounding farmlands, although it is not clear at present which farmsteads were associated with which land. In any case, continuing proximity to landscape of a rural character will contribute to an understanding of the former function of these buildings.

The application site, although partly built upon, remains largely an open field. Despite being part of the Hickstead showground, it therefore retains to some extent its original rural character. The site is located directly to the west of the grounds to Westovers and Hickstead Place, and although intervisibility is limited particularly in summer by intervening planting, it is likely that glimpsed views between the site and these buildings and/or their immediate garden settings will be possible especially in winter. Furthermore, the site forms a prominent part of the approach to the group of buildings along the PROW running towards them from the countryside to the west. In my opinion, the remaining green open space of the site forms part of the surviving rural setting of the group of listed buildings, and the positive contribution which this makes to the manner in which their special interests are appreciated, as discussed above.

The current proposal is for the construction of further stabling on the eastern part of the field, comprising three sets of paired stable buildings, with associated hard landscaping, lighting and infrastructure.

Notwithstanding the existing permanent and seasonal temporary stabling on the site, the proposal will have a significant impact on its surviving open and rural character. The proposed new buildings, although of a loosely barn typology, will not resemble traditional Sussex agricultural buildings in their layout, form or materials. They will appear as an intrusion into the traditional rural landscape, albeit as an extension of the existing stable

provision within the same field. The associated hard landscaping etc. will exacerbate this impact. For these reasons, in my opinion they will detract from the surviving rural character of the site and the positive contribution this makes to the settings of the adjacent listed buildings. In particular, the proposal will detract from the character of the approach to the buildings along the adjacent PROW, although there is likely to also be some impact on views from Westovers, Hickstead Place and their immediate garden settings, particularly in winter.

This will result, in my opinion, in a degree of less than substantial harm to the assets identified above. I would place this generally at the low-mid range of that scale, with the greater impact perhaps being to Westovers, Hickstead Place, and Hickstead Place barn, due to their proximity to the site and/or the PROW, although this assessment may be subject to adjustment on receipt of an appropriately detailed heritage statement. There will also be an impact on the associated curtilage listed buildings/NDHAs which again can be further assessed on receipt of the Statement. Paragraph 202 of the NPPF and the balancing exercise set out within it will therefore apply.

The proposal will also be contrary to the requirements of District Plan Policy DP34.

West Sussex Fire and Rescue

Comments dated 06/09/2023

Following the e-mail correspondence regarding the alternative water supply for firefighting, I am satisfied a suitable alternative has been provided with the right connection to enable the Fire Service to extract the water when required. Therefore the planning consultation raised for this planning application has been met, no further action required.

Comments dated 30/08/2023

Having viewed the plans for the planning application no. DM/23/1813 for the Development of three barns to contain permanent loose boxes for competitors, a storage barn for hay and fodder with associated work, the nearest fire hydrant to this site is 525 metres away, 435 metres further than the 90 metres distance required for a domestic premises. If an alternative supply of water for firefighting is to be considered it will need to conform with the details identified in Approved Document – B (AD-B) Volume 2 - 2019 edition: B5 section 16.

Evidence is also required to show suitable access to the site for a fire appliance can be achieved in accordance with AD-B Volume 2 B5 section 15.

Consultant Ecologist

We have reviewed the Badger Survey (Arbtech Consulting Limited, June 2023), Great Crested Newt eDNA Survey (Arbtech Consulting Limited, June 2023) and the Preliminary Ecological Appraisal and Preliminary Roost Assessment (Arbtech Consulting Limited, June 2023), supplied by the applicant, relating to the likely impacts of development on designated sites, protected & Priority species, and identification of proportionate mitigation.

We note that all existing buildings and trees are to be retained (Preliminary Ecological Appraisal and Preliminary Roost Assessment (Arbtech Consulting Limited, June 2023)) and therefore agree that no further bat surveys are required. One oak tree on the western boundary of the site has moderate bat roost potential (Preliminary Ecological Appraisal and Preliminary Roost Assessment (Arbtech Consulting Limited, June 2023)), and so if this tree,

or any other trees on site, will be impacted by a change in the plans, those trees to be affected must be subject to a Preliminary Roost Assessment for bats prior to determination in order to inform any mitigation requirements or the need for further surveys.

We also note that the eDNA test results for Pond P3 indicate that Great Crested Newt (GCN) are present (Great Crested Newt eDNA Survey (Arbtech Consulting Limited, June 2023)). As the pond is approximately 165m from the eastern boundary of the site, Ponds P1, P2 and P4 returned negative results and Natural England's Rapid Risk Assessment concludes that an offence is highly unlikely, we support the implementation of the Non-licensed GCN Precautionary Method Statement in Table 4 of the Great Crested Newt eDNA Survey (Arbtech Consulting Limited, June 2023). This should be secured by a condition of any consent and implemented in full.

We also support the precautionary measures in the Badger Survey (Arbtech Consulting Limited, June 2023).

We are satisfied that there is sufficient ecological information available for determination.

This provides certainty for the LPA of the likely impacts on protected and Priority species and, with appropriate mitigation measures secured, the development can be made acceptable.

This will enable the LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006.

The mitigation and enhancement measures identified in the Badger Survey (Arbtech Consulting Limited, June 2023), Great Crested Newt eDNA Survey (Arbtech Consulting Limited, June 2023) and the Preliminary Ecological Appraisal and Preliminary Roost Assessment (Arbtech Consulting Limited, June 2023) should be secured by a condition of any consent and implemented in full. This is necessary to conserve and enhance protected and Priority species. The finalised measures should be provided in a Construction and Environmental Management Plan - Biodiversity to be secured as a pre-commencement condition of any consent.

We also support the proposed reasonable biodiversity enhancements, which have been recommended to secure net gains for biodiversity, as outlined under Paragraph 174[d] of the National Planning Policy Framework 2021. The reasonable biodiversity enhancement measures should be outlined within a Biodiversity Enhancement Layout and should be secured by a condition of any consent for discharge prior to slab level.

We also support the recommendation that a Wildlife Friendly Lighting Strategy is implemented for this application (Preliminary Ecological Appraisal and Preliminary Roost Assessment (Arbtech Consulting Limited, June 2023)). Therefore, technical specification should be submitted prior to beneficial use, which demonstrates measures to avoid lighting impacts to foraging / commuting bats, which are likely to be present within the local area. This should summarise the following measures will be implemented:

- Light levels should be as low as possible as required to fulfil the lighting need.
- Warm White lights should be used at <2700k. This is necessary as lighting which emits an ultraviolet component or that has a blue spectral content has a high attraction effect on insects. This may lead in a reduction in prey availability for some light sensitive bat species.
- The provision of motion sensors or timers to avoid the amount of 'lit-time' of the proposed lighting.

- Lights should be designed to prevent horizontal spill e.g. cowls, hoods, reflector skirts or shields.

Impacts will be minimised such that the proposal is acceptable subject to the conditions below based on BS42020:2013. In terms of biodiversity net gain, the enhancements proposed will contribute to this aim.

Submission for approval and implementation of the details below should be a condition of any planning consent:

Recommended conditions

1. ACTION REQUIRED IN ACCORDANCE WITH ECOLOGICAL APPRAISAL RECOMMENDATIONS

“All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Badger Survey (Arbtech Consulting Limited, June 2023), Great Crested Newt eDNA Survey (Arbtech Consulting Limited, June 2023) and the Preliminary Ecological Appraisal and Preliminary Roost Assessment (Arbtech Consulting Limited, June 2023) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. This includes the Non-Licensed Great Crested Newt Method Statement in Table 4 of the Great Crested Newt eDNA Survey (Arbtech Consulting Limited, June 2023) which avoid impacts on this European Protected Species.

This will include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.”

Reason: To conserve and enhance protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species).

2. PRIOR TO COMMENCEMENT: CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN FOR BIODIVERSITY

“A construction environmental management plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the local planning authority.

The CEMP (Biodiversity) shall include the following.

- *a) Risk assessment of potentially damaging construction activities.*
- *b) Identification of “biodiversity protection zones”.*
- *c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).*
- *d) The location and timing of sensitive works to avoid harm to biodiversity features.*
- *e) The times during construction when specialist ecologists need to be present on site to oversee works.*
- *f) Responsible persons and lines of communication.*
- *g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.*
- *h) Use of protective fences, exclusion barriers and warning signs.*

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority”

Reason: *To conserve protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats & species).*

3. PRIOR TO BENEFICIAL USE: BIODIVERSITY ENHANCEMENT LAYOUT

“A Biodiversity Enhancement Layout, providing the finalised details and locations of the enhancement measures contained within the Preliminary Ecological Appraisal and Preliminary Roost Assessment (Arbtech Consulting Limited, June 2023) shall be submitted to and approved in writing by the local planning authority.

The enhancement measures shall be implemented in accordance with the approved details prior to occupation and all features shall be retained in that manner thereafter.”

Reason: *To enhance Protected and Priority Species and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species).*

4. PRIOR TO BENEFICIAL USE: WILDLIFE SENSITIVE LIGHTING DESIGN SCHEME

“A lighting design scheme for biodiversity shall be submitted to and approved in writing by the local planning authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting contour plans, Isolux drawings and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.”

Reason: *To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species).*

Drainage

flood risk

The application is supported by a flood risk assessment which has reviewed flood risk from all sources. It concludes flood risk posed to the development is very low and recommends finished floor levels are raised 150mm above external ground levels.

The report meets with national and local flood risk policy and the development is considered acceptable in terms of flood risk.

Sewers on site

The Southern Water public sewer map does not show any public sewers located within the redline boundary of the site.

There may be sewers located on the site not shown on the plan which are now considered public sewers. Any drain which serves more than one property, or crosses into the site from

a separate site may be considered a public sewer. Advice in relation to this situation can be found on the relevant water authority's website.

surface water drainage

The application is supported by a storm water drainage strategy report which states that the development will discharge surface water drainage into an adjacent watercourse at a controlled rate. Initial drainage calculations show the development can manage surface water up to the 1:100-year plus climate change event with a discharge rate equivalent to the Greenfield 1:1 runoff rate. This is considered acceptable, subject to final design.

Information into our general requirements for detailed surface water drainage design is included within the 'General Drainage Requirement Guidance' section. This level of information will be required to address the recommended drainage condition.

To ensure the final drainage design meets with the latest design requirements we would advise the applicant to confirm the design parameters required in relation to climate change etc prior to undertaking detailed design.

foul water drainage

It is proposed that the development will utilise a septic tank to manage foul water drainage from the site, including wastewater from the horse wash down bays. This is considered acceptable, subject to final design.

Information into our general requirements for detailed foul water drainage design is included within the 'General Drainage Requirement Guidance' section.

To ensure the final drainage design meets with the latest design requirements we would advise the applicant to confirm the design parameters required prior to undertaking detailed design.

CONDITION recommendation

C18F - MULTIPLE DWELLINGS/UNITS

The development hereby permitted shall not commence unless and until details of the proposed foul and surface water drainage and means of disposal have been submitted to and approved in writing by the local planning authority. No building shall be occupied until all the approved drainage works have been carried out in accordance with the approved details. The details shall include a timetable for its implementation and a management and maintenance plan for the lifetime of the development which shall include arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime. Maintenance and management during the lifetime of the development should be in accordance with the approved details.

Reason: To ensure that the proposal is satisfactorily drained and to accord with the NPPF requirements, Policy CS13 of the Mid Sussex Local Plan, Policy DP41 of the Pre-Submission District Plan (2014 - 2031) and Policy ...'z'... of the Neighbourhood Plan.

SURFACE WATER DRAINAGE VERIFICATION REPORT

No building is to be occupied, or brought into use, until a Verification Report pertaining to the surface water drainage system, carried out by a competent Engineer, has been submitted to the Local Planning Authority. The Verification Report shall demonstrate the suitable operation of the drainage system such that flood risk is appropriately managed, as approved by the Lead Local Flood Authority. The Report shall contain information and evidence (including photographs) of earthworks; details and locations of inlets, outlets, and control structures; extent of planting; details of materials utilised in construction including subsoil, topsoil, aggregate and membrane liners; full as built drawings; and topographical survey of 'as constructed' features. The Verification Report should also include an indication of the adopting or maintaining authority or organisation.

Reason: To ensure that the constructed surface water drainage system complies with the approved drainage design and is maintainable.

Environmental Protection

No adverse comments.